

ACT 89

H.B. NO. 1838

A Bill for an Act Relating to Poultry Inspection.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 161-3, Hawaii Revised Statutes, is amended by amending the definition of “processed” to read as follows:

“[“Processed”] “Prepared” or “processed” [means] includes, but is not limited to, slaughtered, canned, boned, salted, stuffed, rendered, cut up, or otherwise manufactured [or prepared].”

SECTION 2. Section 161-7, Hawaii Revised Statutes, is amended to read as follows:

“**[[§161-7]] General powers.** The department [of agriculture], through its board [shall regulate,], may:

- (1) Regulate, supervise, inspect, and control the [manufacture, processing,] slaughtering[,] of poultry and the manufacture, processing, transporta-

tion, packaging, labeling, and disposal of poultry or poultry products involved in intrastate commerce[. The board may make,]; and

- (2) Adopt, amend, and repeal rules [and regulations] as are necessary to implement [the intent and purpose of] this chapter, subject to chapter 91, [governing] on the following matters:
- [(1)] (A) The issuance of licenses, including the class [or classes] of licenses to be issued;
 - [(2)] (B) The type of equipment or facilities [which] that may be used in poultry slaughtering and poultry processing operations;
 - [(3)] (C) The internal operations of poultry slaughterhouses and [of] poultry processing establishments;
 - [(4)] (D) [Inspection] The procedures for ante-mortem and post-mortem inspections and the reinspection of poultry or poultry products used in processing, and [in] the disposal of diseased carcasses and parts of carcasses and poultry or poultry products found unwholesome or otherwise unfit for human consumption;
 - [(5)] (E) The hours of slaughtering and processing, and the conditions under which slaughtering and processing may be conducted at other than scheduled times;
 - [(6)] (F) The labeling and packaging of poultry or poultry products;
 - [(7)] (G) [Storing,] The storing, handling, and transportation of poultry or poultry products;
 - (H) The sanitary conditions of all establishments where poultry is slaughtered or poultry products are processed or prepared; and
 - [(8)] (I) [Such] Any other [matters] matter as may be necessary [to implement] or desirable to effectuate the purposes of this chapter. Notwithstanding the foregoing provisions, the board, without regard to the notice and public hearing requirements of chapter 91, may adopt all federal poultry inspection regulations, including changes made from time to time by the United States Secretary of Agriculture, as rules for the efficient administration of this chapter. Prior to the effective date of any such rules, the department shall publish in a newspaper of general circulation a notice that includes:
 - (i) Either a statement of the substance of the proposed rule adoption, amendment, or repeal; or a general description of the subjects involved and the purposes to be achieved by the proposed rule adoption, amendment, or repeal; and
 - (ii) A statement that a copy of the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed will be mailed to any interested person who requests a copy, together with a description of where and how the requests may be made.

The notice shall be mailed to all persons who have made a timely written request of the department for advance notice of these rules or of the department's rulemaking proceedings. The department may require reimbursement for the cost of preparing and mailing the copies."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.
(Approved June 7, 1995.)