

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 175B.5, the Department of Agriculture and Land Stewardship hereby gives Notice of Intended Action to amend Chapter 50, "Women, Infants, and Children/Farmers' Market Nutrition Program and Senior Farmers' Market Nutrition Program," Iowa Administrative Code.

The proposed amendments allow participants in the Senior Farmers' Market Nutrition Program to purchase locally produced, raw honey. This change is authorized by the federal Farm Bill.

Any interested person may make written comments on the proposed amendments on or before July 7, 2009. Comments may be sent to Margaret Thomson, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa 50319; or E-mailed to Margaret.Thomson@IowaAgriculture.gov.

The proposed amendments are subject to the Department's general rules on waivers under 21—Chapter 8.

These amendments are intended to implement Iowa Code section 175B.3.

The following amendments are proposed.

ITEM 1. Amend rule **21—50.3(159)**, definition of "Eligible foods," as follows:

"Eligible foods" means fresh, nutritious, unprepared, locally grown fruits, vegetables and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Locally grown, raw honey is an eligible food only for the recipients of SFMNP benefits.

ITEM 2. Amend rule **21—50.3(159)**, definition of "Fresh produce," as follows:

"Fresh produce" means fruits and vegetables that have not been processed in any manner. This term does not include such items as dried fruits and vegetables, potted or dried herbs, wild rice, nuts of any kind including raw nuts, popcorn, fruit or vegetable plants/seedlings, dried beans/peas, seeds/grains, flowers, ~~honey~~, maple syrup, cider, eggs, meat, cheese, and seafood.