

House File 2046 - Introduced

HOUSE FILE _____
BY WHITAKER

(COMPANION TO LSB 5060SS
BY OLIVE)

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

A BILL FOR

1 An Act providing for standardized analytical testing methods for
2 measuring components of distillers commercial feed, and
3 providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5060HH 82
6 da/sc/5

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1 1 Section 1. Section 198.3, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 6A. "Distillers commercial feed" means
1 4 the material remaining after the removal of ethanol by the
1 5 distillation from the yeast fermentation of grain, if the
1 6 material is used or further processed for commercial feed,
1 7 including material which is processed from corn as part of a
1 8 wet milling or dry grinding operation.
1 9 Sec. 2. Section 198.8, Code 2007, is amended by adding the
1 10 following new subsection:
1 11 NEW SUBSECTION. 8. Distribute distillers commercial feed
1 12 which has not been subjected to standardized analytical
1 13 testing methods as provided in section 198.10.
1 14 Sec. 3. Section 198.10, Code 2007, is amended by adding
1 15 the following new subsection:
1 16 NEW SUBSECTION. 3A. The department shall adopt rules
1 17 establishing standardized analytical testing methods for
1 18 measuring components in different types of distillers
1 19 commercial feed based on recommendations made by the American
1 20 feed industry association, including but not limited to
1 21 methods for measuring moisture, protein, fat, and fiber.
1 22 Sec. 4. NEW SECTION. 198.13A CIVIL PENALTY.
1 23 A person who distributes distillers commercial feed in
1 24 violation of section 198.8 is subject to a civil penalty of
1 25 not more than ten thousand dollars. The civil penalty shall
1 26 be in addition to the criminal penalty imposed pursuant to
1 27 section 198.13. The department shall assess and collect the
1 28 civil penalties which shall be deposited in the general fund
1 29 of the state.

EXPLANATION

1 31 This bill amends provisions in Code chapter 198, the "Iowa
1 32 Commercial Feed Law" which authorizes the department of
1 33 agriculture and land stewardship to regulate materials
1 34 distributed for use as feed for livestock or pets as processed
1 35 by milling facilities. The bill requires the department to
2 1 adopt standardized analytical testing methods for measuring
2 2 components in distillers commercial feed (e.g., moisture,
2 3 protein, fat, and fiber) based on recommendations made by the
2 4 American feed industry association. Two types of milling
2 5 operations produce different commercial feed products,
2 6 including wet milling which produces corn gluten feed and the
2 7 dry grinding which produces distillers grains and solubles,
2 8 with commercial feeds marketed as wet, modified wet, or dry.
2 9 The bill provides that a person who distributes distillers
2 10 commercial feed in violation of the bill's provisions is
2 11 subject to a civil penalty of not more than \$10,000 in
2 12 addition to the criminal penalty currently in statute. Code
2 13 section 198.13 provides that a person convicted of violating a
2 14 provision of Code chapter 198, or impeding its enforcement is
2 15 guilty of a simple misdemeanor. A simple misdemeanor is
2 16 punishable by confinement for no more than 30 days or a fine

2 17 of at least \$65 but not more than \$625 or by both.
2 18 LSB 5060HH 82
2 19 da/sc/5