

159.5 Powers and duties.

The secretary of agriculture is the head of the department of agriculture and land stewardship which shall:

1. Carry out the objects for which the department is created and maintained.
2. Establish and maintain such divisions in the department as are necessary for the proper enforcement of the laws administered by it.
3. Consolidate the inspection service of the state in respect to the laws administered by the department so as to eliminate duplication of inspection insofar as practicable.
4. Maintain a weather division which shall, in cooperation with the national weather service, collect and disseminate weather and phenological statistics and meteorological data, and promote knowledge of meteorology, phenology and climatology of the state. The division shall be headed by the state climatologist who shall be appointed by the secretary of agriculture, and shall be an officer of the national weather service, if one is detailed for that purpose by the federal government.
5. Establish volunteer weather stations in one or more places in each county, appoint observers thereat, supervise such stations, receive reports of meteorological events and tabulate the same for permanent record.
6. Issue weekly weather and crop bulletins from April 1 to October 1 of each year, and edit and cause to be published monthly weather reports, containing meteorological matter in its relationship to agriculture, transportation, commerce and the general public.
7. Maintain a division of agricultural statistics, which shall, in cooperation with the United States department of agriculture statistical reporting service, gather, compile, and publish statistical information concerning the condition and progress of crops, the production of crops, livestock, livestock products, poultry, and other such related agricultural statistics, as will generally promote knowledge of the agricultural industry in the state of Iowa. The statistics, when published, constitute official agricultural statistics for the state of Iowa. The division is in the charge of an administrator, who shall be appointed by the secretary of agriculture and who shall be an officer of the United States department of agriculture statistical reporting service, if one is detailed for that purpose by the federal government.
8. Establish and maintain a marketing news service division in the department which shall, in cooperation with the federal market news and grading division of the United States department of agriculture, collect and disseminate data and information relative to the market prices and conditions of agricultural products raised, produced, and handled in the state. The division is in the charge of an administrator, who shall be appointed by the secretary of agriculture and shall be an officer of the federal market news and grading division of the United States department of agriculture, if one is detailed for that purpose by the federal government.
9. Inspect and supervise all food producing or distributing establishments including the furniture, fixtures, utensils, machinery, and other equipment so as to prevent the production, preparation, packing, storage, or transportation of food in a manner detrimental to its character or quality.
10. Approve all methods of probing for foreign material content of any type of grain.
11. Establish, publish, and enforce rules not inconsistent with law for the enforcement of the provisions of subtitles 1 through 3 of this title, excluding chapters 161A through 161C, and for the enforcement of the various laws, the administration and supervision of which are imposed upon the department.
12. Establish a swine tuberculosis eradication program including, but not limited to:

- a. The inspection of swine herds in this state when the department finds that an animal from a swine herd has, or is believed to have, tuberculosis;
- b. Ear tagging or otherwise physically marking all swine reacting positively to tests for tuberculosis;
- c. Condemning any swine which has tuberculosis;
- d. Depopulating any swine herd where tuberculosis is found to be generally present; and
- e. Compensate the owners of condemned swine as provided under section 165.18, following the general procedures for filing claims and paying indemnities as provided in chapter 165.

If the department finds that the source of the tuberculosis in a swine herd is from another species of animal, except bovine, located on or near the premises on which the affected swine herd is located, the department may destroy those animals and indemnify the owners of the condemned animals as provided in chapter 163.

13. Establish and maintain a division of soil conservation. The division administrator shall be appointed by the secretary from a list of names of persons recommended by the soil conservation committee, pursuant to section 161A.4, subsection 2, and shall serve at the pleasure of the secretary.

14. Establish and administer programs for the inspection and control of disease among livestock as defined in section 717.1.

- 1. [C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 2. [S13, § 1657-g; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 3. [C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 4. [C97, § 1677, 1678; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 5. [C97, § 1679, 1680; S13, § 1679; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 6. [C97, § 1679; S13, § 1679; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 7. [C97, § 1680; S13, § 1363; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 8. [C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 9. [S13, § 2527-d5, 4527-m; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 159.5]
- 10. [C79, 81, S81, § 159.5(10)]
- 11. [S13, § 2528-d10; C24, 27, 31, 35, 39, § **2590**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 159.5(10); C79, 81, S81, § 159.5(11)]
- 12. [C46, 50, 54, 58, 62, 66, § 185.2; C71, 73, 75, 77, § 159.5(11); C79, 81, S81, § 159.5(12)]

13. [C75, 77, § 159.5(12); C79, 81, S81, § 159.5(13); 81 Acts, ch 117, § 1019; 82 Acts, ch 1104, § 4]

83 Acts, ch 96, § 60, 157, 159; 83 Acts, ch 123, § 69, 209; 84 Acts, ch 1067, § 22; 86 Acts, ch 1137, §1; 86 Acts, ch 1245, § 607, 608; 87 Acts, ch 115, § 26; 88 Acts, ch 1134, § 32; 89 Acts, ch 83, § 29; 89 Acts, ch 106, § 1; 94 Acts, ch 1023, §14; 99 Acts, ch 96, §15; 2000 Acts, ch 1038, §1; 2003 Acts, ch 74, §1