

## CHAPTER 190A

### FARM-TO-SCHOOL ACT

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#### 190A.1 Short title.

[This chapter](#) shall be known and may be cited as the “*Farm-to-School Act*”.  
[2007 Acts, ch 215, §93](#); [2021 Acts, ch 149, §4](#)

#### 190A.2 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Department*” means the department of agriculture and land stewardship.
2. “*Food animal*” means an animal belonging to the bovine, caprine, ovine, or porcine species; a turkey, chicken, or other type of poultry; a farm deer as defined in [section 170.1](#); a fish or other aquatic organism confined in private waters for human consumption; or a bee as defined in [section 160.1A](#).
3. “*Food commodity*” means any of the following:
  - a. A food animal that is to be slaughtered or harvested and that is to be processed into a food product.
  - b. An item regularly generated by a food animal, including milk, eggs, or honey, that has been collected, and that is to be processed into a food product.
  - c. Sap, whole nuts, or whole produce, including vegetables or fruit, that has been harvested and that is to be processed into a food product.
4. “*Food product*” means a perishable or nonperishable product derived from processing a food commodity to be fit for human consumption, including but not limited to cuts of meat, poultry, or fish; shelled aquatic items; pasteurized milk or dairy products; washed shelled eggs; honey; maple syrup; cleaned unshelled or shelled nuts; washed whole produce; and washed and cut produce.
5. “*Fund*” means the farm-to-school fund created in [section 190A.5](#).
6. “*Process*” means to prepare a food commodity in a manner that allows it to be sold to consumers as a food product, including by altering the form or identity of the food commodity; trimming, cutting, cleaning, drying, freezing, filtering, sorting, or shelling the food commodity; or packaging the food commodity.
7. “*Program*” means the farm-to-school program created in [section 190A.6](#).
8. “*School*” means a public school or nonpublic school, as those terms are defined in [section 280.2](#), or that portion of a public school or nonpublic school that provides facilities for teaching any grade from kindergarten through grade twelve.
9. “*School district*” means a school district as described in [chapter 274](#).  
[2021 Acts, ch 149, §5](#)

#### 190A.3 Goals and strategies.

1. The farm-to-school program shall seek to link elementary and secondary public and nonpublic schools in this state with Iowa farms to provide schools with fresh and minimally processed food for inclusion in school meals and snacks, encourage children to develop healthy eating habits, and provide Iowa farmers access to consumer markets.
2. The farm-to-school program may include activities that provide students with hands-on learning opportunities, such as farm visits, cooking demonstrations, and school gardening and composting programs.
3. The department of agriculture and land stewardship and the department of education shall seek to establish partnerships with public agencies and nonprofit organizations to implement a structure to facilitate communication between farmers and schools.
4. The department of agriculture and land stewardship and the department of education

shall actively seek financial or in-kind contributions from organizations or persons to support the program.

[2007 Acts, ch 215, §95](#); [2009 Acts, ch 41, §76](#); [2013 Acts, ch 129, §62, 63](#)

#### **190A.4 Agency cooperation.**

The department of agriculture and land stewardship and the department of education shall provide information regarding the Iowa farm-to-school program in an electronic format on the department's internet site.

[2007 Acts, ch 215, §96](#); [2013 Acts, ch 90, §257](#)

#### **190A.5 Farm-to-school fund.**

1. A farm-to-school fund is created in the state treasury under the management and control of the department.

2. The fund shall include moneys appropriated to the fund by the general assembly. The fund shall include any other moneys available to and obtained or accepted by the department, including moneys from public or private sources, to support the program.

3. Moneys in the fund are appropriated to support the program in a manner determined by the department, including for reasonable administrative costs incurred by the department. However, the department shall not expend more than four percent of moneys existing at any one time in the fund during each fiscal year for purpose of paying costs associated with the administration of the program and fund incurred by the department during that fiscal year. Moneys expended from the fund shall not require further special authorization by the general assembly.

4. a. Notwithstanding [section 12C.7](#), interest or earnings on moneys in the fund shall be credited to the fund.

b. Notwithstanding [section 8.33](#), moneys credited to the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditure for the purposes designated.

[2021 Acts, ch 149, §6](#)

Referred to in [§190A.2](#)

#### **190A.6 Farm-to-school program.**

1. A farm-to-school program is created. The program shall be controlled and administered by the department.

2. The purpose of the program is to assist schools and school districts in purchasing food products derived from food commodities produced on a farm.

3. The department shall reimburse a school or school district for expenditures incurred by the school or school district during the school year in which the school or school district is participating in the program to purchase food products derived from food commodities produced on a farm.

4. A school or school district must apply each year to the department to participate in the program according to rules adopted by the department pursuant to [chapter 17A](#).

5. To be eligible to participate in the program, a school or school district must purchase a food product directly from a farm source as follows:

a. The farm source must be any of the following:

(1) A farm where a food commodity is produced, if the food commodity is processed into a food product on the farm for sale to a consumer.

(2) A business premises that is directly shipped a food commodity from a farm, if the food commodity is processed into a food product on the business premises for sale to a consumer.

(3) A business premises that is directly shipped a food product from a farm, if the food product is purchased for resale to a consumer or is distributed to a consumer on behalf of a farmer.

b. The farm source must comply with all applicable laws regulating the sale of food.

c. (1) Except as provided in subparagraph (2), the farm source must be located in this state.

(2) If the school district shares a border with another state, or the school is part of a school

district that shares a border with another state, the farm source may be located in the other state. However, the farm source must be located within thirty miles of the school district's border with the other state and the department must approve the purchase.

6. The department shall require proof of purchase prior to reimbursing the school or school district for the purchase of food products.

7. The department of agriculture and land stewardship may administer the program in cooperation with the department of education and the participating school or school district in which a participating school is located.

8. *a.* The department shall reimburse a participating school or school district that submits a claim as required by the department. The department shall pay the claim on a matching basis with the department contributing one dollar for every three dollars expended by the school or school district. However, a school or school district shall not receive more than one thousand dollars during any year in which it participates in the program.

*b.* Notwithstanding paragraph “*a*”, if the department determines that there are sufficient moneys in the fund to satisfy all claims that may be submitted by schools and school districts, the department shall provide for the distribution of the available moneys in a manner determined equitable by the department, which may include a prorated distribution to participating schools and school districts.

[2021 Acts, ch 149, §7](#)

Referred to in §190A.2