

FEB 15 1989

HOUSE FILE 331

BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 147)

Place On Calendar
Sen. Agri 2-27-89 (p.542)
DO Pass 3-8-89 (p.679)
Sun. Ways & Means
DO Pass 3-31-89 (p.1118)

Passed House, Date 2-22-89 (p.534) Passed Senate, Date 4-10-89

Vote: Ayes 93 Nays 0 Vote: Ayes 47 Nays 0

Approved May 23, 1989

A BILL FOR

3171 1 An Act relating to standards for apples established by the
2 secretary of agriculture, providing for the establishment of
3 fees, and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 331

H-3171

- 1 Amend House File 331 as follows:
- 2 1. Page 1, by striking lines 25 and 26 and
- 3 inserting the following: "comply with the standards."
- 4 2. Title page, by striking lines 2 and 3 and
- 5 inserting the following: "secretary of agriculture,
- 6 and providing penalties."

By TYRRELL of Iowa

H-3171 FILED FEBRUARY 16, 1989

10st 2-22-89 (p.536)

HOUSE FILE 331

H-3179

- 1 Amend House File 331 as follows:
- 2 1. Page 1, line 6, by striking the words ", in-
- 3 cluding any amendments."

By MERTZ of Kossuth

H-3179 FILED FEBRUARY 21, 1989

Adopted 2-22-89 (p.535)

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HF 331

1 Section 1. NEW SECTION. 159.32 STANDARDS FOR APPLES.

2 1. The secretary may establish standards for apples. The
3 standards shall conform to those established by regulations of
4 the United States department of agriculture pursuant to the
5 federal Agricultural Marketing Act of 1946, as codified in 7
3176 U.S.C. 1621 et seq., including any amendments.

7 2. The secretary may establish independent standards,
8 including grades or other classifications, of apples. The
9 establishment of independent standards shall be based on a
10 determination that the standards will benefit the apple
11 industry. Independent standards shall be based on factors
12 relating to the condition of the apples, which may relate to
13 the following: maturity, form, ripeness, cleanliness, color,
14 freshness, shape, size, smoothness, or soundness. The
15 independent standards may be based on the following: the care
16 of picking or packing; the level of decay, browning, or
17 freezing; or damage caused by disease, pests, dirt, or other
18 foreign matter, broken skin, bruises, sunburn, or sprayburn.
19 The secretary, before establishing independent standards,
20 shall consult with representatives of interested persons,
21 including producers.

3176 22 3. The secretary may inspect apples according to the
23 standards, including grades, established pursuant to this
24 section. The secretary may certify that inspected apples
25 comply with the standards. The secretary may set fees
26 necessary for inspection or certification.

27 4. A person who, for profit or pecuniary advantage,
28 knowingly misrepresents that the apples have been inspected or
29 certified according to the standards established pursuant to
30 this section is guilty of a fraudulent practice as provided in
31 chapter 714.

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EXPLANATION

33 This bill authorizes the secretary of agriculture to
34 establish standards, including grades, for apples, based on
35 federal standards or standards established independently by

1 the secretary. The bill provides that the secretary may
2 inspect apples according to the standards and may certify the
3 apples as complying with the standards. The secretary may set
4 fees necessary for inspection or certification. The bill
5 provides that a person is guilty of a fraudulent practice if
6 the person misrepresents the inspection or certification of
7 the apples.

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HSB 147

Agriculture

HOUSE FILE 331

BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

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

A BILL FOR

1 An Act relating to standards for apples established by the
2 secretary of agriculture, providing for the establishment of
3 fees, and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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21 including producers.

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23 standards, including grades, established pursuant to this
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26 necessary for inspection or certification.

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28 knowingly misrepresents that the apples have been inspected or
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EXPLANATION

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34 establish standards, including grades, for apples, based on
35 federal standards or standards established independently by

1 the secretary. The bill provides that the secretary may
2 inspect apples according to the standards and may certify the
3 apples as complying with the standards. The secretary may set
4 fees necessary for inspection or certification. The bill
5 provides that a person is guilty of a fraudulent practice if
6 the person misrepresents the inspection or certification of
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BACKGROUND STATEMENT
SUBMITTED BY THE AGENCY

This proposal expands the duties of the Iowa Secretary of
Agriculture related to establishing standard grades for
apples, providing for inspection, and providing penalties for
misrepresenting the grades of apples.

HOUSE FILE 331

AN ACT

RELATING TO STANDARDS FOR APPLES ESTABLISHED BY THE SECRETARY OF AGRICULTURE, PROVIDING FOR THE ESTABLISHMENT OF FEES, AND PROVIDING PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 159.32 STANDARDS FOR APPLES.

1. The secretary may establish standards for apples. The standards shall conform to those established by regulations of the United States department of agriculture pursuant to the federal Agricultural Marketing Act of 1946, as codified in 7 U.S.C. 1621 et seq.

2. The secretary may establish independent standards, including grades or other classifications, of apples. The establishment of independent standards shall be based on a determination that the standards will benefit the apple industry. Independent standards shall be based on factors relating to the condition of the apples, which may relate to the following: maturity, form, ripeness, cleanliness, color, freshness, shape, size, smoothness, or soundness. The independent standards may be based on the following: the care of picking or packing; the level of decay, browning, or freezing; or damage caused by disease, pests, dirt, or other foreign matter, broken skin, bruises, sunburn, or sprayburn. The secretary, before establishing independent standards, shall consult with representatives of interested persons, including producers.

3. The secretary may inspect apples according to the standards, including grades, established pursuant to this section. The secretary may certify that inspected apples comply with the standards. The secretary may set fees necessary for inspection or certification.

4. A person who, for profit or pecuniary advantage, knowingly misrepresents that the apples have been inspected or certified according to the standards established pursuant to this section is guilty of a fraudulent practice as provided in chapter 714.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 331, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 23, 1989

TERRY E. BRANSTAD
Governor

HF 331