

**BEFORE THE DIRECTOR OF AGRICULTURE  
STATE OF WASHINGTON**

CODEREVISORY OFFICE  
STATE OF WASHINGTON  
FILED

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WSR 01-01-090

**In the matter of the request to terminate ) Chapter 16-580 WAC**  
**The Washington Farmed Salmon )**  
**Commission )**  
**) FINDINGS OF FACT, CONCLUSION OF**  
**) LAW, AND FINAL DECISION**

This matter came before the Director of the Washington State Department of Agriculture (WSDA) pursuant to a request filed by affected farmed salmon producers to terminate the Washington Farmed Salmon Commission effective December 31, 2000 under the authority set forth in RCW 15.65.190.

**I. FINDINGS OF FACT**

Based on the facts, the Director makes the following findings:

1. The Washington Farmed Salmon Commission was established in December 1992 under Chapter 16-580 WAC to:
  1. Establish plans and conduct programs for advertising, labeling, sales, promotion and consumer education programs, and/or create new or larger markets for farmed salmon products;
  2. Provide for research in the production, processing and/or marketing of farmed salmon products;
  3. Provide for marketing information and services to affected producers; and
  4. Investigate and take necessary action to prevent unfair trade practices that hinder marketing of Washington farmed salmon products.
2. Only two companies currently operate and qualify as "producers" under the Commission's marketing order.
3. Because the activities of the Commission no longer effectuates the policies of Chapter 15.65 RCW the producers of the Washington Farmed Salmon Commission submitted a request to the Director that the Director exercise his powers under RCW 15.65.190 to terminate the Washington Farmed Salmon Commission effective December 31, 2000.

**II. CONCLUSIONS OF LAW**

1. RCW 15.65.050 provides that "*The director shall administer and enforce this chapter and it shall be his duty to carry out its provisions and put them into force in accordance with its terms, but issuance, amendment, modification, suspension and/or termination of marketing agreements and orders and of any terms or provisions thereof shall be accomplished according to the procedures set forth in this chapter and not otherwise...*"

2. RCW 15.65.190 provides that *“Any marketing agreement or order shall be terminated if the director finds that fifty-one percent by numbers and fifty-one percent by volume of production of the affected producers within the affected area favor or assent to such termination. The director may ascertain without compliance with the provisions of RCW 15.65.050 through 15.65.130 whether such termination is so assented to or favored whenever twenty percent by numbers or twenty percent by volume of production of said producers file written application with him for such termination. No such termination shall become effective until the expiration of the marketing season then current.”*

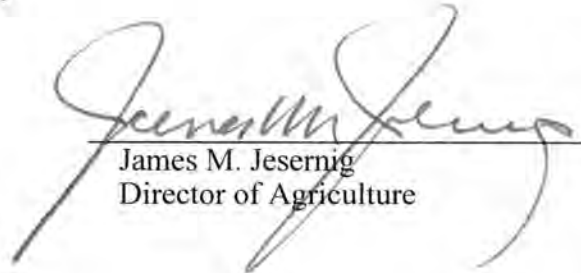
3. The Director concludes that the Washington Farmed Salmon Commission no longer effectuates the policies of Chapter 15.65 RCW and is no longer needed.

### III. FINAL DECISION

In consideration of the findings of fact and conclusion of law, the Director enters the following final decision:

The request to terminate the Washington Farmed Salmon Commission effective December 31, 2000 is hereby granted.

DATED this 13th day of December, 2000.



James M. Jesernig  
Director of Agriculture