

# Senate Study Bill 3168

## Bill Text

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1 1 Section 1. Chapter 192A, Code 1999, is repealed.

1 2 EXPLANATION

1 3 This bill repeals Code chapter 192A which regulates trade  
1 4 practices in the dairy industry, as administered by the  
1 5 department of agriculture and land stewardship. The bill  
1 6 regulates the pricing of dairy products for purposes of  
1 7 ensuring free competition in the marketplace and preventing  
1 8 restraint of trade, including by regulating agreements with  
1 9 retailers, discounts or rebates, advertising, the rental of  
1 10 storage space from retailers, loans or gifts to retailers, and  
1 11 equipment provided to retailers. The Code chapter provides  
1 12 licensure and permit requirements, and imposes fees. It  
1 13 requires that pricing information is filed with the  
1 14 department. It provides authority to the department to  
1 15 enforce the provisions of the Code chapter, including  
1 16 investigating reported grievances, issuing subpoenas, and  
1 17 requiring reports from persons investigated. It provides that  
1 18 the department may issue cease and desist orders, and provides  
1 19 procedures for administrative hearings and judicial review.  
1 20 The chapter provides for the imposition of civil penalties of  
1 21 up to \$25,000 for violations of the Code chapter. It also  
1 22 provides for the suspension or revocation of licenses.

1 23 LSB 5760SC 78

1 24 da/cls/14