

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5260

Chapter 282, Laws of 1993

53rd Legislature
1993 Regular Session

SALMON FOR HUMAN CONSUMPTION--LABELING REQUIREMENTS

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 20, 1993
YEAS 46 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 6, 1993
YEAS 98 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 11, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5260** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 11, 1993 - 3:10 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5260

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

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; creating a new section; and
3 prescribing penalties.

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

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

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

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

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

16 SCIENTIFIC NAME	COMMON NAME
17 <i>Oncorhynchus tshawytscha</i>	Chinook salmon or king salmon
18 <i>Oncorhynchus kisutch</i>	Coho salmon or silver salmon

1	Oncorhynchus keta	Chum salmon
2	Oncorhynchus gorbuscha	Pink salmon
3	Oncorhynchus nerka	Sockeye salmon
4	Salmo salar (in other than	Atlantic salmon
5	its landlocked form)	

6 (2) "Commercially caught" means salmon harvested by commercial
7 fishers.

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

10 With the exception of a commercial fisher engaged in sales of fish
11 to a fish buyer, no person may sell at wholesale or retail any fresh or
12 frozen salmon food fish or cultured aquatic salmon without identifying
13 the species of salmon by its common name to the buyer at the point of
14 sale such that the buyer can make an informed decision in purchasing.
15 A person knowingly violating this section is guilty of misbranding
16 under this chapter. A person who receives misleading or erroneous
17 information about the species of salmon and subsequently inaccurately
18 identifies salmon shall not be guilty of misbranding. This section
19 shall not apply to salmon that is minced, pulverized, coated with
20 batter, or breaded.

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

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

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

28 (2) Commercially caught salmon designated as food fish under Title
29 75 RCW without identifying the product as commercially caught salmon.

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

33 A person knowingly violating this section is guilty of misbranding
34 under this chapter. A person who receives misleading or erroneous
35 information about whether the salmon is farm-raised or commercially
36 caught, and subsequently inaccurately identifies salmon shall not be

1 guilty of misbranding. This section shall not apply to salmon that is
2 minced, pulverized, coated with batter, or breaded.

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

5 To promote honesty and fair dealing for consumers, the director, in
6 consultation with the director of the department of fisheries, shall
7 adopt rules:

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

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

Passed the Senate April 20, 1993.

Passed the House April 6, 1993.

Approved by the Governor May 11, 1993.

Filed in Office of Secretary of State May 11, 1993.