

FILED MAR 17 1976

SENATE FILE 1264

By COMMITTEE ON AGRICULTURE

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to licenses for meat and poultry, milk, and
2 eggs.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section one hundred eighty-nine A point three
2 (189A.3), unnumbered paragraphs one (1) and two (2), Code
3 1975, are amended to read as follows:

4 No person, except restaurants, grocery stores, holders
5 of beer permits and liquor control licenses who sell food,
6 delicatessens, and similar places, shall operate an
7 establishment without first obtaining a license from the
8 department. The license fee for each establishment, ~~excluding~~
9 ~~restaurants-and-grocery-stores,~~ per year or any part of a
10 year shall be:

11 1. For all meat and poultry slaughtered or otherwise pre-
12 pared not exceeding twenty thousand pounds per year for sale,
13 resale, or custom, twenty-five dollars.

14 2. For all meat and poultry slaughtered or otherwise pre-
15 pared in excess of twenty thousand pounds per year for sale
16 ~~or,~~ resale, or custom, fifty dollars.

17 ~~The-license-fee-for-each-restaurant-selling-twenty-pounds~~
18 ~~or-more-of-meat-or-meat-products-annually-and-each-grocery~~
19 ~~store-per-year-or-any-part-of-a-year-shall-be-five-dollars.~~

20 Sec. 2. Section one hundred ninety-six point three (196.3),
21 Code 1975, is amended by striking the section and inserting
22 in lieu thereof the following:

23 196.3 DEFINITIONS. For the purposes of this chapter:

24 1. "Dealer" means a person who buys, sells, handles, and
25 merchandises eggs.

26 2. "Department" means the department of agriculture.

27 3. "Eggs unfit for human food" means eggs classified as
28 loss or inedible and deemed unfit for human food as defined
29 by the United States standards and grades of eggs.

30 4. "Person" means "person" as defined by subsection
31 thirteen (13) of section four point one (4.1) of the Code.

32 5. "Processor" means a person who stores or converts shell
33 eggs to liquid, frozen, or dried form.

34 6. "Producer" means a person who sells only eggs produced
35 exclusively by his own flock direct to consumers.

1 7. "Retailer" means a person who sells eggs directly to
2 consumers.

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

4 Sec. 3. Section one hundred ninety-six point four (196.4),
5 Code 1975, is amended to read as follows:

6 196.4 LICENSE. Every person, except retailers and
7 producers, engaged in the business of buying, selling,
8 receiving, or dealing in eggs shall obtain a license.

9 Sec. 4. Section one hundred ninety-six point five (196.5),
10 Code 1975, is amended to read as follows:

11 196.5 PRODUCERS-AND CERTAIN EGGS OF HATCHERIES EXEMPTED.

12 ~~Producers-who-sell-only-eggs-produced-exclusively-by-their~~
13 ~~own-flocks-and-sold-direct-to-consumers,shall-not-be-re-~~
14 ~~quired-to-obtain-a-license.~~

15 Hatcheries shall obtain a license for eggs purchased over
16 and above the eggs used for hatching purposes. Eggs to be
17 used for hatching are exempt from the candling and grading
18 provisions of this chapter. All cases of eggs shall be
19 properly labeled and clearly identified in such manner as
20 the department of agriculture may prescribe.

21 Sec. 5. Section one hundred ninety-six point six (196.6),
22 unnumbered paragraph one (1), Code 1975, is amended to read
23 as follows:

24 ~~The-annual-license-fee-for-retailers-shall-be-two-dollars.~~

25 The annual license fee for dealers and processors shall be
26 determined on the basis of cases of eggs purchased or handled,
27 and shall be computed on the number of cases purchased or
28 handled during the month of April of each year, providing
29 that if said dealer or process is not operating during the
30 month of April, the department shall estimate the volume of
31 purchases or volume handled, and may revise the fee after
32 three months of operation. For the purpose of determining
33 fees, a case shall be one of thirty dozen capacity.

34 Sec. 6. Sections one hundred ninety-two point one (192.1),
35 one hundred ninety-two point two (192.2), one hundred ninety-

1 two point three (192.3), one hundred ninety-two point four
2 (192.4), and one hundred ninety-six point nine (196.9), Code
3 1975, are repealed.

4 EXPLANATION

5 This bill exempts restaurants, grocery stores, holders
6 of beer permits or liquor control licenses who sell food,
7 delicatessens, and similar places from obtaining a meat and
8 poultry license. It also eliminates the need for retailers
9 to obtain a milk license or egg license. The interim
10 Duplicatory Inspection Requirements Study Committee is of
11 the opinion that such licenses should be eliminated to
12 streamline the licensing division, to reduce the number of
13 licenses these establishments must obtain, and to eliminate
14 this license fee. The establishments will still be inspected
15 pursuant to other sections of the Code. For instance, food
16 establishments, taverns, and restaurants will still be re-
17 quired to obtain a license and will still be subject to inspec-
18 tion pursuant to Chapter 170.

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21 SENATE FILE 1264
22 FISCAL NOTE

23 Date prepared: May 27, 1976
24 Requested by: Senator Taylor
25 Prepared in regard to: Amendment to Senate File 1264

26 Following is the fiscal effect in dollars of the legislative
27 proposal as required by Joint Rule 16.

28 The estimated fiscal effect of this amendment would be an
29 increase in fees collected of approximately \$42,000 for
30 food establishments and \$149,000 for restaurants and lunch
31 stands.

32 Source: Department of Agriculture

33 FILED
34 MAY 28, 1976

BY GERRY D. RANKIN
LEGISLATIVE FISCAL DIRECTOR

1 Amend Senate File 1264 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Sec. _____. Section one hundred seventy point
5 five (170.5), subsection six (6), Code 1975, is amended
6 by striking the section and inserting in lieu thereof
7 the following:

8 6. For a food establishment the fee shall be
9 assigned based upon the gross receipts, as defined
10 in chapter four hundred twenty-two (422) of the Code,
11 of the establishment.

12 The fee shall be		If the gross receipts	
13 equal to:		are equal to more than:	but less than:
14 \$ 5.00		\$ 0	\$ 10,000
15 \$20.00		\$ 10,000	\$250,000
16 \$25.00		\$250,000	\$500,000
17 \$35.00		\$500,000	\$750,000
18 \$50.00		\$750,000	- - - -

19 Sec. _____. Section one hundred seventy point five
20 (170.5), subsection eight (8), Code 1975, is amended
21 to read as follows:

22 8. For transient or movable lunch stands to be
23 operated only at fairs, street fairs, and carnivals,
24 five dollars for each location for fourteen days or
25 ~~eighteen~~ twenty-five dollars per year, at the option
26 of the applicant.

27 Sec. _____. Section one hundred seventy point five
28 (170.5), subsection nine (9), Code 1975, is amended
29 to read as follows:

30 9. For each restaurant, tavern, motor inn, or
31 ~~hotel kitchen, eighteen dollars~~ the fee shall be based
32 on the gross receipts, as defined in chapter four -
33 hundred twenty-two (422) of the Code, of the
34 establishment. The fee shall be twenty-five dollars
35 if the gross receipts are less than one hundred fifty
36 thousand dollars and fifty dollars if the gross
37 receipts are equal to greater than one hundred fifty
38 thousand dollars."

S-5935 FILED
MAY 26, 1976

BY RAY TAYLOR
WILLIAM D. PALMER

SENATE FILE 1264

1 Amend the Taylor and Palmer amendment, S-5935,
2 to Senate File 1264 as follows:

3 1. Page 1, lines 22 and 23, by striking the
4 words "to be operated only at fairs, street fairs,
5 and carnivals," and inserting in lieu thereof the
6 words "~~to-be-operated-only-at-fairs,-street-fairs,~~
7 ~~and-carnivals,~~".

S-5981 FILED
MAY 28, 1976

BY RAY TAYLOR