

House File 2408 - Introduced

HOUSE FILE 2408
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 623)

A BILL FOR

- 1 An Act regulating the sale of eggs by grocery stores
- 2 participating in a federal program.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.16A Vendors participating in
2 federal programs — egg sales.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Conventional eggs*" means eggs others than specialty
6 eggs.

7 b. "*Eggs*" means shell eggs that are graded as "AA", "A", or
8 "B" pursuant to 7 C.F.R. pt. 56, subpt. A, and that are sold at
9 retail in commercial markets.

10 c. "*Federal food program*" means the special supplemental
11 food program for women, infants, and children as provided in
12 42 U.S.C. §1786, et seq.

13 d. "*Grocery store*" means a food establishment as defined
14 in section 137F.1 licensed by the department of inspections
15 and appeals pursuant to section 137F.4, to sell food or food
16 products to customers intended for preparation or consumption
17 off premises.

18 e. "*Specialty eggs*" means eggs produced by domesticated
19 chickens, and sold at retail in commercial markets if the
20 chickens producing such eggs are advertised as being housed in
21 any of the following environments:

22 (1) Cage-free.

23 (2) Free-range.

24 (3) Enriched colony cage.

25 2. a. The department of inspections and appeals shall
26 assist the Iowa department of public health in adopting rules
27 necessary to implement and administer this section.

28 b. If necessary to implement, administer, and enforce this
29 section, the Iowa department of public health, in cooperation
30 with the department of agriculture and land stewardship, shall
31 submit a request to the United States department of agriculture
32 for a waiver or other exception from regulations as deemed
33 feasible by the Iowa department of public health. The Iowa
34 department of public health shall regularly report the status
35 of such request to the legislative services agency.

1 marketing of eggs (by egg-laying hens) are established by
2 several federal agencies including the USDA (21 U.S.C. §1031 et
3 seq.). The bill requires the department of public health to
4 implement, administer, and enforce its provisions, including
5 by: (1) adopting rules in consultation with the department of
6 inspections and appeals, and (2) applying for a waiver from the
7 USDA in cooperation with the department of agriculture and land
8 stewardship if needed.

9 EXCEPTIONS. The bill's provisions do not require a grocery
10 store to: (1) stock eggs if it does not stock specialty eggs
11 for sale or (2) stock conventionally produced eggs for sale if
12 it had not stocked such eggs for sale prior to January 1, 2018.