

WAC 220-352-250 Sale under a limited fish seller endorsement.

Any holder of a limited fish seller endorsement selling fish or shellfish taken by that fisher under the endorsement, must comply with the requirements of this section.

(1)(a) Before offering any fish or shellfish for retail sale under a limited fish seller endorsement, the fisher must complete a fish receiving ticket for all fish or shellfish aboard the harvesting vessel upon landing, unless meeting the exception under (b) of this subsection.

(b) If the fisher offers fish or shellfish for sale directly off the catcher vessel, the fisher may complete the ticket with an estimated number or weight. At the completion of the retail activity, the fisher must enter the actual number, weight, and sale price of the fish or shellfish that were sold at retail.

(2) In order to allow inspection and sampling, each fisher offering fish or shellfish for retail sale at any location other than the harvesting vessel or, if from the harvesting vessel, in an amount having a retail value greater than one hundred fifty dollars must notify the department eighteen hours prior to sale and identify the location of the fisher's vessel, temporary food service establishment or restaurant or other business which prepares and sells food at retail to which the fisher is selling the fish or shellfish. The only acceptable notification is by telephone to 360-902-2936, fax to 360-902-2155, or email to enforcement-web@dfw.wa.gov.

(3) Each fisher offering fish or shellfish for retail sale must maintain a sequentially numbered receipt book, which receipt book contains a receipt duplicate copy, and must give each purchaser of fish or shellfish a receipt showing the number, weight and purchase price of the fish or shellfish sold to that purchaser. The seller must retain the duplicate receipts for one year.

(4) If fish or shellfish offered for retail sale and documented on a fish receiving ticket are subsequently sold to a licensed wholesale fish buyer, the sale must be documented by a sale receipt, not a fish receiving ticket.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-250, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-250, filed 10/30/17, effective 1/1/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-352-250, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 04-08-025 (Order 04-63), § 220-20-080, filed 3/29/04, effective 4/29/04; WSR 03-05-059 (Order 03-32), § 220-20-080, filed 2/18/03, effective 3/21/03.]