

2 **ESB 5260 - H COMM AMD LOST 4-6-93**
3 By Committee on Fisheries & Wildlife

4
5 Strike everything after the enacting clause and insert the
6 following:

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

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

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

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

18 SCIENTIFIC NAME	COMMON NAME
19 <i>Oncorhynchus tshawytscha</i>	Chinook salmon or king salmon
20 <i>Oncorhynchus kisutch</i>	Coho salmon or silver salmon
21 <i>Oncorhynchus keta</i>	Chum salmon
22 <i>Oncorhynchus gorbuscha</i>	Pink salmon
23 <i>Oncorhynchus nerka</i>	Sockeye salmon
24 <i>Salmo salar</i> (in other than 25 its landlocked form)	Atlantic salmon

26 (2) "Commercially caught" means salmon harvested by commercial
27 fishers.

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

30 With the exception of a commercial fisher engaged in sales of fish
31 to a fish buyer, no person may sell any fresh or frozen salmon food
32 fish or cultured aquatic salmon without labeling the species of salmon
33 by its common name. A person knowingly violating this section is
34 guilty of misbranding under this chapter. A person who receives

1 misleading and erroneous information about the species of salmon and
2 subsequently labels or offers for wholesale or retail sale salmon that
3 is inaccurately identified shall not be guilty of misbranding. This
4 section shall not apply to salmon that is minced, pulverized, coated
5 with batter, or breaded.

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

8 With the exception of a commercial fisher engaged in sales of fish
9 to a fish buyer, no person may sell any fresh or frozen:

10 (1) Private sector cultured aquatic salmon without labeling the
11 product as farm raised salmon; or

12 (2) Commercially caught salmon designated as food fish under Title
13 75 RCW without labeling the product as commercially caught salmon.

14 A person knowingly violating this section is guilty of misbranding
15 under this chapter. A person who receives misleading or erroneous
16 information about whether the salmon is farm raised or commercially
17 caught, and subsequently labels or offers for wholesale or retail sale
18 salmon that is inaccurately identified shall not be guilty of
19 misbranding. This section shall not apply to salmon that is minced,
20 pulverized, coated with batter, or breaded.

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

23 To promote honesty and fair dealing for consumers, the director, in
24 consultation with the director of the department of fisheries, shall
25 adopt rules:

26 (1) Fixing and establishing a reasonable definition and standard of
27 identity for salmon for purposes of selling and labeling salmon;

28 (2) Defining necessary documentation for purposes of enforcement;
29 and

30 (3) Enforcing sections 3 and 4 of this act."

31 EFFECT: Adds a legislative findings section. Adds additional
32 common names for chinook and coho salmon. Exempts commercial fishers
33 engaged in sales of fish to a fish buyer from the salmon labeling
34 requirements of the bill. Removes advertising from the identification
35 requirements. Exempts minced, pulverized, batter-coated, and breaded
36 salmon from the requirements of the act. Removes the requirement that

1 the origin of the fish be identified. Adds to the rule-making
2 responsibility of the department of agriculture the requirement to
3 define necessary documentation for purposes of enforcement.

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