

CHAPTER 6
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

21—6.1(17A,22) Definitions. As used in this chapter:

“*Agency.*” In lieu of the words “(official or body issuing these rules)” insert “department of agriculture and land stewardship”.

21—6.3(17A,22) Requests for access to records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.9(17A,22) Disclosures without the consent of the subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.10(17A,22) Routine use. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.11(17A,22) Consensual disclosure of confidential records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.12(17A,22) Release to subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.13(17A,22) Availability of records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

21—6.14(17A,22) Personally identifiable information. This rule describes the nature and extent of personally identifiable information which is collected, maintained, and retrieved by the agency by personal identifier in record systems as defined in rule 6.1(17A,22). For each record system, this rule describes the legal authority for the collection of that information, the means of storage of that information and indicates whether a data processing system matches, collates, or permits the comparison of personally identifiable information in one record system with personally identifiable information in another record system. Unless otherwise stated, the authority for this department to maintain the record is provided by Iowa Code chapter 159. The record systems maintained by the agency are:

6.14(1) Personnel files. The agency maintains files containing information about employees, families and dependents, and applicants for positions with the agency. The files include payroll records, biographical information, medical information relating to disability, performance reviews and evaluations, disciplinary information, information required for tax withholding, information concerning employee benefits, affirmative action reports, and other information concerning the employer-employee relationship. This material includes personally identifiable information such as name, address, social security number and employee payroll number. Some of this information is confidential under Iowa Code section 22.7(11). These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

6.14(2) Litigation files. These files or records contain information regarding litigation or anticipated litigation, which includes judicial and administrative proceedings. The records include briefs, depositions, docket sheets, documents, correspondence, attorneys’ notes, memoranda, research materials, witness information, investigation materials, information compiled under the direction of the attorney, and case management records. The files contain materials which are confidential as attorney work product and attorney-client communications. Some materials are confidential under other applicable provisions of law

or because of a court order. Persons wishing copies of pleadings and other documents filed in litigation should obtain these from the clerk of the appropriate court which maintains the official copy. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

6.14(3) *Contested case matters.* These records are collected and maintained pursuant to Iowa Code sections 17A.3(1)“d,” 17A.3(2), 17A.12, and Iowa Code chapters and sections noted in subrules 6.14(4) and 6.14(5). Contested case matters include all pleadings, motions, briefs, orders, transcripts, exhibits, and physical evidence utilized in the resolution of the matter. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

6.14(4) *Licensure, permit or certification records.* The department regulates by license, permit, or certification a number of agriculture-related practices, under various chapters of the Iowa Code. Licensing records generally include, but are not limited to, information identifying the licensee by name, location, and form of business entity, including the names of corporate principals. Examination and compliance reports may be included in the license records. These records may include confidential information protected from disclosure under Iowa Code section 22.7(3), 22.7(6), or 22.7(18). These licensing records include but are not limited to:

a. Animal industry. Under Iowa Code chapters 163, 163A, 164, 165, 166C, 169A, and 172B, the department maintains records regarding regulation of animal health, including, but not limited to: calfhood vaccination tags, filed under the name of the administering veterinarian, identified by code, or for some disease vaccinations, by name or code of herd owner; swine and cattle approved premises, license filed by county and premises number, identified by owner’s name or code; livestock market and agents and livestock dealers and agents, license identified by name or code; quarantine orders, identified by herd owner’s name or code; bull breeder’s license, identified by owner’s name or code; livestock importation certificates, identified by name or code of Iowa purchaser; slaughter affidavits, identified by herd owner’s name or code; brand certificates, identified by owner’s name or code; large and small animal health certificates, identified by owner’s name or code.

Under Iowa Code chapter 162, the department maintains records regarding the regulation of animal welfare, including, but not limited to: state kennel licenses or federal registrations, identified by owner’s name or code; state pound certification or federal registrations, identified by owner’s name or code; state shelter certification or federal registration, identified by owner’s name or code; dealer’s license or federal registration, identified by name or code.

Under Iowa Code chapters 189 and 189A, the department maintains records regarding the regulation of meat and poultry, including but not limited to: licensing of meat or poultry processing plants, identified by plant owner’s name or code; registration of labeling, formulation, and processing procedures, identified by plant owner’s name or code; inedible permits, identified by plant owner’s name or code.

Under Iowa Code chapter 169, the department maintains jointly with the board of veterinary medicine records regarding the licensure of veterinarians and animal technicians, identified by name or code. In addition to general provisions, these records may include information deemed confidential under Iowa Code section 272C.6.

These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

b. Grain warehousing. Under Iowa Code chapters 203, 203A, and 203C, the department maintains records regarding the licensure of grain dealers, grain bargaining agents, grain sellers, and grain warehouses, identified by licensee’s name or code. These files may contain information which is confidential under Iowa Code section 22.7(12), 203.16, or 203C.24, specifically including financial statements. Files cross-referenced by licensee name or code include receivership files and indemnity fund claim files, which records identify both the licensee and the names of claimants against the licensee. The latter records are maintained jointly with the grain indemnity fund board. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

c. Dairy products. Under Iowa Code chapters 189, 190, 190A, 191, 192, 194, and 195, the department maintains records regarding the regulation of dairy products, including but not limited to: milk plant permit, identified by owner’s name or code; grade “A” farm permit, identified by operator’s name

or code; grade “B” farm permit, identified by operator’s name or code; hauler/grader license, identified by person’s name or code; tester license, identified by person’s name or code; milk truck license, identified by owner’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

d. Horse and dog breeding. Under Iowa Code section 99D.22, the department maintains records regarding the registration of Iowa-foaled horses and Iowa-whelped dogs, including but not limited to: Iowa stallion eligibility certificate, identified by owner’s name or code; brood mare registration, identified by owner’s name or code; Iowa-foaled horse certification, identified by breeder’s name or code; Iowa-whelped litter registration, identified by breeder’s name or code; Iowa-whelped individual registration, identified by owner’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

e. Weights and measures. Under Iowa Code chapters 208A, 212, 214, 214A, 215, and 215A, the department maintains records regarding the regulation of weights and measures, including but not limited to: antifreeze permit, identified by manufacturer’s name or code; public scale license, identified by owner’s name or code; service agency’s bond, identified by person’s name or code; servicer’s license, identified by person’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

f. Pesticides. Under Iowa Code chapter 206, the department maintains records regarding the regulation of pesticide use, including but not limited to: commercial pesticide applicator licenses and certifications, identified by person’s name or code; private pesticide applicator certification, identified by person’s name or code; pesticide product registration, identified by distributor’s name or code; pesticide dealer licenses, identified by person’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

g. Fertilizer. Under Iowa Code chapters 200 and 201, the department maintains records regarding the regulation of fertilizer use, including but not limited to: fertilizer dealer license, identified by person’s name or code; registration of bulk fertilizer, identified by manufacturer’s name or code; registration of fertilizer sold in packages of 25 pounds or less, identified by manufacturer’s name or code; agricultural limestone license, identified by operator’s name or code; fertilizer inspection fee report, identified by manufacturer’s name or code; groundwater protection fee report, identified by manufacturer’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

h. Seed. Under Iowa Code chapter 199, the department maintains records regarding agricultural seeds, including but not limited to: seed permit, identified by person’s name or code; seed permit holder’s bond, identified by person’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

i. Feed. Under Iowa Code chapter 198, the department maintains records regarding commercial feed, including but not limited to: feed facility registration, identified by manufacturer’s name or code; feed manufacturer’s product registration (10 pounds or less), identified by manufacturer’s name or code; feed manufacturer’s product registration (exceeding 10 pounds or in bulk), identified by manufacturer’s name or code; semiannual commercial feed tonnage report, identified by manufacturer’s name or code; commercial feed tonnage reports, identified by manufacturer’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

j. Mines and minerals. Under Iowa Code chapters 207 and 208, the department, jointly with the state soil conservation committee, maintains records regarding mines and minerals, including but not limited to: licensed mine operators, identified by operator’s name or code; registered mine sites, identified by operator’s name or code; permitted coal mine sites, identified by operator’s name or code; coal exploration permits, identified by operator’s name or code. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

6.14(5) *Nonlicensee investigations and records.* The department has general authority in various areas to regulate agriculture-related practices without the necessity of license issuance. The investigations may be part of a criminal prosecution, and therefore records may be confidential under Iowa Code section 22.7(4). Other reports may be confidential under Iowa Code section 22.7(3), 22.7(6) or 22.7(18). These records

will be identified by the name of the subject of the investigation or report. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system. These records include but are not limited to:

- a. Apiary investigations pursuant to Iowa Code chapter 160.
- b. Soybean assessment audits, soybean first buyer report, pursuant to Iowa Code chapter 185.
- c. Corn assessment audits, corn promotion board remittance report, pursuant to Iowa Code chapter 185C.
- d. Dairy trade practices price lists, permit fees, pursuant to Iowa Code chapter 192A, confidential pursuant to Iowa Code sections 22.7(6) and 192A.7.
- e. Pesticide residue analysis, pursuant to Iowa Code chapter 206.

6.14(6) Laboratory reports. In furtherance of license or nonlicense regulation of subject areas under subrules 6.14(4) and 6.14(5), the department may prepare laboratory reports consisting of analytical results of samples. These records may include confidential information protected from disclosure under Iowa Code section 22.7(3), 22.7(6), or 22.7(18). These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system. These records are identified by the name of the subject of the investigation.

6.14(7) Grant or loan records. Under Iowa Code chapters 161A and 161B, the soil conservation division of the department maintains records regarding grants and cost-sharing programs, identifying the name of the recipient or applicant. These records are jointly maintained by the division and the state soil conservation committee. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

Under Iowa Code chapter 175, the staff of the agricultural development authority, within the department, maintain records regarding the issuance of bonds and underwriting of loans, identified by the name of the recipient or applicant. These records are jointly maintained by the department and the agricultural development authority. These records are primarily maintained in paper copy, with some material generated or maintained in a data processing system.

21—6.15(17A,22) Other groups of records. This rule describes groups of records maintained by the agency other than record systems as defined in rule 6.1(17A,22). These records are routinely available to the public. However, the agency's files of these records may contain confidential information as discussed in rule 6.13(17A,22). The records listed may contain information about individuals.

6.15(1) Administrative records. This includes documents concerning budget, property inventory, purchasing, yearly reports, office policies for employees, time sheets, printing and supply requisitions.

6.15(2) Publications. The office receives a number of books, periodicals, newsletters, government documents, etc. These materials would generally be open to the public but may be protected by copyright law. Most publications of general interest are available in the state law library.

6.15(3) Office publications. This office issues a variety of materials consisting of brochures and pamphlets, press releases, and statistical reports, including but not limited to: crop and weather reports issued by the state climatologist's office; livestock and crop farm reports; sheep newsletter.

6.15(4) Rule-making records. Public documents generated during the promulgation of agency rules, including notices and public comments, are available for public inspection.

6.15(5) Office manuals. Information in office manuals may be confidential under Iowa Code section 17A.2(7) "f" or other applicable provision of law.

6.15(6) Cooperative agreements. The state has entered into cooperative agreements with the United States Department of Agriculture regarding various agricultural practices, including but not limited to warehouse inspection, agricultural statistics, and animal welfare enforcement.

6.15(7) Board, committee, council and commission records. Agendas, minutes, and materials prepared or maintained by the department or various divisions or bureaus of the department are available from the office, except those records concerning closed sessions which are exempt from disclosure under Iowa Code section 21.5 or which are otherwise confidential by law. Board, committee, council and commission records contain information about people who participate in meetings. These entities include both statutory entities, such as the state soil conservation committee, the grain indemnity fund board, the veterinary medicine board, and the agricultural development authority, and voluntary advisory

committees, such as the feed advisory committee, the pesticide advisory committee, and the agricultural energy management advisory council. This information is collected pursuant to Iowa Code section 21.3. This information is not stored on an automated data processing system.

6.15(8) General soil conservation records. Soil conservation district information, including directory of commissioners, soil surveys, watershed program records, water resource district records, and other program information is maintained jointly by the division of soil conservation and the state soil conservation committee pursuant to Iowa Code chapters 161A and 161B.

6.15(9) General marketing records. Lists of commodity producers, lists of hay and straw producers, an agricultural export directory, lists of farmers' markets, and other forms of marketing information are maintained and made available to the public pursuant to Iowa Code section 159.20.

6.15(10) All other records that are not exempted from disclosure by law.

21—6.16(17A,22) Data processing systems. None of the data processing systems used by the agency permit the comparison of personally identifiable information in one record system with personally identifiable information in another record system.

21—6.17(159,252J,272D) Release of confidential licensing information for collection purposes. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

These rules are intended to implement Iowa Code chapters 17A, 22, 159, 252J and 272D.

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