WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

SENATE BILL NO. 108

(By Mr. Common. Agriculture)

PASSED March 10, 1959

In Effect From Passage

Filed in Office of the Secretary of State
of West Virginia MAR 16 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-b, relating to the development of the meat packing industry and to the regulation of the sale and transportation of meats and meat products and prescribing penalties for the violation hereof.

Be it enacted by the Legislature of West Virginia:

That chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by
adding thereto a new article designated article two-b, to read
as follows:

**Article 2-b. Inspection of Meats and Meat Products.**

Section 1. *Definitions.*—For the purpose of this article

the following definitions shall prevail:

(a) The term "slaughterhouse" means an establishment, including all buildings, structures and facilities used in connection therewith, where more than one hundred head of livestock of any specie is slaughtered annually and dressed for food intended for human consumption.

(b) The term "packing plant" means an establishment, including all chill rooms, aging rooms, processing rooms, and sanitary facilities, together with all buildings, structures and facilities or utensils used in connection therewith, with or without slaughtering facilities, where livestock carcasses or edible products derived therefrom are cured, salted, processed, packaged, or otherwise prepared for sale as food intended for human consumption.

(c) The term "livestock" means animals used for food
for human consumption, but shall not include poultry or rabbits.

(d) The term "person" means any individual, firm, partnership, corporation, company, society or association, or any officer, agent or employee thereof, and such term shall import either the singular or the plural, as the case may be.

(e) "Commissioner" shall mean the state commissioner of agriculture.

Sec. 2. Duties and Powers of Commissioner.—In order to properly regulate, supervise and promote the meat packing industry in the state and to provide consumers with a healthy and wholesome product, it shall be the duty of the commissioner, and he shall have authority to promote, regulate and supervise a system of inspection of all slaughter and meat packing houses in the state of West Virginia.

Sec. 3. Inspections.—The commissioner or his agents shall during business hours have access to any place, premises or conveyances either private or public, where animals are slaughtered or meat processed, handled,
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stored, transported, distributed or sold, for the purpose of
examining any livestock or carcasses or any edible or in-
edible parts thereof, or any record pertaining to the source
and sale of livestock, carcasses, processed, or packaged
meat or meat products.

Sec. 4. License.—It shall be unlawful for any person to
operate, or engage in the operation of a packing plant
or slaughterhouse, unless he shall first have obtained a
license therefor from the commissioner.

Application for such license shall be made on forms pre-
scribed by the commissioner and shall be accompanied
by a fee of twenty-five dollars, payable to the state de-
partment of agriculture. Before issuing such a license the
commissioner shall have authority to inspect the premises
and facilities of the applicant and if satisfied with said
inspection, then the commissioner may issue said license.

Each such license shall expire on the thirtieth day of June
next following its issuance. Said license can be renewed
upon proper application accompanied by a fee of twenty-
five dollars.
The commissioner shall assign permanent identification numbers to persons holding such licenses.

Sec. 5. Revocation or Suspension of Licenses.—The commissioner may refuse to grant a license or may revoke or suspend a license issued under the provisions of this section when a slaughterhouse or packing plant is being operated contrary to or in violation of the provisions of this article or any rules or regulations promulgated thereunder by the commissioner: Provided, That such a revocation or suspension shall not be effective until the licensee has been notified of and given an opportunity to attend a hearing before the commissioner.

Sec. 6. Marking or Branding of Meat or Meat Products.
—The carcasses of all livestock slaughtered, together with the usual wholesale cuts thereof, and such meat or meat products, in loose form, encased, packaged, or canned, as may be designated by the commissioner shall be legibly marked or branded with an edible ink or otherwise identified with the name and assigned identification number of the slaughterhouse or packing plant producing such an
article of food, all in accordance with the rules and regula-
tions of the commissioner.

Sec. 7. Plants Operating Under the Supervision of
United States Department of Agriculture.—The provisions
of this section shall not apply to slaughterhouses or pack-
ing plants, or to meat and meat food products thereof, oper-
ating under the supervision of the meat inspection branch
of the United States department of agriculture, nor to
livestock slaughtered for an individual's personal use.

Sec. 8. Commissioner to Enforce Article.—The commis-
sioner of agriculture shall be charged with the enforce-
ment of this article and shall have the authority to make
and enforce rules and regulations for the administration of
this article.

Sec. 9. Penalties.—Any person who shall violate any of
the provisions of this article or the rules and regulations
promulgated hereunder, shall be guilty of a misdemeanor
and upon conviction thereof, shall for the first offense
be fined not more than one hundred dollars and upon con-
viction of each subsequent offense be fined not more than
five hundred dollars, and in addition to such fine may be
confined in the county jail for not more than ten days.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect From passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 16th day of March 1959.

Governor