
SENATE BILL 5664

State of Washington

68th Legislature

2023 Regular Session

By Senators McCune, J. Wilson, Holy, Fortunato, Dozier, Wagoner, Warnick, and Padden

1 AN ACT Relating to salmon labeling for human consumption; and
2 amending RCW 77.140.040.

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

4 **Sec. 1.** RCW 77.140.040 and 2018 c 236 s 609 are each amended to
5 read as follows:

6 (1)(a) It is unlawful to knowingly sell or offer for sale at
7 wholesale or retail any fresh, frozen, or processed salmon without
8 identifying (~~(private)~~):

9 (i) Private sector cultured aquatic salmon or salmon products as
10 farm-raised salmon, (~~(or)~~) identifying (~~(commercially—caught)~~)
11 whether any red dye is used, and the state, province, or foreign
12 country where it was farm raised; or

13 (ii) Wild-caught salmon or salmon products as (~~(commercially~~
14 caught salmon)) wild-caught salmon, identifying the species of salmon
15 by its common name as defined in this title and the state, province,
16 foreign country, or waterbody where it was commercially caught.

17 (b) It is unlawful for any person to sell at retail or display
18 for sale at retail any salmon, as defined in RCW 77.08.024, without
19 having the package or container in which the salmon is sold bear a
20 label easily readable to a customer identifying the species of salmon
21 by its common name.

1 (2) Identification of the products under subsection (1) of this
2 section must be made to the buyer at the point of sale such that the
3 buyer can make an informed purchasing decision for his or her
4 protection, health, and safety.

5 (3) A violation of this section constitutes misbranding under RCW
6 77.140.060 and is punishable as a misdemeanor, gross misdemeanor, or
7 felony depending on the fair market value of the fish or shellfish
8 involved in the violation.

9 (4) This section does not apply to salmon that is minced,
10 pulverized, coated with batter, or breaded.

11 (5) This section does not apply to a commercial fisher properly
12 licensed under chapter 77.65 or 77.70 RCW and lawfully engaged in the
13 sale of fish to a wholesale fish buyer.

14 (6) Nothing in this section precludes using additional
15 descriptive language or trade names to describe fish or shellfish as
16 long as the labeling requirements of this section are met.

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