

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5260**

53rd Legislature  
1993 Regular Session

Passed by the Senate April 20, 1993  
YEAS 46 NAYS 0

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**President of the Senate**

Passed by the House April 6, 1993  
YEAS 98 NAYS 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5260** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SENATE BILL 5260

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AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Spanel, Owen, Oke, Haugen, Hargrove and Snyder

Read first time 01/20/93. Referred to Committee on Natural Resources.

1            AN ACT Relating to salmon labeling for human consumption; adding  
2 new sections to chapter 69.04 RCW; creating a new section; and  
3 prescribing penalties.

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

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

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

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

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

16    SCIENTIFIC NAME	COMMON NAME
17 <i>Oncorhynchus tshawytscha</i>	Chinook salmon or king salmon
18 <i>Oncorhynchus kisutch</i>	Coho salmon or silver salmon

1	Oncorhynchus keta	Chum salmon
2	Oncorhynchus gorbuscha	Pink salmon
3	Oncorhynchus nerka	Sockeye salmon
4	Salmo salar (in other than	Atlantic salmon
5	its landlocked form)	

6 (2) "Commercially caught" means salmon harvested by commercial  
7 fishers.

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

10 With the exception of a commercial fisher engaged in sales of fish  
11 to a fish buyer, no person may sell at wholesale or retail any fresh or  
12 frozen salmon food fish or cultured aquatic salmon without identifying  
13 the species of salmon by its common name to the buyer at the point of  
14 sale such that the buyer can make an informed decision in purchasing.  
15 A person knowingly violating this section is guilty of misbranding  
16 under this chapter. A person who receives misleading or erroneous  
17 information about the species of salmon and subsequently inaccurately  
18 identifies salmon shall not be guilty of misbranding. This section  
19 shall not apply to salmon that is minced, pulverized, coated with  
20 batter, or breaded.

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

23 With the exception of a commercial fisher engaged in sales of fish  
24 to a fish buyer, no person may sell at wholesale or retail any fresh or  
25 frozen:

26 (1) Private sector cultured aquatic salmon without identifying the  
27 product as farm-raised salmon; or

28 (2) Commercially caught salmon designated as food fish under Title  
29 75 RCW without identifying the product as commercially caught salmon.

30 Identification of the products under subsections (1) and (2) of  
31 this section shall be made to the buyer at the point of sale such that  
32 the buyer can make an informed decision in purchasing.

33 A person knowingly violating this section is guilty of misbranding  
34 under this chapter. A person who receives misleading or erroneous  
35 information about whether the salmon is farm-raised or commercially  
36 caught, and subsequently inaccurately identifies salmon shall not be

1 guilty of misbranding. This section shall not apply to salmon that is  
2 minced, pulverized, coated with batter, or breaded.

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

5 To promote honesty and fair dealing for consumers, the director, in  
6 consultation with the director of the department of fisheries, shall  
7 adopt rules:

8 (1) Fixing and establishing a reasonable definition and standard of  
9 identity for salmon for purposes of identifying and selling salmon;

10 (2) Enforcing sections 3 and 4 of this act.

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