

CERTIFICATION OF ENROLLMENT

SENATE BILL 6471

Chapter 40, Laws of 2002

(partial veto)

57th Legislature
2002 Regular Session

AGRICULTURAL PRODUCTS--LABELING

EFFECTIVE DATE: 6/13/02

Passed by the Senate February 14, 2002
YEAS 46 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 5, 2002
YEAS 87 NAYS 9

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6471** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved March 14, 2002, with the exception of subsection 3, which is vetoed

FILED

March 14, 2002 - 11:23 a.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6471

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By Senators Honeyford, Rasmussen, Johnson, Sheahan, Stevens, Swecker, Shin, Parlette, Deccio, McCaslin, Hochstatter, Gardner, Hewitt, Spanel, Kastama, Regala, Eide, Oke, Hale and Keiser

Read first time 01/17/2002. Referred to Committee on Agriculture & International Trade.

1 AN ACT Relating to labeling of agricultural products by place of
2 origin; adding a new section to chapter 15.04 RCW; and prescribing
3 penalties.

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

5 *NEW SECTION. **Sec. 1.** A new section is added to chapter 15.04 RCW
6 to read as follows:

7 (1) The legislature finds that it is a common practice for
8 consumers to be provided information as to the country origin for many
9 products available to them for purchase. The legislature finds that
10 consumers have a right to know the origin of the fresh fruits and
11 vegetables being offered to them at retail sale. The legislature finds
12 that there is value to the consumer being able to make an informed
13 buying decision as to whether the fresh fruit or vegetable was produced
14 under standards and conditions required in the United States. Further,
15 the legislature finds that consumers should be given the ability to
16 make an informed choice to buy fresh fruits and vegetables that are
17 grown in Washington state as a means of supporting the economy of the
18 state.

1 (2) Stores or other businesses offering fresh fruit and vegetables
2 for retail sale to consumers shall place a placard on the bin, shelf,
3 or other location the product is displayed that informs the consumer
4 where the fruit or vegetable was grown if it was grown in the United
5 States or grown in Washington. The placard shall indicate that the
6 product was either "Grown in United States" or "Grown in Washington."
7 Placards are not required if (a) the product was grown outside of the
8 United States, or (b) each item in the bin, shelf, or other location
9 contains a sticker or label that indicates where the fruit or vegetable
10 product was grown.

11 (3) *The department shall administer this section. If the store or*
12 *other retail location is found to be in violation of this section, for*
13 *the first violation per location each calendar year, the department*
14 *shall issue a warning. For a second violation for the same location in*
15 *the same calendar year, the department may issue a civil fine of up to*
16 *two hundred fifty dollars. For the third and subsequent violations for*
17 *the same location in the same calendar year, the department may issue*
18 *a civil fine of up to one thousand dollars.*

19 *Sec. 1 was partially vetoed. See message at end of chapter.

Passed the Senate February 14, 2002.

Passed the House March 5, 2002.

Approved by the Governor March 14, 2002, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 14, 2002.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to subsection 3,
3 Senate Bill No. 6471 entitled:

4 "AN ACT Relating to labeling of agricultural products by place of
5 origin;"

6 Senate Bill No. 6471 requires grocery stores or other businesses
7 offering fresh fruit and vegetables to either display a placard near
8 the produce stating if it was "Grown in the United States" or "Grown in
9 Washington," or to label each piece of produce individually.
10 Subsection 3 of the bill would have allowed a retailer failing to do so
11 to be fined up to \$250 on the second violation and up to \$1000 on the
12 third violation in a calendar year.

13 I agree with the intent of the bill, which is to reveal the origin
14 of produce to consumers. However, the penalties established in
15 subsection 3 of the bill are excessive. Subsection 3 would normally be
16 a separate section, and even refers to itself as a section. For these
17 and other reasons, it is subject to veto.

18 For these reasons, I have vetoed subsection 3 of Senate Bill No.
19 6471.

1 With the exception of subsection 3, Senate Bill No. 6471 is
2 approved."