

Introduced: 2/14/78
Referred: Commerce and
Finance

1 IN THE HOUSE

BY MCKINNON

2 HOUSE BILL NO. 825

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to certain state health inspection
7 functions."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. INTENT. It is the intent of this legislation to implement,
10 in part, Recommendation No. 280, made by the Governor's Management and Effi-
11 ciency Review Committee in its report dated May 1976, in which it is recom-
12 mended that the various health and safety inspection functions of the state
13 be consolidated in a single agency. The delegation of power made in AS
14 46.03.025 enacted in sec. 4 of this Act is not intended to be a diminution or
15 derogation of the Department of Environmental Conservation's designation as
16 the primary state agency for the purpose of receiving and expending federal
17 environmental funds.

18 * Sec. 2. AS 17.05 is amended by adding new sections to read:

19 ARTICLE 3. MEAT, POULTRY, FISH,
20 AND DAIRY PRODUCTS STANDARDS.

21 Sec. 17.05.155. DUTIES OF THE COMMISSIONER. The commissioner
22 shall

23 (1) require routine examinations and inspections of food
24 animals, poultry, fish, dairy products, and derivative food products, to
25 protect the public against fraud, disease, and spoilage, and in this
26 connection he shall promulgate uniform regulations establishing stan-
27 dards of identity and composition of these food products and minimum
28 standards of sanitation and handling methods as to all phases of slaugh-
29 tering, processing, storing, transporting, displaying, and selling of

1 these food products;

2 (2) issue orders or cause the orders to be issued by an
3 authorized veterinarian prohibiting transportation and sale of food
4 products intended for human consumption which do not meet the minimum
5 requirements established under (1) of this section, and limiting their
6 use and disposal in conformity with protection of the public;

7 (3) designate points of entry for livestock or poultry into
8 the state, arrange inspection at those points with or without the col-
9 laboration and assistance of the federal government, and bar entry of
10 stock or poultry not shipped under a valid permit or not free from
11 contagious or infectious disease;

12 (4) promulgate regulations for

13 (A) the labeling and grading of milk and milk products
14 and standards of cleanliness and sanitation, to at least the mini-
15 mum of current recommendations of the United States Public Health
16 Service, for the operation of dairies selling, or offering for
17 sale, milk or milk products;

18 (B) the production and sale of ice cream and allied
19 frozen desserts;

20 (C) the production and sale of imitation milk and imita-
21 tion milk products;

22 (5) promulgate regulations which

23 (A) require labels for meat, fish, and poultry which has
24 been frozen that inform purchasers that the meat, fish, or poultry
25 has been frozen; and

26 (B) provide for the examination and inspection of meat,
27 fish, and poultry to ascertain whether it has been frozen.

28 Sec. 17.05.156. SALE AND LABELING OF FROZEN MEAT, FISH, AND
29 POULTRY. (a) Meat, fish, and poultry which has been frozen may not be

1 sold, represented, or advertised as a fresh food.

2 (b) Meat, fish, and poultry which has been frozen must be labeled
3 a frozen food, under regulations.

4 Sec. 17.05.157. INSPECTION. On any business day during the usual
5 hours of business, the commissioner or his authorized inspector may, for
6 the purpose of inspecting meat, fish, poultry, or derivative products
7 subject to regulation, enter a storehouse, warehouse, cold storage
8 plant, packing house, slaughterhouse, retail store, or other building or
9 place where those products are kept, stored, processed or sold.

10 * Sec. 3. AS 17.05.160 is amended by adding a new paragraph to read:

11 (6) "commissioner" means the commissioner of health and
12 social services.

13 * Sec. 4. AS 46.03 is amended by adding a new section to read:

14 Sec. 46.03.025. DELEGATION OF POWER. Notwithstanding any other
15 provision of law, the department's powers relating to inspection and
16 enforcement of regulations and standards concerning water supply and
17 sewage disposal systems at a camp, cannery, food handling establishment,
18 food manufacturing plant, mattress manufacturing plant, industrial
19 plant, school, barber shop, cosmetological establishment, soft drink
20 establishment, beer and wine dispensaries, and other similar estab-
21 lishments in which insanitation may create a condition causing or con-
22 tributing to the spread of disease are delegated to the Department of
23 Health and Social Services. The department's powers relating to the
24 establishment of standards to be applied to and the issuance of permits
25 and variances to water supply systems shall remain with the department.

26 * Sec. 5. The following laws are repealed: AS 03.05.010(f)(7), 03.05.-
27 020(1), (2), (4) and (5), and 03.05.035.