

---

HOUSE BILL 2456

---

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Chandler and Blake

1 AN ACT Relating to information regarding agriculture and livestock;  
2 and amending RCW 42.56.380.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 42.56.380 and 2010 c 128 s 2 are each amended to read  
5 as follows:

6 The following information relating to agriculture and livestock is  
7 exempt from disclosure under this chapter:

8 (1) Business-related information under RCW 15.86.110;

9 (2) Information provided under RCW 15.54.362;

10 (3) Production or sales records required to determine assessment  
11 levels and actual assessment payments to commodity boards and  
12 commissions formed under chapters 15.24, 15.26, 15.28, 15.44, 15.65,  
13 15.66, 15.74, 15.88, 15.115, 15.100, 15.89, and 16.67 RCW or required  
14 by the department of agriculture to administer these chapters or the  
15 department's programs;

16 (4) Consignment information contained on phytosanitary certificates  
17 issued by the department of agriculture under chapters 15.13, 15.49,  
18 and 15.17 RCW or federal phytosanitary certificates issued under  
19 C.F.R. 353 through cooperative agreements with the animal and plant

1 health inspection service, United States department of agriculture, or  
2 on applications for phytosanitary certification required by the  
3 department of agriculture;

4 (5) Financial and commercial information and records supplied by  
5 persons (a) to the department of agriculture for the purpose of  
6 conducting a referendum for the potential establishment of a commodity  
7 board or commission; or (b) to the department of agriculture or  
8 commodity boards or commissions formed under chapter 15.24, 15.28,  
9 15.44, 15.65, 15.66, 15.74, 15.88, 15.115, 15.100, 15.89, or 16.67 RCW  
10 with respect to domestic or export marketing activities or individual  
11 producer's production information;

12 (6) Information obtained regarding the purchases, sales, or  
13 production of an individual American ginseng grower or dealer, except  
14 for providing reports to the United States fish and wildlife service  
15 under RCW 15.19.080;

16 (7) Information collected regarding packers and shippers of fruits  
17 and vegetables for the issuance of certificates of compliance under RCW  
18 15.17.140(2) and 15.17.143;

19 (8) Financial statements obtained under RCW 16.65.030(1)(d) for the  
20 purposes of determining whether or not the applicant meets the minimum  
21 net worth requirements to construct or operate a public livestock  
22 market;

23 (9) Information submitted by an individual or business to the  
24 department of agriculture under the requirements of chapters 16.36,  
25 16.57, and 43.23 RCW for the purpose of ((participating in a state or  
26 national animal identification system)) herd inventory management for  
27 animal disease traceability. This information includes animal  
28 ownership, numbers of animals, locations, contact information,  
29 movements of livestock, financial information, the purchase and sale of  
30 livestock, account numbers or unique identifiers issued by government  
31 to private entities, and information related to livestock disease or  
32 injury that would identify an animal, a person, or location.  
33 Disclosure to local, state, and federal officials is not public  
34 disclosure. This exemption does not affect the disclosure of  
35 information used in reportable animal health investigations under  
36 chapter 16.36 RCW once they are complete; ((and))

37 (10) Results of testing for animal diseases ((not required to be  
38 reported under chapter 16.36 RCW that is done at the request of)) from

1 samples submitted by or at the direction of the animal owner or his or  
2 her designee that can be identified to a particular business or  
3 individual;

4 (11) Records of international livestock importation that can be  
5 identified to a particular animal, business, or individual received  
6 from the United States department of homeland security or the United  
7 States department of agriculture that are not disclosable by the  
8 federal agency under federal law including 5 U.S.C. Sec. 552; and

9 (12) Records related to the entry of prohibited agricultural  
10 products imported into Washington state or that had Washington state as  
11 a final destination received from the United States department of  
12 homeland security or the United States department of agriculture that  
13 are not disclosable by the federal agency under federal law including  
14 5 U.S.C. Sec. 552.

--- END ---