

1 5260.E AMH KING H2366.1

2 **ESB 5260 - H AMD 000315 ADOPTED 4-6-93**
3 By Representatives King and Foreman

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that salmon consumers
8 in Washington benefit from knowing the species and origin of the salmon
9 they purchase. The accurate identification of such species, as well as
10 knowledge of the country or state of origin and of whether they were
11 caught commercially or were farm-raised, is important to consumers.

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

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout sections 3 through 5 of this act.

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

18 SCIENTIFIC NAME	COMMON NAME
19 <i>Oncorhynchus tshawytscha</i>	Chinook salmon or king salmon
20 <i>Oncorhynchus kisutch</i>	Coho salmon or silver salmon
21 <i>Oncorhynchus keta</i>	Chum salmon
22 <i>Oncorhynchus gorbuscha</i>	Pink salmon
23 <i>Oncorhynchus nerka</i>	Sockeye salmon
24 <i>Salmo salar</i> (in other than 25 its landlocked form)	Atlantic salmon

26 (2) "Commercially caught" means salmon harvested by commercial
27 fishers.

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

30 With the exception of a commercial fisher engaged in sales of fish
31 to a fish buyer, no person may sell at wholesale or retail any fresh or
32 frozen salmon food fish or cultured aquatic salmon without identifying
33 the species of salmon by its common name to the buyer at the point of
34 sale such that the buyer can make an informed decision in purchasing.

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 the species of salmon and subsequently inaccurately
4 identifies salmon shall not be guilty of misbranding. This section
5 shall not apply to salmon that is minced, pulverized, coated with
6 batter, or breaded.

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

9 With the exception of a commercial fisher engaged in sales of fish
10 to a fish buyer, no person may sell at wholesale or retail any fresh or
11 frozen:

12 (1) Private sector cultured aquatic salmon without identifying the
13 product as farm-raised salmon; or

14 (2) Commercially caught salmon designated as food fish under Title
15 75 RCW without identifying the product as commercially caught salmon.

16 Identification of the products under subsections (1) and (2) of
17 this section shall be made to the buyer at the point of sale such that
18 the buyer can make an informed decision in purchasing.

19 A person knowingly violating this section is guilty of misbranding
20 under this chapter. A person who receives misleading or erroneous
21 information about whether the salmon is farm-raised or commercially
22 caught, and subsequently inaccurately identifies salmon shall not be
23 guilty of misbranding. This section shall not apply to salmon that is
24 minced, pulverized, coated with batter, or breaded.

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

27 To promote honesty and fair dealing for consumers, the director, in
28 consultation with the director of the department of fisheries, shall
29 adopt rules:

30 (1) Fixing and establishing a reasonable definition and standard of
31 identity for salmon for purposes of identifying and selling salmon;

32 (2) Enforcing sections 3 and 4 of this act."

33 EFFECT: Adds a legislative findings section. Adds additional
34 common names for chinook and coho salmon. Exempts commercial fishers
35 engaged in sales of fish to a fish buyer from the salmon labeling

1 requirements of the bill. Removes advertising from the identification
2 requirements. Exempts minced, pulverized, batter-coated, and breaded
3 salmon from the requirements of the act. Removes the requirement that
4 the origin of the fish be identified.

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