

House File 2491

H-8394

1 Amend House File 2491 as follows:

2 1. Page 23, after line 30 by inserting:

3 <Sec. _____. NEW SECTION. 191A.1 **Definitions.**

4 As used in this chapter, unless the context otherwise
5 requires:

6 1. "*Consumer food product*" means any item capable of use as
7 human food that is produced using an agricultural animal or
8 crop as defined in section 717A.1.

9 2. "*Department*" means the department of agriculture and land
10 stewardship.

11 3. "*Grocery store*" means a food establishment as defined
12 in section 137F.1 licensed by the department of inspections
13 and appeals pursuant to section 137F.4, to sell consumer food
14 products to customers, if such food products are intended for
15 preparation or consumption off premises.

16 Sec. _____. NEW SECTION. 191A.2 **Water resource policy.**

17 The state declares it is the policy of this state to further
18 all efforts to provide a long-term sustainable water resource
19 strategy necessary to promote agriculture.

20 Sec. _____. NEW SECTION. 191A.3 **Water resource label.**

21 1. The department shall adopt rules to establish a water
22 usage information label to be affixed to a consumer food
23 product or the package containing a consumer food product sold
24 by a grocery store in this state. The label must be affixed to
25 the consumer food product or package in the form of an adhesive
26 or hanging tag. A label may be printed on the principal
27 display panel of the package as provided in 21 C.F.R. pt. 101.
28 The information panel shall be presented in a printed format
29 in a manner that is easy for a consumer to quickly read its
30 contents. The information panel shall indicate the average
31 number of gallons of water required to produce the commodity
32 used to produce the consumer food product. The label shall
33 not be removed from the consumer food product or its packaging
34 prior to its purchase by a consumer.

35 2. a. The department shall not adopt rules as provided in

1 this section until it obtains any necessary waiver from the
2 United States food and drug administration or until necessary
3 legislation authorizing the rules is enacted by the United
4 States Congress.

5 *b.* If the department determines that it requires state
6 legislation prior to adopting any rules under this section, the
7 department shall prepare and submit such legislation prior to
8 the convening of the first session of the eighty-eighth general
9 assembly.

10 3. This section shall not apply to a packaged food
11 product that includes a combination of commingled or blended
12 commodities, if the department determines that the label would
13 be impracticable to prepare or for consumers to readily read
14 or understand.

15 Sec. _____. NEW SECTION. 191A.4 **Penalty.**

16 1. A person who violates this chapter is subject to a
17 civil penalty of at least one hundred dollars but not more
18 than one thousand dollars for each violation. Each day that a
19 violation continues shall constitute a new offense. However, a
20 person shall not be subject to a civil penalty of more than ten
21 thousand dollars for a continuing violation.

22 2. The department shall impose and collect the civil
23 penalty. The civil penalty collected by the department shall
24 be deposited in the general fund of the state.

25 Sec. _____. NEW SECTION. 191A.5 **Injunction.**

26 The department may restrain a person violating this chapter
27 or a rule adopted by the department under this chapter by
28 petitioning the district court where the violation occurs
29 for injunctive relief. Each day that a violation continues
30 constitutes a separate violation.

31 Sec. _____. **REPORT.** The department of agriculture and land
32 stewardship shall submit a report to the general assembly
33 not later than January 1, 2019, detailing its progress in
34 implementing sections 191A.1 through 191A.5 as enacted in this
35 division of this Act.>

- 1 2. Title page, line 4, after <protection> by inserting <
- 2 and including penalties>
- 3 3. By renumbering as necessary.

BENNETT of Linn