

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

ENROLLED

Senate Committee Substitute for
House ~~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

ENROLLED

SENATE COMMITTEE SUBSTITUTE

FOR

House Bill No. 108

[Passed March 10, 1959; in effect from passage.]

(Originating in the Senate Committee on Agriculture)

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
2 the following definitions shall prevail:

3 (a) The term “slaughterhouse” means an establish-
4 ment, including all buildings, structures and facilities
5 used in connection therewith, where more than one hun-
6 dred head of livestock of any specie is slaughtered annu-
7 ally and dressed for food intended for human consump-
8 tion.

9 (b) The term “packing plant” means an establishment,
10 including all chill rooms, aging rooms, processing rooms,
11 and sanitary facilities, together with all buildings, struc-
12 tures and facilities or utensils used in connection there-
13 with, with or without slaughtering facilities, where live-
14 stock carcasses or edible products derived therefrom are
15 cured, salted, processed, packaged, or otherwise prepared
16 for sale as food intended for human consumption.

17 (c) The term “livestock” means animals used for food

18 for human consumption, but shall not include poultry or
19 rabbits.

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

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

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

Sec. 3. *Inspections.*—The commissioner or his agents
2 shall during business hours have access to any place,
3 premises or conveyances either private or public, where
4 animals are slaughtered or meat processed, handled,

5 stored, transported, distributed or sold, for the purpose of
6 examining any livestock or carcasses or any edible or in-
7 edible parts thereof, or any record pertaining to the source
8 and sale of livestock, carcasses, processed, or packaged
9 meat or meat products.

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

5 Application for such license shall be made on forms pre-
6 scribed by the commissioner and shall be accompanied
7 by a fee of twenty-five dollars, payable to the state de-
8 partment of agriculture. Before issuing such a license the
9 commissioner shall have authority to inspect the premises
10 and facilities of the applicant and if satisfied with said
11 inspection, then the commissioner may issue said license.
12 Each such license shall expire on the thirtieth day of June
13 next following its issuance. Said license can be renewed
14 upon proper application accompanied by a fee of twenty-
15 five dollars.

16 The commissioner shall assign permanent identification
17 numbers to persons holding such licenses.

Sec. 5. *Revocation or Suspension of Licenses.*—The com-
2 missioner may refuse to grant a license or may revoke or
3 suspend a license issued under the provisions of this sec-
4 tion when a slaughterhouse or packing plant is being oper-
5 ated contrary to or in violation of the provisions of this
6 article or any rules or regulations promulgated there-
7 under by the commissioner: *Provided*, That such a revo-
8 cation or suspension shall not be effective until the li-
9 censee has been notified of and given an opportunity to
10 attend a hearing before the commissioner.

Sec. 6. *Marking or Branding of Meat or Meat Products.*
2 —The carcasses of all livestock slaughtered, together with
3 the usual wholesale cuts thereof, and such meat or meat
4 products, in loose form, encased, packaged, or canned, as
5 may be designated by the commissioner shall be legibly
6 marked or branded with an edible ink or otherwise identi-
7 fied with the name and assigned identification number of
8 the slaughterhouse or packing plant producing such an

9 article of food, all in accordance with the rules and regula-
10 tions of the commissioner.

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

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

Sec. 9. *Penalties.*—Any person who shall violate any of
2 the provisions of this article or the rules and regulations
3 promulgated hereunder, shall be guilty of a misdemeanor
4 and upon conviction thereof, shall for the first offense
5 be fined not more than one hundred dollars and upon con-
6 viction of each subsequent offense be fined not more than

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7 five hundred dollars, and in addition to such fine may be

8 confined in the county jail for not more than ten days.

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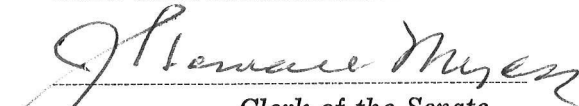
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

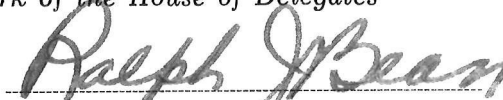

Chairman House Committee


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