

SUBSTITUTE HOUSE BILL 2369

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Spanel, R. King, Wilson, Basich, H. Sommers, Hochstatter, Morris, Fuhrman, Kremen, Orr, Haugen, Riley, Padden, R. Meyers, G. Cole, Sheldon, Bowman, Rasmussen and R. Johnson)

Read first time 02/07/92.

1 AN ACT Relating to salmon labeling for human consumption; adding
2 new sections to chapter 69.04 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.04 RCW
5 to read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout sections 2 through 4 of this act.

8 (1) "Salmon" means all species of the genus *Oncorhynchus*, except
9 those classified as game fish in Title 77 RCW, and includes:

10	SCIENTIFIC NAME	COMMON NAME
11	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
12	<i>Oncorhynchus kisutch</i>	Coho salmon
13	<i>Oncorhynchus keta</i>	Chum salmon
14	<i>Oncorhynchus gorbuscha</i>	Pink salmon

1 Oncorhynchus nerka Sockeye salmon
2 Salmo salar (in other than Atlantic salmon
3 its landlocked form)

4 (2) "Commercially caught" means salmon harvested by commercial
5 fishers.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 69.04 RCW
7 to read as follows:

8 No person may label, advertise, or offer for wholesale or retail
9 sale any fresh or frozen salmon food fish or cultured aquatic salmon
10 without identifying the species of salmon by its common name. A person
11 knowingly violating this section is guilty of misbranding under this
12 chapter. A person who receives misleading and erroneous information
13 about the species of salmon and subsequently unknowingly labels,
14 advertises, or offers for wholesale or retail sale salmon that is
15 inaccurately identified shall not be guilty of misbranding.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 69.04 RCW
17 to read as follows:

18 No person may label, advertise, or offer for wholesale or retail
19 sale any fresh or frozen:

20 (1) Private sector cultured aquatic salmon without identifying the
21 product as farm raised salmon; or

22 (2) Commercially caught salmon designated as food fish under Title
23 75 RCW without identifying the product as commercially caught salmon;
24 or

25 (3) Private sector cultured aquatic salmon or commercially caught
26 salmon without identifying the product as "domestic" or "imported,"
27 and, if caught or grown in Washington, as "Washington-caught" or
28 "Washington-grown."

1 A person knowingly violating this section is guilty of misbranding
2 under this chapter. A person who receives misleading or erroneous
3 information about whether the salmon is farm raised or commercially
4 caught, whether the salmon is domestic or imported, or whether the
5 salmon is Washington-caught or Washington-grown, and subsequently
6 unknowingly labels, advertises, or offers for wholesale or retail sale
7 salmon that is inaccurately identified shall not be guilty of
8 misbranding.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 69.04 RCW
10 to read as follows:

11 To promote honesty and fair dealing for consumers, the director, in
12 consultation with the director of the department of fisheries, shall
13 adopt rules:

14 (1) Fixing and establishing a reasonable definition and standard of
15 identity for salmon for purposes of offering for sale, labeling and
16 advertising salmon; and

17 (2) Enforcing sections 2 and 3 of this act.