

S. 3/17/98 Agriculture  
S. 3/18/98 Do Pass

FEB 25 1998

Place On Calendar

HOUSE FILE **2438**  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 642)

Passed House, <sup>(p. 712)</sup> Date 3/16/98 Passed Senate, Date 3/23/98 (p. 828)  
Vote: Ayes 100 Nays 0 Vote: Ayes 47 Nays 0  
Approved April 2, 1998

A BILL FOR

1 An Act relating to the regulation of commercial feed.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2438

1 Section 1. Section 198.3, subsection 3, Code 1997, is  
2 amended to read as follows:

3 3. "Commercial feed" means all materials except or a  
4 combination of materials which are distributed or intended for  
5 distribution for use as feed or for mixing in feed, unless  
6 such materials are specifically exempted. Unmixed whole seeds  
7 unmixed-or and physically altered entire unmixed seeds, when  
8 such whole or physically altered seeds are not chemically  
9 changed or are not adulterated within the meaning of section  
10 198.7, subsection 1, ~~which are distributed-for-use-as-feed-or~~  
11 ~~for-mixing-in-feed~~ exempt. The secretary by rule may exempt  
12 from this definition, or from specific provisions of this  
13 chapter, commodities such as hay, straw, stover, silage, cobs,  
14 husks, hulls and individual chemical compounds or substances  
15 when such commodities, compounds or substances are not  
16 intermixed or mixed with other materials, and are not  
17 adulterated within the meaning of section 198.7, subsection 1.

18 Sec. 2. Section 198.4, subsection 1, unnumbered paragraph  
19 1, Code 1997, is amended by striking the paragraph and  
20 inserting in lieu thereof the following:

21 This section shall apply to any person:

- 22 a. Who manufactures a commercial feed within the state.  
23 b. Who distributes a commercial feed in or into the state.  
24 c. Whose name appears on the label of a commercial feed as  
25 guarantor.

26 The person shall obtain a license, for each facility which  
27 distributes in or into the state, authorizing the person to  
28 manufacture or distribute commercial feed before the person  
29 engages in such activity. Any person who makes only retail  
30 sales of commercial feed which bears labeling or other  
31 approved indication that the commercial feed is from a  
32 licensed manufacturer, guarantor, or distributor who has  
33 assumed full responsibility for the tonnage inspection fee due  
34 under section 198.9 is not required to obtain a license.

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EXPLANATION

1 This bill amends Code chapter 198, the "Iowa Commercial  
2 Feed Law". The bill amends Code section 198.3 which provides  
3 that commercial feed does not include certain seeds. This  
4 bill provides that the exemption does not apply to seeds which  
5 have been chemically changed. The bill also amends Code  
6 section 198.4, which requires that persons must be licensed if  
7 they manufacture a commercial feed, if the person's name  
8 appears on the label of a commercial feed, or if the person is  
9 a broker of commercial feed. This bill provides that the  
10 manufacturer, distributor, and broker must still receive a  
11 license. It provides that a person whose name appears on the  
12 commercial feed label as a guarantor must also be licensed.  
13 The bill provides that a person is not required to obtain a  
14 license if the person makes only retail sales of commercial  
15 feed and the commercial feed bears a label providing that the  
16 commercial feed comes from a licensed manufacturer, guarantor,  
17 or distributor who is responsible for paying an inspection fee  
18 imposed under the chapter.

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Heaton  
Huesman  
Mertz

HSB 642

Agriculture  
Succeeded By  
SF (HF) 2438

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON EDDIE)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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- 22 a. Who manufactures a commercial feed within the state.  
23 b. Who distributes a commercial feed in or into the state.  
24 c. Whose name appears on the label of a commercial feed as  
25 guarantor.

26 The person shall obtain a license, for each facility which  
27 distributes in or into the state, authorizing the person to  
28 manufacture or distribute commercial feed before the person  
29 engages in such activity. Any person who makes only retail  
30 sales of commercial feed which bears labeling or other  
31 approved indication that the commercial feed is from a  
32 licensed manufacturer, guarantor, or distributor who has  
33 assumed full responsibility for the tonnage inspection fee due  
34 under section 198.9 is not required to obtain a license.

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EXPLANATION

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S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

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HOUSE FILE 2438

AN ACT  
RELATING TO THE REGULATION OF COMMERCIAL FEED.

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

Section 1. Section 198.3, subsection 3, Code 1997, is amended to read as follows:

3. "Commercial feed" means all materials except or a combination of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted. Unmixed whole seeds unmixed-or and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of section 198.7, subsection 1, which are distributed-for-use-as-feed-or-for-mixing-in-feed exempt. The secretary by rule may exempt from this definition, or from specific provisions of this chapter, commodities such as hay, straw, stover, silage, cobs, husks, hulls and individual chemical compounds or substances when such commodities, compounds or substances are not intermixed or mixed with other materials, and are not adulterated within the meaning of section 198.7, subsection 1.

Sec. 2. Section 198.4, subsection 1, unnumbered paragraph 1, Code 1997, is amended by striking the paragraph and inserting in lieu thereof the following:

This section shall apply to any person:

- a. Who manufactures a commercial feed within the state.
- b. Who distributes a commercial feed in or into the state.
- c. Whose name appears on the label of a commercial feed as guarantor.

The person shall obtain a license, for each facility which distributes in or into the state, authorizing the person to manufacture or distribute commercial feed before the person

engages in such activity. Any person who makes only retail sales of commercial feed which bears labeling or other approved indication that the commercial feed is from a licensed manufacturer, guarantor, or distributor who has assumed full responsibility for the tonnage inspection fee due under section 198.9 is not required to obtain a license.

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RON J. CORBETT  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2438, Seventy-seventh General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved  1998

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TERRY E. BRANSTAD  
Governor