

## CHAPTER 1155

## ADULTERATION OF HONEY

H. F. 1276

AN ACT relating to the labeling and adulteration of honey and providing a penalty.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter one hundred eighty-nine (189), Division two  
2 (II), Code 1973, is amended by adding the following new section:

3 NEW SECTION. No person shall package any liquid or semisolid  
4 product or label any such product as honey, imitation honey or honey  
5 blend, or use the word "honey" in any prominent location on the label  
6 of such product or sell or offer for sale any such product which is  
7 labeled as honey, imitation honey or honey blend or which contains a  
8 label with the word "honey" prominently displayed thereon, unless the  
9 entire product is honey as defined in section two (2) of this Act.

1 SEC. 2. Section one hundred ninety point one (190.1), Code 1973,  
2 is amended by adding the following new subsection:

3 NEW SUBSECTION. Honey. Honey is the secretion of floral nectar  
4 collected by the honeybee and stored in wax combs constructed by the  
5 honeybee, or the liquid derived therefrom.

Approved May 2, 1974

## CHAPTER 1156

## COMMERCIAL FEED

S. F. 1235

AN ACT to regulate the manufacture and distribution of commercial feeds in this state and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. NEW SECTION. **Short title.** This Act shall be known  
2 as the "Iowa Commercial Feed Law of 1974".

1 SEC. 2. NEW SECTION. **Enforcing official.** This Act shall be ad-  
2 ministered by the secretary of agriculture.

1 SEC. 3. NEW SECTION. **Definitions.** For the purposes of this  
2 Act:

3 1. "Secretary" means the secretary of agriculture.

4 2. "Distribute" means to offer for sale, sell, exchange, or barter,  
5 commercial feed or to supply, furnish, or otherwise provide commer-  
6 cial feed to a contract feeder.

7 3. "Distributor" means any person who distributes.

8 4. "Commercial feed" means all materials except whole seeds un-  
9 mixed or physically altered entire unmixed seeds, when not adulter-  
10 ated within the meaning of section seven (7), subsection one (1) of  
11 this Act, which are distributed for use as feed or for mixing in feed.  
12 The secretary by regulation may exempt from this definition, or from

13 specific provisions of this Act, commodities such as hay, straw, stover,  
14 silage, cobs, husks, hulls, and individual chemical compounds or sub-  
15 stances when such commodities, compounds or substances are not  
16 intermixed or mixed with other materials, and are not adulterated  
17 within the meaning of section seven (7), subsection one (1) of this  
18 Act.

19 5. "Feed ingredient" means each of the constituent materials mak-  
20 ing up a commercial feed.

21 6. "Mineral feed" means a commercial feed intended to supply pri-  
22 marily mineral elements or inorganic nutrients.

23 7. "Drug" means any article intended for use in the diagnosis, cure,  
24 mitigation, treatment, or prevention of disease in animals other than  
25 man and articles other than feed intended to affect the structure or  
26 any function of the animal body.

27 8. "Customer-formula feed" means commercial feed which consists  
28 of a mixture of commercial feeds or feed ingredients, or both, each  
29 batch of which is manufactured according to the specific instructions  
30 of the final purchaser.

31 9. "Manufacture" means to grind, mix or blend, or further process  
32 a commercial feed for distribution.

33 10. "Brand name" means any word, name, symbol, or device, or  
34 any combination thereof, identifying the commercial feed of a dis-  
35 tributor or registrant and distinguishing it from that of others.

36 11. "Product name" means the name of the commercial feed which  
37 identifies it as to kind, class, or specific use.

38 12. "Label" means a display of written, printed, or graphic matter  
39 upon or affixed to the container in which a commercial feed is dis-  
40 tributed, or on the invoice or delivery slip with which a commercial  
41 feed is distributed.

42 13. "Labeling" means all labels and other written, printed, or  
43 graphic matter upon a commercial feed or any of its containers or  
44 wrappers or, accompanying such commercial feed.

45 14. "Ton" means a net weight of two thousand pounds avoirdupois.

46 15. "Percent" or "percentages" means percentages by weight.

47 16. "Official sample" means a sample of feed taken by the secretary  
48 or his agent in accordance with the provisions of section eleven (11),  
49 subsections three (3), five (5), or six (6) of this Act.

50 17. "Contract feeder" means a person who as an independent con-  
51 tractor, feeds commercial feed to animals pursuant to a contract  
52 whereby such commercial feed is supplied, furnished, or otherwise  
53 provided to such person and whereby such person's remuneration is  
54 determined all or in part by feed consumption, mortality, profits, or  
55 amount or quality of product.

56 18. "Pet food" means any commercial feed prepared and distributed  
57 for consumption by pets.

58 19. "Pet" means any domesticated animal normally maintained in  
59 or near the household of the owner thereof.

60 20. "Specialty pet food" means any commercial feed prepared and  
61 distributed for consumption by specialty pets.

62 21. "Specialty pet" means any domesticated animal pet normally  
63 maintained in a cage or tank, such as, but not limited to, gerbils, ham-  
64 sters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish,  
65 snakes and turtles.

1     **SEC. 4. NEW SECTION. Registration.**

2     1. No person shall manufacture a commercial feed in this state,  
3 unless he has filed with the secretary on forms provided by the secre-  
4 tary, his name, place of business and location of each manufacturing  
5 facility in this state.

6     2. No person shall distribute in this state a commercial feed, except  
7 a customer-formula feed, which has not been registered pursuant to  
8 the provisions of this section. The application for registration shall be  
9 submitted in the manner prescribed by the secretary. Upon approval  
10 by the secretary the registration shall be issued to the applicant. A  
11 registration shall continue in effect unless it is canceled by the regis-  
12 trant or unless it is canceled by the secretary pursuant to subsection  
13 three (3) of this section.

14     3. The secretary may refuse registration of any commercial feed  
15 not in compliance with the provisions of this Act and may cancel any  
16 registration found not to be in compliance with any provisions of this  
17 Act, provided, that no registration shall be refused or canceled unless  
18 the registrant shall have been given an opportunity to be heard before  
19 the secretary and to amend his application in order to comply with the  
20 requirements of this Act.

1     **SEC. 5. NEW SECTION. Labeling.** A commercial feed shall be  
2 labeled as follows:

3     1. In case of a commercial feed, except a customer-formula feed, it  
4 shall be accompanied by a label bearing the following information:

5         a. The net weight.

6         b. The product name and the brand name, if any, under which the  
7 commercial feed is distributed.

8         c. The guaranteed analysis stated in such terms as the secretary by  
9 regulation determines is required to advise the user of the composition  
10 of the feed or to support claims made in the labeling. In all cases the  
11 substances or elements must be determinable by laboratory methods  
12 such as the methods published by the association of official analytical  
13 chemists.

14         d. The common or usual name of each ingredient used in the manu-  
15 facture of the commercial feed, provided, that the secretary by regu-  
16 lation may permit the use of a collective term for a group of ingredi-  
17 ents which perform a similar function, or he may exempt such com-  
18 mercial feeds, or any group thereof, from this requirement of an  
19 ingredient statement if he finds that such statement is not required in  
20 the interest of consumers.

21         e. The name and principal mailing address of the manufacturer or  
22 the person responsible for distributing the commercial feed.

23         f. Adequate directions for use for all commercial feeds containing  
24 drugs and for such other feeds as the secretary may require by regu-  
25 lation as necessary for their safe and effective use.

26         g. Such precautionary statements as the secretary by regulation de-  
27 termines are necessary for the safe and effective use of the commercial  
28 feed.

29     2. In the case of a customer-formula feed, it shall be accompanied  
30 by a label, invoice, delivery slip, or other shipping document, bearing  
31 the following information:

32         a. Name and address of the manufacturer.

33         b. Name and address of the purchaser.

34 c. Date of delivery.

35 d. The product name and brand name, if any, and the net weight of  
36 each registered commercial feed used in the mixture, and the net  
37 weight of each other ingredient used.

38 e. Adequate directions for use for all customer-formula feeds con-  
39 taining drugs and for such other feeds as the secretary may require by  
40 regulation as necessary for their safe and effective use.

41 f. Such precautionary statements as the secretary by regulation de-  
42 termines are necessary for the safe and effective use of the customer-  
43 formula feed.

1 SEC. 6. NEW SECTION. **Misbranding.** A commercial feed shall be  
2 deemed to be misbranded:

3 1. If its labeling is false or misleading in any particular.

4 2. If it is distributed under the name of another commercial feed.

5 3. If it is not labeled as required in section six (6) of this Act.

6 4. If it purports to be or is represented as a commercial feed, or if  
7 it purports to contain or is represented as containing a commercial  
8 feed ingredient, unless such commercial feed or feed ingredient con-  
9 forms to the definition, if any, prescribed by regulation by the secre-  
10 tary.

11 5. If any word, statement, or other information required by this Act  
12 to appear on the label is not prominently and conspicuously placed  
13 thereon and in such terms as to render it likely to be read and under-  
14 stood by the ordinary individual under customary conditions of pur-  
15 chase and use.

1 SEC. 7. NEW SECTION. **Adulteration.** A commercial feed shall  
2 be deemed to be adulterated:

3 1. a. If it bears or contains any poisonous or deleterious substance  
4 which may render it injurious to health; but in case the substance is  
5 not an added substance, such commercial feed shall not be considered  
6 adulterated under this subsection if the quantity of such substance in  
7 such commercial feed does not ordinarily render it injurious to health.

8 b. If it bears or contains any added poisonous, added deleterious, or  
9 added nonnutritive substance which is unsafe within the meaning of  
10 section four hundred six (406) of the Federal Food, Drug, and Cos-  
11 metic Act, other than one which is a pesticide chemical in or on a  
12 raw agricultural commodity or a food additive.

13 c. If it is, or it bears or contains any food additive which is unsafe  
14 within the meaning of section four hundred nine (409) of the Federal  
15 Food, Drug, and Cosmetic Act.

16 d. If it is a raw agricultural commodity and it bears or contains a  
17 pesticide chemical which is unsafe within the meaning of section four  
18 hundred eight (408) subparagraph a of the Federal Food, Drug, and  
19 Cosmetic Act, provided, that where a pesticide chemical has been used  
20 in or on a raw agricultural commodity in conformity with an exemp-  
21 tion granted or a tolerance prescribed under section four hundred  
22 eight (408) of the Federal Food, Drug, and Cosmetic Act and such raw  
23 agricultural commodity has been subjected to processing such as can-  
24 ning, cooking, freezing, dehydrating, or milling, the residue of such  
25 pesticide chemical remaining in or on such processed feed shall not be  
26 deemed unsafe if such residue in or on the raw agricultural commodity  
27 has been removed to the extent possible in good manufacturing prac-

28 tice and the concentration of such residue in the processed feed is not  
 29 greater than the tolerance prescribed for the raw agriculture com-  
 30 modity unless the feeding of such processed feed will result or is  
 31 likely to result in a pesticide residue in the edible product of the  
 32 animal, which is unsafe within the meaning of section four hundred  
 33 eight (408), subparagraph a of the Federal Food, Drug, and Cosmetic  
 34 Act.

35 e. If it is, or it bears or contains any color additive which is unsafe  
 36 within the meaning of section seven hundred six (706) of the Federal  
 37 Food, Drug, and Cosmetic Act.

38 2. If any valuable constituent has been in whole or in part omitted  
 39 or abstracted therefrom or any less valuable substance substituted  
 40 therefor.

41 3. If its composition or quality falls below or differs from that  
 42 which it is purported or is represented to possess by its labeling.

43 4. If it contains a drug and the methods used in or the facilities or  
 44 controls used for its manufacture, processing, or packaging do not  
 45 conform to current good manufacturing practice regulations promul-  
 46 gated by the secretary to assure that the drug meets the requirement  
 47 of this Act as to safety and has the identity and strength and meets  
 48 the quality and purity characteristics which it purports or is repre-  
 49 sented to possess. In promulgating such regulations, the secretary  
 50 shall adopt the current good manufacturing practice regulations for  
 51 medicated feed premixes and for medicated feeds established under  
 52 authority of the Federal Food, Drug, and Cosmetic Act, unless he  
 53 determines that they are not appropriate to the conditions which exist  
 54 in this state.

55 5. If it contains viable weed seeds in amounts exceeding the limits  
 56 which the secretary shall establish by rule or regulation.

1 SEC. 8. NEW SECTION. **Prohibited acts.** It shall be unlawful for  
 2 any person to:

3 1. Manufacture or distribute any commercial feed that is adulter-  
 4 ated or misbranded.

5 2. Adulterate or misbrand any commercial feed.

6 3. Distribute agricultural commodities such as whole seed, hay,  
 7 straw, stover, silage, cobs, husks, and hulls, which are adulterated  
 8 within the meaning of section seven (7), subsection one (1) of this  
 9 Act.

10 4. Remove or dispose of a commercial feed in violation of an order  
 11 under section twelve (12) of this Act.

12 5. Fail or refuse to register in accordance with section four (4) of  
 13 this Act.

14 6. Violate section thirteen (13), subsection six (6) of this Act.

15 7. Fail to pay inspection fees and file reports as required by section  
 16 nine (9) of this Act.

1 SEC. 9. NEW SECTION. **Inspection fees and reports.**

2 1. An inspection fee to be fixed annually by the secretary, at the  
 3 rate of no more than ten cents per ton shall be paid on commercial  
 4 feeds distributed in this state, by the person who distributes the com-  
 5 mercial feed to the consumer, subject to the following:

6 a. A fee shall not be paid on a commercial feed if the payment has  
 7 been made by a previous distributor.

8 b. A fee shall not be paid on customer-formula feeds if the inspec-  
9 tion fee is paid on the commercial feeds which are used as ingredients  
10 therein.

11 c. A fee shall not be paid on commercial feeds which are used as  
12 ingredients for the manufacture of commercial feeds which are regis-  
13 tered. If the fee has already been paid, credit shall be given for such  
14 payment.

15 d. In the case of a commercial feed which is distributed in the state  
16 only in packages of ten pounds or less, an annual fee of twenty-five  
17 dollars, shall be paid in lieu of the inspection fee specified above.

18 e. The minimum inspection fee shall be a semiannual fee of ten dol-  
19 lars.

20 f. In the case of specialty pet food, which is distributed in the state  
21 in packages of one pound or less, an annual fee of twenty-five dollars  
22 shall be paid in lieu of an inspection fee.

23 2. Each person who is liable for the payment of such fee shall:

24 a. File, not later than the last day of January and July of each year  
25 a semiannual statement, setting forth the number of net tons of com-  
26 mercial feeds distributed in this state during the preceding six months  
27 and upon filing such statement shall pay the inspection fee at the rate  
28 stated in subsection one (1) of this section. Inspection fees which are  
29 due and owing and have not been remitted to the secretary within  
30 fifteen days following the due date shall have a delinquency fee of  
31 ten percent or five dollars, whichever is greater, added to the amount  
32 due when payment is finally made. The assessment of this delinquency  
33 fee shall not prevent the department from taking other actions as  
34 provided in this Act.

35 b. Keep such records as may be necessary or required by the secre-  
36 tary to indicate accurately the tonnage of commercial feed distributed  
37 in this state, and the secretary shall have the right to examine such  
38 records to verify statements of tonnage.

39 Failure to make an accurate statement of tonnage or to pay the  
40 inspection fee or comply as provided herein shall constitute sufficient  
41 cause for the cancellation of all registrations on file for the distributor.

42 3. Fees collected shall constitute a fund for the payment of the costs  
43 of inspection, sampling, analysis, supportative\* research, and other  
44 expenses necessary for the administration of this Act.

1 **SEC. 10. NEW SECTION. Rules and regulations.**

2 1. The secretary may promulgate such rules and regulations for  
3 commercial feeds and pet foods as are specifically authorized in this  
4 Act and such other reasonable rules and regulations as may be neces-  
5 sary for the efficient enforcement of this Act. In the interest of uni-  
6 formity the secretary shall by regulation adopt, unless he determines  
7 that they are inconsistent with the provisions of this Act or are not  
8 appropriate to conditions which exist in this state, the following:

9 a. The official definitions of feed ingredients and official feed terms  
10 adopted by the association of American feed control officials and pub-  
11 lished in the official publication of that organization, and

12 b. Any regulation promulgated pursuant to the authority of the  
13 Federal Food, Drug, and Cosmetic Act, U.S.C. section three hundred  
14 one (301), et seq., provided, that the secretary would have the author-  
15 ity under this Act to promulgate such regulations.

\*According to enrolled Act

16 2. Before the issuance, amendment, or repeal of any rule or regula-  
17 tion authorized by this Act, the secretary shall publish the proposed  
18 regulation, amendment, or notice to repeal an existing regulation in a  
19 manner reasonably calculated to give interested parties, including all  
20 current registrants, adequate notice and shall afford all interested  
21 persons an opportunity to be heard, orally or in writing, within a  
22 reasonable period of time. After consideration of all views presented  
23 by interested persons, the secretary shall take appropriate action to  
24 issue the proposed rule or regulation or to amend or repeal an exist-  
25 ing rule or regulation. The provisions of this paragraph notwithstand-  
26 ing, if the secretary, pursuant to the authority of this Act, adopts the  
27 official definitions of feed ingredients or official feed terms as adopted  
28 by the association of American feed control officials, or regulations  
29 promulgated pursuant to the authority of the Federal Food, Drug,  
30 and Cosmetic Act, any amendment or modification adopted by said  
31 association or by the secretary of health, education and welfare in the  
32 case of regulations promulgated pursuant to the Federal Food, Drug  
33 and Cosmetic Act, shall be adopted automatically under this Act with-  
34 out regard to publication of the notice required by this subsection,  
35 unless the secretary, by order specifically determines that said amend-  
36 ment or modification shall not be adopted.

1 SEC. 11. NEW SECTION. **Inspection, sampling, and analysis.**

2 1. For the purpose of enforcement of this Act, and in order to de-  
3 termine whether its provisions have been complied with, including  
4 whether or not any operations may be subject to such provisions,  
5 officers or employees duly designated by the secretary, upon presenting  
6 appropriate credentials, and a written notice to the owner, operator  
7 or agent in charge, are authorized:

8 a. To enter, during normal business hours, any factory, warehouse,  
9 or establishment within the state in which commercial feeds are manu-  
10 factured, processed, packed, or held for distribution, or to enter any  
11 vehicle being used to transport or hold such feed.

12 b. To inspect at reasonable times and within reasonable limits and  
13 in a reasonable manner, such factory, warehouse, establishment or  
14 vehicle and all pertinent equipment, finished and unfinished materials,  
15 containers, and labeling therein. The inspection may include the veri-  
16 fication of only such records, and production and control procedures  
17 as may be necessary to determine compliance with the good manufactur-  
18 ing practice regulations established under section seven (7), subsection  
19 four (4) of this Act.

20 2. A separate notice shall be given for each such inspection, but a  
21 notice shall not be required for each entry made during the period  
22 covered by the inspection. Each such inspection shall be commenced  
23 and completed with reasonable promptness. Upon completion of the  
24 inspection, the person in charge of the facility or vehicle shall be so  
25 notified.

26 3. If the officer or employee making such inspection of a factory,  
27 warehouse, or other establishment has obtained a sample in the course  
28 of the inspection, upon completion of the inspection and prior to leav-  
29 ing the premises he shall give to the owner, operator, or agent in  
30 charge a receipt describing the samples obtained.

31 4. If the owner of any factory, warehouse, or establishment de-  
32 scribed in subsection one (1) of this section, or his agent, refuses to

33 admit the secretary or his agent to inspect in accordance with subsections  
34 one (1) and two (2) of this section, the secretary may obtain  
35 from any state court a warrant directing such owner or his agent to  
36 submit the premises described in such warrant to inspection.

37 5. For the purpose of the enforcement of this Act, the secretary or  
38 his duly designated agent is authorized to enter upon any public or  
39 private premises including any vehicle of transport during regular  
40 business hours to have access to, and to obtain samples, and to examine  
41 records relating to distribution of commercial feeds.

42 6. Sampling and analysis shall be conducted in accordance with  
43 methods published by the association of official analytical chemists,  
44 or in accordance with other generally recognized methods.

45 7. The results of all analyses of official samples shall be forwarded  
46 by the secretary to the person named on the label. When the inspection  
47 and analysis of an official sample indicates a commercial feed has been  
48 adulterated or misbranded and upon request within thirty days following  
49 receipt of the analysis the secretary shall furnish to the registrant  
50 a portion of the sample concerned.

51 8. The secretary, in determining for administrative purposes  
52 whether a commercial feed is deficient in any component, shall be  
53 guided by the official sample as defined in section three (3), subsection  
54 sixteen (16) of this Act and obtained and analyzed as provided  
55 for in section eleven (11), subsections three (3), five (5), and six (6)  
56 of this Act.

1 **SEC. 12. NEW SECTION. Detained commercial feeds.**

2 1. When the secretary or his authorized agent has reasonable cause  
3 to believe any lot of commercial feed is being distributed in violation  
4 of any of the provisions of this Act or of any of the prescribed regulations  
5 under this Act, he may issue and enforce a written or printed  
6 "withdrawal from distribution" order, warning the distributor not  
7 to dispose of the lot of commercial feed in any manner until written  
8 permission is given by the secretary or the court. The secretary shall  
9 release the lot of commercial feed so withdrawn when said provisions  
10 and regulations have been complied with. If compliance is not obtained  
11 within thirty days, the secretary may begin, or upon request  
12 of the distributor or registrant shall begin, proceedings for condemnation.  
13

14 2. Any lot of commercial feed not in compliance with said provisions  
15 and regulations shall be subject to seizure on complaint of the secretary  
16 to a court of competent jurisdiction in the area in which said  
17 commercial feed is located. In the event the court finds the said commercial  
18 feed to be in violation of this Act and order the condemnation  
19 of said commercial feed, it shall be disposed of in any manner consistent  
20 with the quality of the commercial feed and the laws of the  
21 state, provided, that in no instance shall the disposition of said commercial  
22 feed be ordered by the court without first giving the claimant  
23 an opportunity to apply to the court for release of said commercial  
24 feed or for permission to process or relabel said commercial feed to  
25 bring it into compliance with this Act.

1 **SEC. 13. NEW SECTION. Penalties.**

2 1. Any person convicted of violating any of the provisions of this  
3 Act or who shall impede, hinder, or otherwise prevent, or attempt to



4 prevent, said secretary or his authorized agent in performance of his  
5 duty in connection with the provisions of this Act, shall be guilty of a  
6 misdemeanor and shall be fined not less than twenty-five dollars or  
7 more than one hundred dollars for the first violation, and not less than  
8 fifty dollars or more than three hundred dollars for a subsequent  
9 violation.

10 2. Nothing in this Act shall be construed as requiring the secretary  
11 or his representative to:

12 a. Report for prosecution.

13 b. Institute seizure proceedings.

14 c. Issue a withdrawal from distribution order, as a result of minor  
15 violations of the Act, or when he believes the public interest will best  
16 be served by suitable notice of warning in writing.

17 3. It shall be the duty of each county attorney to whom any viola-  
18 tion is reported to cause appropriate proceedings to be instituted and  
19 prosecuted in a court of competent jurisdiction without delay. Before  
20 the secretary reports a violation for such prosecution, an opportunity  
21 shall be given the distributor to present his view to the secretary.

22 4. The secretary may apply for and the court to grant a temporary  
23 or permanent injunction restraining any person from violating or con-  
24 tinuing to violate any of the provisions of this Act or any rule or  
25 regulation promulgated under the Act notwithstanding the existence  
26 of other remedies at law. Said injunction to be issued without bond.

27 5. Any person adversely affected by an act, order, or ruling made  
28 pursuant to the provisions of this Act may within forty-five days  
29 thereafter bring action in the district court for judicial review of  
30 such actions. The form of the proceeding shall be any which may be  
31 provided by statutes of this state to review decisions of administrative  
32 agencies, or in the absence or inadequacy thereof, any applicable form  
33 of legal action, including actions for declaratory judgments or writs  
34 or prohibitory or mandatory injunctions.

35 6. Any person who uses to his own advantage, or reveals to other  
36 than the secretary, or officers of the department or to the courts when  
37 relevant in any judicial proceeding, any information acquired under  
38 the authority of this Act, concerning any method, records, formula-  
39 tions, or processes which as a trade secret is entitled to protection, is  
40 guilty of a misdemeanor and shall on conviction thereof be fined not  
41 less than one hundred dollars or imprisoned for not less than six  
42 months, or both, provided that this prohibition shall not be deemed as  
43 prohibiting the secretary, or his duly authorized agent, from exchang-  
44 ing information of a regulatory nature with appointed officials of the  
45 United States government, or of other states, who are similarly pro-  
46 hibited by law from revealing this information.

1 **SEC. 14. NEW SECTION. Cooperation with other entities.** The  
2 secretary may cooperate with and enter into agreements with govern-  
3 mental agencies of this state, other states, agencies of the federal gov-  
4 ernment, and private associations in order to carry out the purpose  
5 and provisions of this Act.

1 **SEC. 15. NEW SECTION. Publication.** The secretary shall pub-  
2 lish at least annually, in such forms as he may deem proper, informa-  
3 tion concerning the sales of commercial feeds, together with such data  
4 on their production and use as he may consider advisable, and a report

5 of the results of the analyses of official samples of commercial feeds  
6 sold within the state as compared with the analyses guaranteed in the  
7 registration and on the label. Provided, that the information concern-  
8 ing production and use of commercial feed shall not disclose the oper-  
9 ations of any person.

1 SEC. 16. Section two hundred three point eight (203.8), Code 1973,  
2 is amended to read as follows:

3 **203.8 Commercial feeds feeds excepted.** Nothing in this chapter  
4 shall be construed as applying to commercial feeds feeds so defined in  
5 subsection 4 of section 198.3 section three (3) of this Act.

1 SEC. 17. Section one hundred fifty-five point two (155.2), subsec-  
2 tion one (1), Code 1973, is amended to read as follows:

3 1. Persons who sell, offer or expose for sale, completely denatured  
4 alcohol or concentrated lye, insecticides or fungicides in original pack-  
5 ages or biological products as defined in chapter 166 or commercial  
6 feeds or stock tonics as defined in chapter 198 as defined in section  
7 three (3) of this Act, or stock tonic as defined in this section. For  
8 purposes of this section, stock tonic shall mean commercial feed for  
9 livestock and poultry such as remedies for the cure and mitigation of  
10 diseases and other nonnutritional conditions. It shall include only  
11 those articles and products for oral administration and shall not  
12 include medicated livestock and poultry feeds.

1 SEC. 18. Section two hundred five point eight (205.8), subsection  
2 three (3), Code 1973, is amended to read as follows:

3 3. To insecticides and fungicides as defined in chapter 206 and com-  
4 mercial feeds as defined in chapter 198 section three (3) of this Act,  
5 provided same be labeled in accordance with said chapter section and  
6 sold in original unbroken packages, provided, however, that stock dips  
7 and fly sprays may be sold in bulk or otherwise and the vessel or con-  
8 tainer need not have printed on the label the most available antidote.

1 SEC. 19. Chapter one hundred ninety-eight (198), Code 1973, is  
2 repealed.

Approved April 23, 1974

## CHAPTER 1157

### PESTICIDES

S. F. 1311

AN ACT relating to the use and application of pesticides and providing penalties for violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred six point two (206.2), subsection  
2 four (4), Code 1973, is amended to read as follows:

3 4. The term "ingredient statement" means either:

4 a. A statement of the name and percentage by weight of each pesti-  
5 cide active ingredient, together with the total percentage of the inert  
6 ingredients, in the pesticide; and