

HOUSE BILL REPORT

SHB 2369

*As Passed House
February 13, 1992*

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

Brief Description: Requiring salmon food fish to be labeled by its source and common name.

Sponsor(s): By House Committee on Appropriations (originally sponsored by Representatives Spanel, R. King, Wilson, Basich, H. Sommers, Hochstatter, Morris, Fuhrman, Kremen, Orr, Haugen, Riley, Padden, R. Meyers, G. Cole, Sheldon, Bowman, Rasmussen and R. Johnson).

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, January 21, 1992, DP;
Appropriations, February 4, 1992, DPS;
Passed House, February 13, 1992, 96-0.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass.* Signed by 11 members: Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; G. Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Staff: Keitlyn Watson (786-7310).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 28 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ferguson; Fuhrman; Hine; Lisk; Mielke; Nealey; Peery; Pruitt; Rust; D. Sommers; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Staff: Susan Nakagawa (786-7145).

Background: Consumers in Washington State are protected under both state and federal law from mislabeled foods sold within the state. 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: Any person that labels, advertises, or offers fresh or frozen salmon for wholesale or retail sale must identify the species of salmon by its common name as described in the bill, must identify whether the salmon is farm raised or commercially caught, and, if caught or raised in Washington, must indicate such.

Violations of these provisions constitute misbranding, except where a wholesaler or retailer who receives inaccurate information unknowingly identifies salmon species or origin inaccurately.

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.

Fiscal Note: Available.

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

Testimony For: (Fisheries & Wildlife): There is support for the bill.

(Appropriations): The department needs funding to adequately enforce this legislation. The fiscal note indicates the cost of the program necessary for proactive monitoring and enforcement.

Testimony Against: (Fisheries & Wildlife): None.

(Appropriations): None.

Witnesses: (Fisheries & Wildlife): Chuck Williams, Salmon for All.

(Appropriations): Julie Sandberg, Department of Agriculture.