

House File 2357 - Introduced

HOUSE FILE 2357

BY HUNTER, KACENA, KEARNS, and
GASKILL

A BILL FOR

1 An Act providing for a country of origin label and allowing for
2 injunctive relief.

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

1 Section 1. NEW SECTION. 191.11 Country of origin labeling
2 program.

3 The department shall adopt rules to establish a notice
4 of country of origin labeling program for beef and pork meat
5 products, that includes muscle cuts of beef, muscle cuts of
6 pork, ground beef, and ground pork sold in this state on
7 a retail basis. The rules shall be based on regulations
8 requiring country of origin labeling for those products as
9 published in the Federal Register, Vol. 74, No. 10, January
10 15, 2009. The department shall not adopt such rules until it
11 obtains any necessary waiver from the United States department
12 of agriculture or until necessary legislation authorizing the
13 program is enacted by the United States Congress. If the
14 department determines that it requires state legislation prior
15 to adopting any rules under this section, the department shall
16 prepare and submit such legislation for the eighty-eighth
17 general assembly prior to its first session convening. The
18 department shall submit a report to the general assembly
19 not later than January 1, 2019, detailing its progress in
20 implementing this Act.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 BILL'S PROVISIONS. This bill amends Code chapter 191 that
25 sets forth labeling requirements for food products as regulated
26 by the department of agriculture and land stewardship (DALs).
27 The bill requires DALs to adopt rules to establish a notice
28 of country of origin labeling program for beef and pork meat
29 products sold in this state on a retail basis. The rules must
30 be based on United States department of agriculture regulations
31 published in the Federal Register in 2009. Congress enacted
32 legislation that removed mandatory labeling requirements
33 contained in those rules pursuant to the "Consolidated
34 Appropriations Act, 2016" (Pub. L. No. 114-113). The bill
35 provides that DALs is not to adopt such rules unless it first

1 obtains any necessary waiver by the United States department
2 of agriculture or until legislation is enacted by the United
3 States Congress granting any necessary authorization. If DALs
4 determines it requires state legislation to further implement
5 the program, it is required to prepare such legislation for
6 consideration by the 88th General Assembly during its first
7 session. DALs must submit a report to the general assembly
8 not later than January 1, 2019, detailing its progress in
9 implementing the bill's provisions.

10 INJUNCTIVE RELIEF. DALs is authorized to restrain a person
11 violating a provision in the Code chapter, including a rule
12 adopted by the agency by petition in the district court where
13 the violation occurs for injunctive relief.