

HOUSE BILL REPORT

EHB 1572

As Passed Legislature

Title: An act relating to salmon labeling for human consumption.

Brief Description: Requiring additional labeling on salmon sold for human consumption.

Sponsor(s): Representatives Spanel, Wilson, R. King, Morris, Haugen, Orr, Cole, Fuhrman, Padden, Kremen and Paris.

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, February 22, 1991, DPA;
Passed House, March 12, 1991, 98-0;
Amended by Senate;
House concurred;
Passed Legislature, 94-0.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass as amended.* Signed by 8 members: Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Cole; Hochstatter; Orr; Padden; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: Consumers in Washington state are protected from mislabeled foods sold within the State under both state and federal law. Under state law, false or misleading labels are generally defined as misbranding. Some food items, such as halibut and poultry, have provisions that specifically describe certain acts that constitute misbranding.

The Department of Agriculture is the state agency primarily responsible for implementation of provisions prohibiting misbranding. The department may issue an embargo of the food product involved or may seek an injunction through the attorney general, restraining a person from violating misbranding provisions. Criminal penalties may also be sought against a violator. After conviction and upon another violation, a violator may also be subject to a maximum of 30 days in jail.

Summary of Bill: Fresh or frozen salmon that is offered for retail sale must be labeled and advertised showing the common name of the salmon species, whether it is farm raised salmon or commercially caught salmon and whether it is domestic or imported salmon, and, if Washington-caught or Washington-grown, that it is Washington-caught or Washington-grown.

Violations of these provisions constitute misbranding. The Department of Agriculture, in consultation with the Department of Fisheries, must establish reasonable identification standards for salmon and develop a method to administratively enforce provisions of the bill.

The act is null and void unless specifically referenced by bill number in the omnibus appropriations act.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This would protect the consumer, as mislabeling currently does occur. The consumer should be able to select the product they desire. The bill is consistent with the intent of the existing Food, Drug and Cosmetic Act.

Testimony Against: None.

Witnesses: John Daly, Department of Agriculture (in favor); Randy Ray, Pacific Seafood Processor's Association (in favor, with concerns: would like to see a label requirement for Washington-caught salmon); Bob Eaton, Salmon for All, Inc. (in favor, with concerns: the bill needs to clearly identify who bears the responsibility for labeling); Dale Fisher, Kiket Bay organization (in favor); and John Woodring, Washington Fish Grower's Association (in favor).