

House File 2420 - Introduced

HOUSE FILE 2420

BY STECKMAN

A BILL FOR

1 An Act providing for the sale of wild mushrooms by retail food
2 services.

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

1 Section 1. Section 137F.1, Code 2020, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 13A. "*Retail food service*" means a farmers
4 market or a food establishment that prepares and serves food
5 for human consumption on premises.

6 Sec. 2. Section 137F.2, subsection 2, Code 2020, is amended
7 to read as follows:

8 2. In establishing minimum standards as described in
9 subsection 1, the department shall adopt rules for ~~the~~ all of
10 the following:

11 a. The sale at a farmers market of culinary mushrooms
12 commonly referred to as a variety of wild golden oyster and
13 classified as pleurotus ostreatus, pleurotus populinus, or
14 pleurotus pulmonarius.

15 b. The sale of wild mushrooms at a retail food service.

16 Sec. 3. NEW SECTION. 137G.1 **Definitions.**

17 1. "*Department*" means the department of inspections and
18 appeals.

19 2. "*Retail food service*" means the same as defined in
20 section 137F.1.

21 3. "*Wild mushroom*" means any mushroom that has not been
22 cultivated on a commercial basis in a manner recognized by the
23 department.

24 Sec. 4. NEW SECTION. 137G.2 **Safe wild mushrooms.**

25 The department shall prepare and publish on its internet
26 site a list of safe wild mushrooms that may be sold or offered
27 for sale by retail food services.

28 Sec. 5. NEW SECTION. 137G.3 **Certified wild mushroom**
29 **harvester.**

30 1. The department shall annually certify a person as a wild
31 mushroom harvester if the person has successfully completed a
32 wild mushroom identification training program provided by an
33 accredited college or university or a mycological organization
34 recognized by the department. The department may by rule adopt
35 any other requirements that the department determines are

1 necessary to ensure that wild mushrooms sold by a retail food
2 service are safe. A training program must include the actual
3 identification of physical specimens of mushroom species.

4 2. The department shall maintain a public registry of
5 persons certified as wild mushroom harvesters on its internet
6 site.

7 3. A person certified as a wild mushroom harvester shall
8 maintain business records that provide information as required
9 by the department regarding wild mushrooms that the person
10 inspected. The person shall maintain the business records
11 for at least ninety days after the date of inspection of the
12 applicable wild mushrooms.

13 Sec. 6. NEW SECTION. 137G.4 Sale of wild mushrooms by
14 retail food service.

15 A retail food service shall not sell or offer for sale any
16 species of wild mushroom, unless all of the following apply:

17 1. The species is on the list of safe wild mushrooms
18 prepared and published by the department pursuant to section
19 137G.2.

20 2. The wild mushroom has been inspected and found to be
21 safe by a wild mushroom harvester certified pursuant to section
22 137G.3.

23 Sec. 7. NEW SECTION. 137G.5 Rules.

24 The department shall adopt rules pursuant to chapter 17A and
25 promulgate forms necessary to administer the provisions of this
26 chapter.

27

EXPLANATION

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

30 This bill creates a new Code chapter 137G which regulates
31 the sale of wild mushrooms by retail food services, including
32 a farmers market or a food establishment such as a restaurant
33 where food is prepared and served for consumption on site as
34 provided in Code chapter 137F. The bill's provisions are
35 regulated by the department of inspections and appeals (DIA).

H.F. 2420

1 In order to be sold or offered for sale, a wild mushroom
2 must belong to a species identified as safe by DIA, and must
3 be inspected by a wild mushroom harvester certified by DIA.
4 The harvester must maintain business records regarding the
5 inspected wild mushrooms. DIA is required to adopt rules to
6 administer the provisions of the bill.