

SENATE BILL 5260

State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Spanel, Owen, Oke, Haugen, Hargrove and Snyder

Read first time 01/20/93. Referred to Committee on Natural Resources.

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
15	<i>Oncorhynchus nerka</i>	Sockeye salmon
16	<i>Salmo salar</i> (in other than	Atlantic salmon
17	its landlocked form)	

18            (2) "Commercially caught" means salmon harvested by commercial  
19 fishers.

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

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

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

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

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

17        (2) Commercially caught salmon designated as food fish under Title  
18 75 RCW without identifying the product as commercially caught salmon;  
19 or

20        (3) Private sector cultured aquatic salmon or commercially caught  
21 salmon without identifying the product as "domestic" or "imported,"  
22 and, if caught or grown in Washington, as "Washington-caught" or  
23 "Washington-grown."

24        A person knowingly violating this section is guilty of misbranding  
25 under this chapter. A person who receives misleading or erroneous  
26 information about whether the salmon is farm raised or commercially  
27 caught, whether the salmon is domestic or imported, or whether the  
28 salmon is Washington-caught or Washington-grown, and subsequently  
29 unknowingly labels, advertises, or offers for wholesale or retail sale  
30 salmon that is inaccurately identified shall not be guilty of  
31 misbranding.

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

34        To promote honesty and fair dealing for consumers, the director, in  
35 consultation with the director of the department of fisheries, shall  
36 adopt rules:

1           (1) Fixing and establishing a reasonable definition and standard of  
2 identity for salmon for purposes of offering for sale, labeling and  
3 advertising salmon; and  
4           (2) Enforcing sections 2 and 3 of this act.

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