

**RCW 77.15.568 Secondary commercial fish receiver's failure to account for commercial harvest—Penalty.** (1) A person is guilty of a secondary commercial fish receiver's failure to account for commercial harvest if:

(a) The person sells fish or shellfish at retail, stores, holds, or processes fish or shellfish in exchange for valuable consideration, or brokers or ships fish or shellfish in exchange for valuable consideration;

(b) (i) The fish or shellfish were required to be entered on a Washington fish-receiving ticket or a Washington aquatic farm production annual report; or

(ii) The fish or shellfish are classified as fish or shellfish by the department; and

(c) The person fails to maintain records of each receipt of fish or shellfish, as required under subsections (3) through (5) of this section, at:

(i) The location where the fish or shellfish are being sold or at the location where the fish or shellfish are being stored or held; or

(ii) The principal place of business of the shipper or broker if the fish or shellfish are not in possession.

(2) Wholesale fish buyers, limited fish sellers, and registered aquatic farmers are not required to comply with this section for fish or shellfish documented on fish tickets or aquatic farm production reports.

(3) Records of the receipt of fish or shellfish required to be kept under this section must be in the English language and be maintained for three years from the date fish or shellfish are received, shipped, or brokered.

(4) Records maintained by persons that retail or broker fish or shellfish, or that store, hold, or ship fish or shellfish for others must include the following:

(a) The name, address, and phone number of the person from whom the fish or shellfish were purchased or received;

(b) The date of purchase or receipt;

(c) The state or country of origin if received from interstate or foreign commerce; and

(d) The amount and species of fish or shellfish purchased or received.

(5) A secondary commercial fish receiver's failure to account for commercial harvest is a misdemeanor. [2017 c 89 s 1; 2016 sp.s. c 21 s 1; 2009 c 333 s 19; 2007 c 337 s 4; 2003 c 336 s 1.]

**Intent—Finding—2007 c 337:** See note following RCW 77.12.071.