

House File 998 - Introduced

HOUSE FILE 998
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 799)
(SUCCESSOR TO HSB 143)

A BILL FOR

1 An Act providing for programs and regulations related to
2 agriculture, including crop production, animal health, and
3 agricultural processing, providing for powers and duties of
4 the department of agriculture and land stewardship, providing
5 fees, and providing penalties.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I
CROP PRODUCTION
PART A

APPLICATION OF NUTRIENTS

Section 1. Section 6A.21, subsection 1, paragraph b, Code 2025, is amended to read as follows:

b. (1) "Agricultural land" means real property owned by a person in tracts of ten acres or more and not laid off into lots of less than ten acres or divided by streets and alleys into parcels of less than ten acres, and that has been used for the production of agricultural commodities during three out of the past five years. Such use of property includes, but is not limited to, the raising, harvesting, handling, drying, or storage of crops used for feed, food, seed, or fiber; the care or feeding of livestock; the handling or transportation of crops or livestock; the storage, treatment, or disposal of livestock manure; and the application of fertilizers, ~~soil conditioners~~ beneficial substances, pesticides, and herbicides on crops.

~~Agricultural land~~

(2) "Agricultural land" includes land on which is located farm residences or outbuildings used for agricultural purposes and land on which is located facilities, structures, or equipment for agricultural purposes. ~~Agricultural land~~

(3) "Agricultural land" includes land taken out of agricultural production for purposes of environmental protection or preservation.

Sec. 2. Section 190C.22, subsection 3, paragraph b, Code 2025, is amended to read as follows:

b. A sworn statement by the ~~state chemist~~ bureau chief of the Iowa laboratory bureau or the ~~state chemist's~~ bureau chief's deputy stating the results of an analysis of a sample taken from a lot of agricultural products shall constitute prima facie evidence of the correctness of the analysis of that lot in a contested case proceeding or court proceeding.

Sec. 3. Section 200.3, Code 2025, is amended to read as

1 follows:

2 **200.3 Definitions of words and terms.**

3 When As used in this chapter, unless the context otherwise
4 requires:

5 1. "Ammonium nitrate" means a compound that is chiefly
6 composed of ammonium salt of nitric acid which contains not less
7 than thirty-three percent nitrogen, one-half of which is in the
8 ammonium form and one-half in the nitrate form.

9 2. ~~The term "anhydrous ammonia"~~ "Anhydrous ammonia" means
10 the compound formed by the combination of two gaseous elements,
11 nitrogen and hydrogen, in the proportion of one part nitrogen to
12 three parts hydrogen by volume.

13 3. "Anhydrous ammonia plant" means a facility used for
14 the manufacture or distribution of the compound formed by the
15 combination of two gaseous elements, nitrogen and hydrogen, in
16 the proportion of one part nitrogen to three parts hydrogen by
17 volume.

18 4. a. "Beneficial substance" means any substance or
19 compound, other than primary, secondary, or microplant nutrients,
20 that can be demonstrated by scientific research to be beneficial
21 to one or more species of plants, soils, or media, including any
22 of the following:

23 (1) A plant amendment.

24 (2) A plant biostimulant.

25 (3) A plant inoculant.

26 (4) A soil-amending ingredient.

27 (5) A soil-amending ingredient form.

28 (6) A soil amendment.

29 (7) A soil inoculant.

30 (8) Compost.

31 b. "Beneficial substance" does not include a pesticide.

32 5. ~~The term "brand"~~ "Brand" means a term, design, or
33 trademark used in connection with one or several grades
34 of commercial fertilizer, product name, or other specific
35 designation under which a individual beneficial substance or

1 commercial fertilizer is offered for sale.

2 ~~5. The term "bulk fertilizer" shall mean commercial~~
3 ~~fertilizer delivered to the purchaser in the solid, liquid, or~~
4 ~~gaseous state, in a nonpackaged form to which a label cannot be~~
5 ~~attached.~~

6 6. "Bulk" means in a nonpackaged form to which a label cannot
7 be attached.

8 ~~7. The term "commercial fertilizer"~~ "Commercial
9 fertilizer" includes fertilizer and fertilizer materials and
10 fertilizer-pesticide mixtures.

11 8. "Compost" means a product manufactured through the
12 controlled aerobic, biological decomposition of a biodegradable
13 material if the product has undergone mesophilic and thermophilic
14 temperatures that significantly reduce the viability of pathogens
15 and weed seeds and stabilize carbon to the extent that the
16 product is beneficial to plant growth.

17 ~~7.~~ 9. "Department" means the department of agriculture and
18 land stewardship.

19 10. "Distribute" means to import, consign, manufacture,
20 produce, compound, mix, blend, or offer for sale, sell, barter,
21 or otherwise supply a commercial fertilizer or beneficial
22 substance in this state.

23 ~~8.~~ 11. The term "distributor" "Distributor" means any person
24 who imports, consigns, manufactures, produces, compounds, mixes,
25 ~~or blends commercial fertilizer,~~ or who offers for sale, sells,
26 barters, or otherwise distributes, a commercial fertilizer or
27 beneficial substance in this state.

28 ~~9.~~ 12. a. "Established date of operation" means the date on
29 which an anhydrous ammonia plant commenced operating.

30 b. If the physical facilities of the plant are subsequently
31 expanded, the established date of operation for each expansion
32 is deemed to be a separate and independent "established date
33 of operation" established as of the date of commencement of the
34 expanded operations.

35 c. The commencement of expanded operations does not divest

1 the plant of a previously established date of operation.

2 ~~10.~~ 13. "Established date of ownership" means the date of
3 the recording of an appropriate instrument of title establishing
4 the ownership of real estate.

5 ~~11.~~ 14. ~~The term "fertilizer"~~ "Fertilizer" means any
6 substance containing one or more recognized plant nutrient which
7 ~~is nutrients~~ used for its plant nutrient content and which
8 ~~is~~ designed for use and claimed to have value in promoting
9 plant growth except unmanipulated animal and vegetable manures
10 or calcium and magnesium carbonate materials used primarily for
11 correcting soil acidity.

12 ~~12.~~ 15. ~~The term "fertilizer material"~~ "Fertilizer material"
13 means any substance used as a fertilizer or for compounding
14 a fertilizer containing one or more of the recognized plant
15 nutrients which are used for promoting plant growth or altering
16 plant composition.

17 ~~13.~~ 16. ~~The term "grade"~~ "Grade" means the percentages of
18 total nitrogen, available phosphorus or P_2O_5 or both, and soluble
19 potassium or K_2O or both stated in whole numbers in same terms,
20 order, and percentages as in the ~~"guaranteed analysis"~~
21 guaranteed analysis.

22 ~~14.—Guaranteed analysis:~~

23 17. a. (1) ~~The term "guaranteed analysis" shall mean~~
24 "Guaranteed analysis" means the minimum percentage of plant
25 nutrients claimed and reported as Total Nitrogen (N), Available
26 Phosphorus (P) or P_2O_5 or both, Soluble Potassium (K) or K_2O or
27 both and in the following form:

28 Total Nitrogen (N) ... percent
29 Available Phosphorus (P) or P_2O_5 or both ... percent
30 Soluble Potassium (K) or K_2O or both ... percent

31 (2) Registration and guarantee of water soluble phosphorus
32 (P) or (P_2O_5) shall be permitted.

33 b. ~~The term "guaranteed analysis"~~ "Guaranteed analysis",
34 in the form specified in paragraph "a", includes all of the
35 following:

1 (1) (a) For unacidulated mineral phosphatic materials and
2 basic slag, both total and available phosphorus or P_2O_5 or both
3 and the degree of fineness.

4 (b) For bone tankage and other organic phosphatic materials,
5 total phosphorus or P_2O_5 or both.

6 (2) When any additional plant nutrient elements contained in
7 a beneficial substance ~~as identified in subsection 10 of this~~
8 ~~section~~, are claimed in writing, they shall be identified in
9 the guarantee, expressed as the element, and shall be subject
10 to inspection and analysis in accordance with the methods and
11 regulations that may be prescribed by the association of official
12 agricultural chemists.

13 18. "Label" means the display of all written, printed,
14 or graphic matter upon the immediate container or statement
15 accompanying a commercial fertilizer or beneficial substance.

16 19. "Labeling" means the advertising or promotion of any
17 commercial fertilizer or beneficial substance including but
18 not limited to any written, printed, graphic, or electronic
19 communication used in promoting the sale of a commercial
20 fertilizer or beneficial substance.

21 ~~15.~~ 20. "Licensee" means a person licensed under section
22 200.4.

23 ~~16.~~ 21. "Nuisance" means public or private nuisance as
24 defined by statute or by the common law.

25 ~~17.~~ 22. "Nuisance action or proceeding" means an action,
26 claim or proceeding brought at law, in equity, or as an
27 administrative proceeding, which is based on nuisance.

28 ~~18.~~ 23. The term "official sample" "Official sample" means
29 any sample of commercial fertilizer taken by the secretary or the
30 secretary's agent.

31 ~~19.~~ "Organic agricultural product" means the same as defined
32 in section 190C.1.

33 ~~20.~~ 24. "Owner" means the person holding record title to
34 real estate, and includes both legal and equitable interest under
35 recorded real estate contracts.

1 ~~21.~~ 25. The term ~~"percent or percentage"~~ "Percent" or
2 "percentage" means the percentage by weight.

3 ~~22.~~ 26. The term ~~"person"~~ "Person" includes an individual,
4 or a type of partnership, limited liability company, corporation,
5 or association, firm, and corporation formed or organized to do
6 business in this state or authorized to do or transact business
7 in this state.

8 ~~23.~~ 27. The term ~~"pesticide"~~ as used in this chapter
9 means "Pesticide" includes insecticides, miticides, nemacides,
10 fungicides, herbicides, and any other substance used in pest
11 control.

12 28. "Plant amendment" means any substance applied to a plant
13 seed which is intended to improve growth, yield, product quality,
14 reproduction, flavor, or other favorable characteristics of a
15 plant except a fertilizer, soil amendment, agricultural liming
16 material, animal manure, vegetable manure, pesticide, plant
17 regulator, or other material which may be exempted by regulation.

18 29. "Plant biostimulant" means a substance, microorganism,
19 or mixture thereof, that, when applied to a seed, plant,
20 the rhizosphere, soil, or other growth media, acts to
21 support a plant's natural nutrition processes independently
22 of the biostimulant's nutrient content and improves nutrient
23 availability, uptake, or use efficiency, tolerance to abiotic
24 stress, and consequent growth, development, quality, or yield.

25 30. "Plant inoculant" means a product consisting of
26 microorganisms to be applied to the plant or soil for the purpose
27 of enhancing the availability or uptake of plant nutrients
28 through the root system.

29 ~~24.~~ 31. "Secretary" means the secretary of agriculture.

30 ~~25.~~ 32. The term ~~"sell"~~ "Sell" or "sale" includes exchange.

31 ~~26.~~ 33. A ~~"soil conditioner"~~ is "Soil amendment" means any
32 substance which when added to the soil or applied to plants will
33 produce a favorable growth, yield or quality of crop or soil
34 flora or fauna or other soil characteristics, other than or a
35 mixture of substances which is intended to improve the physical,

1 chemical, biochemical, biological, or other characteristic of
 2 the soil, except a fertilizer, recognized pesticide agricultural
 3 liming material, unmanipulated animal and manure, unmanipulated
 4 vegetable manures or calcium and magnesium carbonate materials
 5 used primarily for correcting soil acidity manure, pesticide, or
 6 any other material exempted by regulation.

7 34. "Soil inoculant" means a microbial product that is
 8 applied to colonize the soil to benefit the soil chemistry,
 9 biology, or structure.

10 35. "Soil-amending ingredient" means any substance which when
 11 applied to soil will improve the physical, chemical, biochemical,
 12 biological, or other characteristics of the soil.

13 36. "Soil-amending ingredient form" means the chemical
 14 compound, such as salt, chelate, oxide, or acid, of an ingredient
 15 or the physical form of an ingredient.

16 ~~27.~~ 37. A "specialty fertilizer" is "Specialty fertilizer"
 17 means a commercial fertilizer distributed primarily for nonfarm
 18 use, such as home gardens, lawns, shrubbery, flowers, golf
 19 courses, municipal parks, cemeteries, greenhouses, and nurseries,
 20 and may include commercial fertilizers used for research or
 21 experimental purposes.

22 ~~28.~~ 38. The term "ton" "Ton" means a net weight of two
 23 thousand pounds avoirdupois.

24 ~~29.~~ 39. a. The term "unmanipulated manures" "Unmanipulated
 25 manures" means any substances composed primarily of excreta,
 26 plant remains, or mixtures of such substances which have not been
 27 processed in any manner other than dewatering.

28 b. "Unmanipulated manures" includes unmanipulated animal
 29 manure or unmanipulated vegetable manure.

30 ~~30. Words importing the singular number may extend and be~~
 31 ~~applied to several persons or things, and words importing the~~
 32 ~~plural number may include the singular.~~

33 Sec. 4. Section 200.4, Code 2025, is amended to read as
 34 follows:

35 **200.4 License — fee and expiration — mixture requirement.**

1 1. Any person who manufactures, mixes, blends, mixes to
2 customer's order, offers for sale, sells, or distributes any
3 fertilizer or ~~soil conditioner~~ beneficial substance in this state
4 must first obtain a license issued by the secretary and pay
5 a twenty dollar license fee for each place of manufacture or
6 distribution from which fertilizer or ~~soil conditioner~~ beneficial
7 substance products are sold or distributed in this state.

8 The license shall expire on July 1 of the even-numbered year
9 following the date the license is issued. A license may be
10 renewed for a two-year period as provided by the department.

11 2. The licensee shall at all times produce an intimate and
12 uniform mixture of fertilizers or ~~soil conditioners~~ beneficial
13 substances. When two or more fertilizer materials are delivered
14 in the same load, they shall be thoroughly and uniformly mixed
15 unless they are in separate compartments.

16 Sec. 5. Section 200.5, Code 2025, is amended to read as
17 follows:

18 **200.5 Registration.**

19 1. Each brand and grade of commercial fertilizer and each
20 ~~soil conditioner~~ beneficial substance shall be registered before
21 being offered for sale, sold, or otherwise distributed in this
22 state; except that a commercial fertilizer formulated according
23 to special specifications furnished by a consumer to fill the
24 consumer's order shall not be required to be registered, but
25 shall be labeled as provided in section 200.6, subsection 3
26 1, paragraph "c". The application for registration shall be
27 submitted to the secretary on forms furnished by the secretary
28 and shall be accompanied by a label setting forth the guaranteed
29 analysis which shall be the same as that appearing on the
30 registered product.

31 2. ~~All~~ A registration ~~will~~ shall be permanent, provided,
32 however, that the secretary may request a listing of products
33 to be currently manufactured. The application shall include the
34 following information in the following order:

35 a. Net weight, if sold in packaged form.

1 b. Name and address of the registrant.

2 c. Name of product.

3 d. Brand.

4 e. Grade, if the product contains a recognized plant food.

5 f. Guaranteed analysis.

6 3. In addition to the information required in subsection 2
7 ~~of this section, applications~~ an application for the registration
8 of ~~soil conditioners~~ a beneficial substance must include the name
9 or chemical designation and percentage of content of each of the
10 active ingredients. Each microbial organism ingredient must be
11 identified with species and genus in colony-forming units per
12 gram for a dry product or per milliliter for a liquid product.
13 Another unit of quantity may be acceptable if an accurate and
14 verifiable guarantee is presented.

15 4. The secretary is authorized, ~~after public hearing,~~
16 ~~following due notice,~~ to adopt rules under chapter 17A regulating
17 the labeling and registration of ~~specialty~~ commercial fertilizers
18 and ~~other fertilizer products~~ beneficial substances, when
19 necessary in the secretary's opinion. The secretary may
20 require any reasonable information in addition to section 200.3,
21 subsection 44 17, which is necessary and useful to the purchasers
22 of ~~specialty fertilizers~~ commercial fertilizers and beneficial
23 substances of this state and to promote uniformity among states.

24 5. The secretary is authorized ~~after public hearing,~~
25 ~~following due notice,~~ to ~~establish~~ adopt rules under chapter 17A
26 establishing minimum acceptable levels of ~~trace and secondary~~
27 ~~elements~~ components recognized as effective to aid crops produced
28 in ~~Iowa~~ this state and to require such warning statements as
29 may be deemed necessary to prevent injury to crops or for user
30 safety.

31 6. The secretary, whenever the secretary deems it necessary
32 in the administration of this chapter, may require the submission
33 of additional data about any article, including a fertilizer,
34 beneficial substance, or other product regulated under this
35 chapter to support the claims made for it. If it appears to

1 the secretary that the composition of the article is such as to
2 warrant the claims made for it, and if the article, its labeling
3 and other material required to be submitted, comply with the
4 requirements of this chapter, the secretary shall register the
5 product.

6 7. If it does not appear to the secretary that the article is
7 such as to warrant the proposed claims for it, or if the article
8 and its labeling and other material required to be submitted ~~does~~
9 do not comply with ~~the~~ a provision of this chapter, the secretary
10 shall notify the registrant of the manner in which the article,
11 labeling, or other material required to be submitted fails to
12 comply with this chapter so as to afford the registrant an
13 opportunity to make the necessary corrections before resubmitting
14 the label.

15 8. It shall be the responsibility of the registrant to submit
16 satisfactory evidence of favorable effects and safety of the
17 product.

18 9. The secretary shall establish minimum requirements for
19 the registration of fertilizers and ~~soil conditioners~~ beneficial
20 substances by efficacy testing or the substantiation of data
21 relevant to ~~Iowa~~ this state's crops and soils.

22 10. A distributor shall not be required to register any brand
23 and grade of commercial fertilizer or beneficial substance which
24 is already registered under this chapter by another person.

25 ~~11. The advisory committee created in section 206.23 shall~~
26 ~~advise and assist the secretary on the registration of a product~~
27 ~~of commercial fertilizer or soil conditioner under the provisions~~
28 ~~of this chapter.~~

29 Sec. 6. Section 200.6, Code 2025, is amended to read as
30 follows:

31 **200.6 Labeling.**

32 1. a. Any commercial fertilizer offered for sale or sold or
33 distributed in this state in bags, or other containers, shall
34 have placed on or affixed to the container in legibly written
35 or printed form, the information required by section 200.5,

1 subsection 2~~7~~, either on tags affixed to the end of the package
2 or directly on the package.

3 2. b. If distributed in bulk, ~~the~~ a shipment of commercial
4 fertilizer must be accompanied by a written or printed statement
5 giving the purchaser's name and address in addition to the
6 labeling requirement set forth in section 200.5, subsection 2.

7 3. c. A commercial fertilizer formulated according to
8 specifications which are furnished by a consumer prior to mixing
9 shall be labeled to show the net weight, guaranteed analysis,
10 and the name and address of the distributor and may show the
11 net weight and guaranteed analysis of each of the fertilizer
12 materials or soil conditioners used. It is the responsibility of
13 the distributor to mix these materials uniformly and intimately
14 so that when sampled in the prescribed manner the resulting
15 analysis would meet the guarantee.

16 4. d. All bulk bins or intermediate storage of bulk
17 commercial fertilizer where being offered for sale or distributed
18 direct to the consumer shall be labeled showing brand, name, and
19 grade of product.

20 5. e. All fertilizers distributed or stored in bulk, unless
21 in the manufacturers authorized containers, shall be labeled as
22 the responsibility of the possessor.

23 6. 2. ~~Soil conditioners~~ A beneficial substance shall be
24 labeled in accordance with subsection 1 ~~of this section~~ and in
25 addition shall show the name or chemical designation and content
26 or the active ingredients.

27 Sec. 7. Section 200.8, Code 2025, is amended to read as
28 follows:

29 **200.8 Inspection fees.**

30 1. a. There shall be paid by the licensee to the secretary
31 for all any commercial fertilizers and soil conditioners
32 fertilizer or beneficial substance sold, ~~or distributed in this~~
33 state, an inspection fee to be fixed annually by the secretary
34 ~~of agriculture~~ at not more than twenty cents per ton. ~~Sales~~
35 The sale of a commercial fertilizer or beneficial substance

1 for manufacturing purposes only ~~are hereby~~ is exempted from
 2 fees an inspection fee but must still be reported showing
 3 the manufacturer who purchased same it. Payment of said the
 4 inspection fee by any licensee shall exempt all other persons,
 5 firms, or corporations from the payment thereof.

6 b. On an individual packages package of specialty a
 7 commercial fertilizer or beneficial substance containing
 8 twenty-five pounds or less, there shall be paid by the
 9 manufacturer in lieu of the semiannual inspection fee as set
 10 forth in this chapter, an annual registration and inspection
 11 fee of one hundred dollars for each brand and grade sold or
 12 distributed in the state. In the event that any manufacturer
 13 sells specialty a commercial fertilizer or beneficial substance
 14 in packages a package of twenty-five pounds or less and also in
 15 packages a package of more than twenty-five pounds, this annual
 16 registration and inspection fee shall apply only to that portion
 17 sold in packages a package of twenty-five pounds or less, and
 18 that portion sold in packages a package of more than twenty-five
 19 pounds shall be subject to the same inspection fee as fixed by
 20 the secretary ~~of agriculture~~ as provided in this chapter.

21 c. Any person other than a manufacturer who annually offers
 22 for sale, sells, or distributes specialty fertilizer in the
 23 amount of four thousand pounds or more or applies specialty
 24 fertilizer for compensation shall pay an annual inspection fee
 25 of thirty dollars in lieu of the semiannual inspection fee as set
 26 forth in this chapter.

27 2. Every person who is a licensee and any person required to
 28 pay an annual registration and inspection fee under this chapter
 29 in this state shall do all of the following:

30 a. File not later than the last day of January and July of
 31 each year, on forms furnished by the secretary, a semiannual
 32 statement setting forth the number of net tons of commercial
 33 fertilizer or ~~soil conditioners~~ beneficial substance distributed
 34 in this state by grade ~~for each county~~ during the preceding
 35 six-month period; ~~and upon~~. Upon filing such the semiannual

1 statement, the person shall pay the inspection fee at the rate
2 stated in subsection 1. However, in lieu of the semiannual
3 statement by grade ~~for each county~~, on individual packages of
4 specialty fertilizer containing twenty-five pounds or less of
5 commercial fertilizer, the registrant shall file not later than
6 the last day of July of each year, on forms furnished by the
7 secretary, an annual statement setting forth the number of net
8 tons of ~~specialty commercial~~ fertilizer distributed in this state
9 by grade during the preceding twelve-month period.

10 b. If the tonnage report is not filed or the payment of
11 inspection fees, or both, is not made within ten days after
12 the last day of January and July of each year as required in
13 paragraph "a" ~~of this subsection~~, a penalty amounting to ten
14 percent of the amount due, if any, shall be assessed against
15 the licensee. In any case, the penalty shall be no less than
16 fifty dollars. The amount of fees due, if any, and penalty shall
17 constitute a debt and become the basis of a judgment against the
18 licensee.

19 ~~3. If there is an unencumbered balance of funds from the~~
20 ~~amount of the fees deposited in the general fund pursuant to~~
21 ~~sections 200.9 and 201A.11 on June 30 of any fiscal year equal to~~
22 ~~or exceeding three hundred fifty thousand dollars, the secretary~~
23 ~~of agriculture shall reduce the per ton fee provided for in~~
24 ~~subsection 1 and the annual license fee established pursuant to~~
25 ~~section 201A.3 for the next fiscal year in such amount as will~~
26 ~~result in an ending estimated balance of such funds for June 30~~
27 ~~of the next fiscal year of three hundred fifty thousand dollars.~~

28 4. 3. In addition to the fees imposed under subsection 1, a
29 groundwater protection fee shall be imposed upon nitrogen-based
30 fertilizer. The fee shall be based upon the percentage of
31 actual nitrogen contained in the product. An eighty-two percent
32 nitrogen solution shall be taxed at a rate of seventy-five
33 cents per ton. Other nitrogen-based product formulations shall
34 be taxed on the percentage of actual nitrogen contained in
35 the formulations with the eighty-two percent nitrogen solution

1 serving as the base. The fee shall be paid by each licensee
 2 registering to sell fertilizer to the secretary of agriculture.
 3 The fees collected shall be deposited in the agriculture
 4 management account of the groundwater protection fund. The
 5 ~~secretary of agriculture~~ shall adopt rules for the payment,
 6 filing, and collection of groundwater protection fees from
 7 licensees in conjunction with the collection of registration
 8 and inspection fees. The secretary shall, by rule, allow an
 9 exemption to the payment of this fee for fertilizers which
 10 contain trace amounts of nitrogen.

11 Sec. 8. Section 200.10, Code 2025, is amended to read as
 12 follows:

13 **200.10 Inspection, sampling, and analysis.**

14 1. It shall be the duty of the secretary, who may act through
 15 an authorized agent, to sample, inspect, make analysis of,
 16 and test commercial fertilizers or ~~soil conditioners~~ beneficial
 17 substances distributed within this state at time and place and to
 18 such an extent as the secretary may deem necessary, to determine
 19 whether such commercial fertilizers and ~~soil conditioners~~ or
 20 beneficial substances are in compliance with the provisions of
 21 this chapter. In the performance of the foregoing duty, the
 22 ~~secretary shall counsel~~ may consult with the director of the
 23 Iowa agricultural experimental station in respect to the time,
 24 place, and extent of sampling. The secretary acting individually
 25 or through an agent is authorized to enter upon any public or
 26 private premises or conveyances during regular business hours in
 27 order to have access to a commercial fertilizers fertilizer or
 28 ~~soil conditioners~~ beneficial substance subject to the provisions
 29 of this chapter ~~and the rules and regulations pertaining thereto~~
 30 including in rules adopted by the department under this chapter.
 31 ~~It shall be the duty of the~~ The secretary ~~to~~ shall maintain
 32 a laboratory with the necessary equipment and to employ such
 33 employees as may be necessary to ~~aid~~ assist in the administration
 34 and enforcement of this chapter.

35 2. a. The methods of sampling and analysis shall be the

1 official methods of the association of official agricultural
2 chemists in all cases where methods have been adopted by the
3 association.

4 b. The findings of the ~~state chemist or the state chemist's~~
5 bureau chief of the Iowa laboratory bureau, or the bureau chief's
6 deputy, as shown by the sworn statement of the results of
7 analysis of official samples of any brand and grade of commercial
8 fertilizer, fertilizer material, or soil conditioner beneficial
9 substance, shall constitute prima facie evidence of ~~their~~ its
10 correctness in the courts of this state, as to the particular
11 lots sampled and analyzed.

12 3. The secretary, in determining for administrative purposes
13 whether any commercial fertilizer is deficient in plant food,
14 or ~~soil conditioner~~ beneficial substance deficient in guaranteed
15 active ingredients, shall be guided by the official sample as
16 defined in section 200.3, subsection ~~18~~ 23, and obtained and
17 analyzed as provided for in subsection 2 ~~of this section~~.

18 4. The results of official analysis of any commercial
19 fertilizer or ~~soil conditioner~~ beneficial substance which has
20 been found to be in violation of any provision of this chapter,
21 shall be forwarded by the secretary to the registrant. Upon
22 request, the secretary shall furnish to the registrant a portion
23 of any sample.

24 Sec. 9. Section 200.11, Code 2025, is amended to read as
25 follows:

26 **200.11 Filler material Item that is injurious or filler.**

27 ~~It shall be unlawful for any person to~~ A person shall
28 not manufacture, offer for sale, or sell in this state, any
29 commercial fertilizer, ~~or soil conditioner~~ beneficial substance
30 containing any ~~substance used as a filler item~~ that is injurious
31 to crop growth or deleterious to the soil, or to use in such
32 commercial fertilizer, ~~or soil conditioner~~ beneficial substance
33 as a filler any ~~substance~~ item that contains inert or useless
34 plant food material for the purpose or with the effect of
35 deceiving or defrauding the purchaser.

1 Sec. 10. Section 200.12, Code 2025, is amended to read as
2 follows:

3 **200.12 False or misleading statements.**

4 A commercial fertilizer or ~~soil conditioner~~ beneficial
5 substance is misbranded if it does not identify ~~substances~~ items
6 promoting plant growth ~~as defined in section 200.3, subsection~~
7 ~~11~~, or if it carries any false or misleading statement upon or
8 attached to the container or stated on the invoice or delivery
9 ticket, or if the container or on the invoice or delivery
10 ticket or in any advertising matter whatsoever connected with,
11 accompanying, or associated with the commercial fertilizer or
12 ~~soil conditioner~~ beneficial substance. Further, the burden
13 of proof of the desirable effect of the ~~product~~ commercial
14 fertilizer or beneficial substance on plant growth shall be the
15 responsibility of the registrant.

16 Sec. 11. Section 200.14, Code 2025, is amended to read as
17 follows:

18 **200.14 Rules.**

19 1. a. The department may adopt rules pursuant to chapter
20 17A providing minimum general safety standards for the design,
21 construction, location, installation, and operation of equipment
22 for storage, handling, transportation by tank truck or tank
23 trailer, and utilization of ~~fertilizers and soil conditioners~~ a
24 fertilizer or beneficial substance.

25 b. The rules shall be such as are reasonably necessary
26 for the protection and safety of the public and persons using
27 ~~fertilizers or soil conditioners~~ a fertilizer or beneficial
28 substance, and shall be in substantial conformity with the
29 generally accepted standards of safety.

30 c. ~~Fertilizer and soil conditioner~~ or beneficial substance
31 equipment shall be installed and maintained in a safe operating
32 condition and in conformity with rules adopted by the department.

33 2. The department may adopt such reasonable rules as may be
34 necessary in order to carry into effect the purpose, and to
35 secure the efficient administration, of this chapter.

1 3. This chapter does not prohibit the use of storage tanks
2 smaller than transporting tanks nor the transfer of ~~all kinds~~ any
3 kind of fertilizers fertilizer or ~~soil conditioners~~ beneficial
4 substance directly from transporting tanks to implements of
5 husbandry, if proper safety precautions are observed.

6 4. Rules adopted to implement this chapter are not subject to
7 section 17A.7, subsection 2 or 3.

8 Sec. 12. Section 200.15, Code 2025, is amended to read as
9 follows:

10 **200.15 Refusal to register or cancellation of registration**
11 **and licenses.**

12 1. Upon satisfactory evidence that the registrant or licensee
13 has used fraudulent or deceptive practices or has willfully
14 violated any provisions of this chapter or any rules ~~and~~
15 ~~regulations promulgated~~ adopted under this chapter, the secretary
16 is authorized and empowered to do any of the following:

17 a. Cancel the registration of any product of commercial
18 fertilizer or ~~soil conditioner~~ beneficial substance or license.

19 b. Refuse to register any product of commercial fertilizer or
20 ~~soil conditioner~~ beneficial substance.

21 c. Refuse to license any applicant.

22 2. ~~However, a~~ A registration or license shall not be revoked
23 or refused until the registrant or licensee has been given the
24 opportunity to appear for a hearing by the secretary.

25 Sec. 13. Section 200.16, Code 2025, is amended to read as
26 follows:

27 **200.16 "Stop sale" orders.**

28 The secretary may issue and enforce a written or printed
29 "stop sale, use or removal" order to the owner or custodian of
30 any lot of commercial fertilizer or ~~soil conditioner~~ beneficial
31 substance, if the secretary finds the commercial fertilizer
32 or ~~soil conditioner~~ beneficial substance is being offered or
33 exposed for sale in violation of any of the provisions of this
34 chapter ~~or including any of the rules and regulations promulgated~~
35 rule adopted under this chapter. The secretary may hold the

1 commercial fertilizer or ~~soil-conditioner~~ beneficial substance at
2 a designated place until the law has been complied with and the
3 commercial fertilizer or ~~soil-conditioner~~ beneficial substance is
4 released in writing by the secretary, or the violation has been
5 otherwise legally disposed of by written authority, and all costs
6 and expenses incurred in connection with the withdrawal have been
7 paid.

8 Sec. 14. Section 200.17, Code 2025, is amended to read as
9 follows:

10 **200.17 Seizure, condemnation, and sale.**

11 Any lot of commercial fertilizer or ~~soil-conditioner~~
12 beneficial substance not in compliance with the provisions of
13 this chapter shall be subject to seizure on complaint of the
14 secretary to a court of competent jurisdiction in the county
15 or adjoining county in which the commercial fertilizer or ~~soil~~
16 ~~conditioner~~ beneficial substance is located. In the event
17 the court finds the commercial fertilizer or ~~soil-conditioner~~
18 beneficial substance to be in violation of this chapter and
19 ~~orders or an order for~~ the condemnation of the commercial
20 fertilizer or ~~soil-conditioner~~ beneficial substance, ~~it the~~
21 commercial fertilizer or beneficial substance shall be disposed
22 of in any manner consistent with the quality of the commercial
23 fertilizer or ~~soil-conditioner~~ beneficial substance and the laws
24 of the state. However, ~~in no instance shall~~ the disposition
25 of the commercial fertilizer or ~~soil-conditioner~~ beneficial
26 substance shall not be ordered by the court without first giving
27 the claimant an opportunity to apply to the court for release
28 of the commercial fertilizer or ~~soil-conditioner~~ beneficial
29 substance or for permission to reprocess or relabel the
30 commercial fertilizer or ~~soil-conditioner~~ beneficial substance to
31 bring it into compliance with this chapter.

32 Sec. 15. Section 200.18, subsection 1, Code 2025, is amended
33 to read as follows:

34 1. If it shall appear from the examination of any commercial
35 fertilizer or ~~soil-conditioner~~ beneficial substance or any

1 anhydrous ammonia installation, equipment, or operation that any
 2 ~~of the provisions~~ a provision of this chapter ~~or the rules~~
 3 ~~and regulations issued, including any rule adopted~~ under this
 4 chapter, have been violated, the secretary shall cause notice of
 5 the violations to be given to the registrant, distributor, or
 6 possessor from whom said sample was taken; ~~any~~. The person so
 7 notified shall be given opportunity to be heard under such rules
 8 and regulations as may be prescribed by the secretary. If it
 9 appears after such hearing, either in the presence or absence of
 10 the person so notified, that any ~~of the provisions~~ provision of
 11 this chapter ~~or rules and regulations issued, including a rule~~
 12 adopted under this chapter ~~have~~, has been violated, the secretary
 13 may certify the facts to the proper prosecuting attorney.

14 Sec. 16. Section 200.19, Code 2025, is amended to read as
 15 follows:

16 **200.19 Exchanges between manufacturers.**

17 Nothing in this chapter shall be construed to restrict or
 18 avoid sales or exchanges of commercial fertilizers or ~~soil~~
 19 ~~conditioners~~ beneficial substances to each other by importers,
 20 manufacturers, or manipulators who mix fertilizer materials for
 21 sale or as preventing the free and unrestricted shipments of
 22 commercial fertilizer or soil conditioner to manufacturers or
 23 manipulators who have registered their brands as required by the
 24 provisions of this chapter.

25 Sec. 17. Section 200.20, subsection 2, Code 2025, is amended
 26 to read as follows:

27 2. Subsection 1 ~~shall~~ does not apply to any of the following:

28 a. A specialty fertilizer.

29 b. A fertilizer designed to be applied and ordinarily applied
 30 directly to growing plant foliage to stimulate further growth.

31 ~~c. Compost materials to be applied on land, if any of the~~
 32 ~~following apply:~~

33 ~~(1) The land is being used to produce an agricultural~~
 34 ~~commodity that is an organic agricultural product as provided~~
 35 ~~in chapter 190C, including rules adopted by the department under~~

1 ~~that chapter.~~

2 ~~(2) The land is in the transition of being used to produce an~~
3 ~~agricultural commodity that is an organic agricultural product,~~
4 ~~pursuant to rules adopted by the department as provided in~~
5 ~~chapter 190C.~~

6 Sec. 18. Section 200.22, subsection 2, Code 2025, is amended
7 to read as follows:

8 2. The provisions of this chapter and rules adopted by
9 the department pursuant to this chapter shall preempt local
10 legislation adopted by a local governmental entity relating to
11 the use, sale, distribution, storage, transportation, disposal,
12 formulation, labeling, registration, or manufacture of a
13 fertilizer or ~~soil conditioner~~ beneficial substance. A local
14 governmental entity shall not adopt or continue in effect local
15 legislation relating to the use, sale, distribution, storage,
16 transportation, disposal, formulation, labeling, registration,
17 or manufacture of a fertilizer or ~~soil conditioner~~ beneficial
18 substance, regardless of whether a statute or rule adopted
19 by the department applies to preempt the local legislation.
20 Local legislation in violation of this section is void and
21 unenforceable.

22 Sec. 19. Section 200A.2, Code 2025, is amended to read as
23 follows:

24 **200A.2 Purpose.**

25 The purpose of this chapter is to regulate certain bulk
26 dry animal manure for use as a fertilizer or ~~soil conditioner~~
27 beneficial substance, which is unmanipulated and therefore not
28 subject to regulation under chapter 200.

29 Sec. 20. Section 202.1, subsection 12, Code 2025, is amended
30 to read as follows:

31 12. "Produce" means to do any of the following:

32 a. Provide feed or services ~~relating to~~ as part of the
33 livestock's care and feeding ~~of livestock~~. If the livestock is
34 dairy cattle, "produce" includes milking the dairy cattle and
35 storing raw milk at the contract producer's contract livestock

1 facility.

2 b. Provide for planting, raising, harvesting, and storing a
3 crop. "Produce" includes preparing the soil for planting and
4 nurturing the crop by the application of ~~fertilizers~~ a fertilizer
5 or ~~soil conditioners~~ beneficial substance as defined in section
6 200.3 or ~~pesticides~~ a pesticide as defined in section 206.2.

7 Sec. 21. Section 206.12, subsection 1, paragraph a, Code
8 2025, is amended to read as follows:

9 a. For the purpose of this chapter, ~~fertilizers~~ a fertilizer
10 in a mixed fertilizer-pesticide formulations formulation or
11 a beneficial substance in a beneficial substance-pesticide
12 formulation shall be considered as an inert ingredients
13 ingredient.

14 Sec. 22. Section 321.1, subsection 1, Code 2025, is amended
15 to read as follows:

16 1. a. "Agricultural hazardous material" means a hazardous
17 material, other than hazardous waste, whose end use directly
18 supports the production of an agricultural commodity, including,
19 but not limited to, a fertilizer, pesticide, ~~soil conditioner~~
20 beneficial substance, or fuel.

21 b. "Agricultural hazardous material" is limited to material
22 in class 3, 8, or 9, division 2.1, 2.2, 5.1, or 6.1, or an ORM-D
23 material as defined in 49 C.F.R. §171.8.

24 Sec. 23. Section 403.17, subsection 3, Code 2025, is amended
25 to read as follows:

26 3. a. "Agricultural land" means real property owned by a
27 person in tracts of ten acres or more and not laid off into
28 lots of less than ten acres or divided by streets and alleys
29 into parcels of less than ten acres, and that has been used
30 for the production of agricultural commodities during three out
31 of the past five years. Such use of property includes, but is
32 not limited to, the raising, harvesting, handling, drying, or
33 storage of crops used for feed, food, seed, or fiber; the care
34 or feeding of livestock; the handling or transportation of crops
35 or livestock; the storage, treatment, or disposal of livestock

1 manure; and the application of fertilizers, ~~soil conditioners~~
2 beneficial substances, pesticides, and herbicides on crops.

3 ~~Agricultural land~~

4 b. "Agricultural land" includes land on which is located farm
5 residences or outbuildings used for agricultural purposes and
6 land on which is located facilities, structures, or equipment for
7 agricultural purposes. ~~Agricultural land~~

8 c. "Agricultural land" includes land taken out of
9 agricultural production for purposes of environmental protection
10 or preservation.

11 Sec. 24. Section 455B.411, subsection 3, paragraph b,
12 subparagraph (1), Code 2025, is amended to read as follows:

13 (1) Agricultural wastes, including manures and crop residues
14 that are returned to the soil as fertilizers or ~~soil conditioners~~
15 beneficial substances.

16 Sec. 25. Section 455E.11, subsection 2, paragraph b,
17 unnumbered paragraph 1, Code 2025, is amended to read as follows:

18 An agriculture management account. Moneys collected from the
19 groundwater protection fee levied pursuant to section 200.8,
20 subsection 4 3, the portion of the fees collected pursuant
21 to section 206.8, subsection 2, and section 206.12, subsection
22 3, and other moneys designated for the purpose of agriculture
23 management shall be deposited in the agriculture management
24 account. The agriculture management account shall be used for
25 the following purposes:

26 Sec. 26. Section 579B.1, subsection 14, paragraph b, Code
27 2025, is amended to read as follows:

28 b. Provide for planting, raising, harvesting, and storing a
29 crop. "Produce" includes preparing the soil for planting and
30 nurturing the crop by the application of ~~fertilizers~~ a fertilizer
31 or ~~soil conditioners~~ beneficial substance as defined in section
32 200.3 or ~~pesticides~~ a pesticide as defined in section 206.2.

33 Sec. 27. Section 716.11, subsection 2, Code 2025, is amended
34 to read as follows:

35 2. a. "Critical infrastructure sabotage" means an

1 unauthorized and overt act intended to cause and having the
2 means to cause, and in substantial furtherance of causing,
3 a substantial and widespread interruption or impairment of a
4 fundamental service rendered by the critical infrastructure.
5 ~~However, "critical infrastructure sabotage"~~

6 b. "Critical infrastructure sabotage" does not include an
7 accidental interruption or impairment of service to the critical
8 infrastructure caused by a person in the performance of the
9 person's work duties or caused by a person's lawful activity. In
10 addition, "critical infrastructure sabotage" does not include any
11 condition or activity related to the production of farm products
12 as defined in section 554.9102, including but not limited to the
13 discharge of agricultural stormwater; the construction or use of
14 soil or water quality conservation practices or structures; the
15 preparation of agricultural land and the raising, harvesting,
16 drying, or storage of agricultural crops; the application of
17 a fertilizer or beneficial substance as defined in section
18 200.3, ~~pesticides~~ a pesticide as defined in section 206.2, or
19 manure as defined in section 459.102; the installation and use
20 of agricultural drainage tile and systems; the construction,
21 operation, or management of an animal feeding operation as
22 defined in section 459.102; and the care, feeding, or watering
23 of livestock.

24 PART B

25 APPLICATION OF PESTICIDES — CERTIFICATION

26 Sec. 28. Section 206.5, subsection 7, paragraph b,
27 subparagraph (1), Code 2025, is amended to read as follows:

28 (1) The department ~~shall~~ may adopt by rule criteria for
29 allowing a person required to be certified to complete either a
30 written or oral examination.

31 DIVISION II

32 ANIMAL HEALTH

33 PART A

34 CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES AFFLICTING ANIMALS

35 Sec. 29. Section 163.1, subsection 1, Code 2025, is amended

1 by striking the subsection.

2 Sec. 30. Section 163.1, subsection 3, Code 2025, is amended
3 to read as follows:

4 3. Determine and employ the most efficient and practical
5 means for the identification and control of an infectious or
6 contagious disease afflicting animals that may threaten or
7 actually threatens animals in this state.

8 Sec. 31. NEW SECTION. **163.2B Rules.**

9 1. The department shall adopt rules pursuant to chapter 17A
10 to administer and enforce this chapter.

11 2. If the department determines that rules described in
12 subsection 1 are required to be adopted and take effect on
13 an emergency basis to prevent or control the outbreak of
14 an infectious or contagious disease afflicting animals, the
15 department may adopt emergency rules under section 17A.4,
16 subsection 3, and section 17A.5, subsection 2, paragraph "b",
17 to administer and enforce this chapter. The rules shall
18 be effective immediately upon filing unless a later date is
19 specified in the rules. Any rules adopted in accordance with
20 this subsection shall also be published as a notice of intended
21 action as provided in section 17A.4.

22 Sec. 32. CODE EDITOR DIRECTIVE.

23 1. The Code editor is directed to make the following
24 transfers:

25 a. Section 163.2A to section 163.3.

26 b. Section 163.2B to section 163.2A.

27 2. The Code editor shall correct internal references in the
28 Code and in any enacted legislation as necessary due to the
29 enactment of this section.

30 Sec. 33. DIRECTIONS TO CODE EDITOR. The Code editor is
31 directed to arrange the provisions of chapter 163, subchapter I,
32 parts 1 and 2, as amended or enacted in this division of this
33 Act, into the following parts:

34 1. Part 1, including sections 163.1 through 163.2A.

35 2. Part 2, including sections 163.3 through 163.5.

PART B

PRACTICE OF VETERINARY MEDICINE

Sec. 34. Section 169.5, subsection 9, Code 2025, is amended to read as follows:

9. A person who provides veterinary medical services, owns a veterinary clinic, or practices in this state shall obtain a certificate from the board and be subject to the same standards of conduct, as provided in this chapter and rules adopted by the board, as apply to a licensed veterinarian, unless the board determines that the same standards of conduct are inapplicable. The board shall issue, renew, or deny a certificate; adopt rules relating to the standards of conduct; and take disciplinary action against the person, including suspension or revocation of a certificate, in accordance with the procedures established in section 169.14. Certification fees shall be established by the board pursuant to subsection 7, paragraph "j". Fees Certification fees shall be established in an amount sufficient to fully offset the costs of certification pursuant to this subsection. ~~For the fiscal year beginning July 1, 2001, and ending June 30, 2002, the department shall retain fees collected to administer the program of certifying veterinary clinics and the fees retained are appropriated to the department for the purposes of this subsection. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, notwithstanding section 8.33, fees which remain unexpended at the end of the fiscal year shall not revert to the general fund of the state but shall be available for use for the following fiscal year to administer the program. For the fiscal year beginning July 1, 2002, and succeeding fiscal years, certification~~ Certification fees shall be deposited in the general fund of the state and are appropriated to the department to administer the certification provisions of this subsection. This subsection shall not apply to an animal shelter, as defined in section 162.2, that provides veterinary medical services to animals in the custody of the shelter.

1 Sec. 35. Section 169.13, Code 2025, is amended to read as
2 follows:

3 **169.13 Discipline of licensees.**

- 4 1. The board of veterinary medicine, after due notice and
5 hearing, may ~~revoke or suspend a license to practice veterinary~~
6 ~~medicine~~ take disciplinary action against a licensee if it
7 determines that a veterinarian licensed to practice veterinary
8 medicine is guilty of violating any of the following acts or
9 ~~offenses~~ grounds for discipline in this section.
- 10 2. The board is authorized to discipline licensees in any of
11 the following ways:
- 12 a. Impose a civil penalty against the licensee in an amount
13 not to exceed ten thousand dollars. If the board imposes a civil
14 penalty, all of the following apply:
- 15 (1) The collection of the civil penalty may be enforced in
16 a civil action brought by the attorney general on behalf of the
17 board.
- 18 (2) Moneys collected in civil penalties shall be deposited in
19 the general fund of the state.
- 20 b. Revoke or suspend a license to practice veterinary
21 medicine.
- 22 3. Any of the following actions or offenses constitutes
23 grounds for discipline:
- 24 a. Knowingly making a misleading, deceptive, untrue, or
25 fraudulent representation in the practice of the profession.
- 26 b. Being convicted of a felony in the courts a court of
27 this state or another state, territory, or country. Conviction
28 as used in this paragraph includes a conviction of an offense
29 which if committed in this state would be deemed a felony without
30 regard to its designation elsewhere, or a criminal proceeding in
31 which a finding or verdict of guilt is made or returned, but
32 the adjudication or guilt is either withheld or not entered. A
33 certified copy of the final order or judgment of conviction or
34 plea of guilty in this state or in another state is conclusive
35 evidence.

1 c. Violating a statute or law of this state, another state,
2 or the United States, without regard to its designation as either
3 felony or misdemeanor, which if the statute or law relates to the
4 practice of veterinary medicine.

5 d. Having the person's license to practice veterinary
6 medicine revoked or suspended, or having other disciplinary
7 action taken by a licensing authority of another state,
8 territory, or country. A certified copy of the record or
9 order of the suspension, revocation, or disciplinary action is
10 conclusive or prima facie evidence.

11 e. Knowingly aiding, assisting, procuring, or advising a
12 person to unlawfully practice veterinary medicine.

13 f. Being adjudged mentally incompetent by a court of
14 competent jurisdiction. The adjudication shall automatically
15 suspend a license for the duration of the license unless the
16 board orders otherwise.

17 g. Being guilty of a willful or repeated departure from, or
18 ~~the~~ a failure to conform to, the minimal standard of acceptable
19 and prevailing practice of veterinary medicine as defined in
20 rules adopted by the board, in which proceeding actual injury
21 to an animal need not be established; or the committing by a
22 veterinarian of an act contrary to honesty, justice, or good
23 morals, whether the act is committed in the course of the
24 practice or otherwise, and whether committed within or without
25 this state.

26 h. ~~Inability~~ Demonstrating an inability to practice
27 veterinary medicine with reasonable skill and safety by reason
28 of illness, drunkenness, excessive use of drugs, narcotics,
29 chemicals, or other type of material or as a result of a mental
30 or physical condition.

31 i. ~~Willful~~ Having willfully or ~~repeated violation of~~
32 repeatedly violated lawful rules adopted by the board or
33 violation of a lawful order of the board, previously entered by
34 the board in a disciplinary hearing.

35 ~~2.~~ 4. a. The board, upon probable cause, may compel a

1 veterinarian to submit to a mental or physical examination by
 2 designated physicians. Failure of a veterinarian to submit
 3 to an examination constitutes an admission to the allegations
 4 made against that veterinarian and the finding of fact and
 5 decision of the board may be entered without the taking of
 6 testimony or presentation of evidence. At reasonable intervals,
 7 a veterinarian shall be afforded an opportunity to demonstrate
 8 that the veterinarian can resume the competent practice of
 9 veterinary medicine with reasonable skill and safety to animals.

10 b. A person licensed to practice veterinary medicine who
 11 ~~makes application~~ applies for the renewal of the person's license
 12 as required by section 169.12 gives consent to submit to a
 13 mental or physical examination as provided by this paragraph
 14 when directed in writing by the board. All objections shall
 15 be waived as to the admissibility of the examining physician's
 16 testimony or examination reports on the grounds that they
 17 constitute privileged communication. The medical testimony or
 18 examination reports shall not be used against a veterinarian in
 19 another proceeding and are confidential except for other actions
 20 filed against a veterinarian to revoke or suspend that person's
 21 license.

22 PART C

23 COURT-ORDERED MANAGEMENT OF LIVESTOCK IN IMMEDIATE NEED OF 24 SUSTENANCE

25 Sec. 36. Section 717.4A, Code 2025, is amended to read as
 26 follows:

27 **717.4A Livestock in immediate need of sustenance — livestock** 28 **remediation fund.**

29 The department may utilize the moneys deposited into the
 30 livestock remediation fund pursuant to section 459.501 to pay
 31 for any expenses associated with providing sustenance to or
 32 the disposition of the livestock pursuant to a court order
 33 entered pursuant to section 717.3 or 717.5. The department
 34 shall utilize moneys from the fund only to the extent that
 35 the department determines that expenses cannot be timely paid

1 by utilizing the available provisions of sections 717.4 and
 2 717.5. The department shall deposit any unexpended and
 3 unobligated moneys in the fund. ~~The department shall pay to~~
 4 ~~the fund the proceeds from the disposition of the livestock and~~
 5 ~~associated products less expenses incurred by the department in~~
 6 ~~providing for the sustenance and disposition of the livestock,~~
 7 ~~as provided in section 717.5~~ If there are proceeds remaining
 8 after the disposition of the livestock or associated products
 9 and satisfaction of the department's expenses, and the department
 10 has utilized moneys from the livestock remediation fund, the
 11 department shall repay the fund from the proceeds.

12 Sec. 37. Section 717.5, subsection 1, Code 2025, is amended
 13 by adding the following new paragraph:

14 NEW PARAGRAPH. d. If the court orders the disposition of
 15 the livestock that involves the livestock's sale or transfer,
 16 the order shall be deemed as occurring by a receiver appointed
 17 pursuant to section 680.4.

18 Sec. 38. Section 717.5, subsection 3, Code 2025, is amended
 19 by adding the following new paragraph:

20 NEW PARAGRAPH. d. If any moneys remain after satisfying the
 21 costs of the local authority or department, such moneys shall be
 22 distributed pursuant to the process and priorities contained in
 23 chapter 680.

24 DIVISION III

25 AGRICULTURAL PROCESSING

26 Sec. 39. NEW SECTION. **189A.1A Objective.**

27 1. It is the objective of this chapter to provide for
 28 meat and poultry products inspection programs that will impose
 29 and enforce requirements with respect to intrastate operations
 30 and commerce that are at least equal to those imposed and
 31 enforced under the federal Meat Inspection Act and the federal
 32 Poultry Products Inspection Act with respect to operations and
 33 transactions in interstate commerce.

34 2. The secretary is directed to administer this chapter so
 35 as to accomplish this objective. The bureau chief of the

1 meat and poultry inspection bureau shall be designated as the
2 secretary's delegate to be the appropriate state official to
3 cooperate with the secretary of agriculture of the United States
4 in administration of this chapter.

5 Sec. 40. Section 189A.2, Code 2025, is amended by adding the
6 following new subsections:

7 NEW SUBSECTION. 5A. "Department" means the department of
8 agriculture and land stewardship.

9 NEW SUBSECTION. 29A. "Secretary" means the secretary of
10 agriculture.

11 Sec. 41. Section 189A.3, Code 2025, is amended to read as
12 follows:

13 **189A.3 License — fee.**

14 1. a. A person shall not operate an establishment without
15 first obtaining a license from the department.

16 b. Paragraph "a" does not apply to any of the following:

17 (1) A food establishment as defined in section 137F.1.

18 (2) A home food processing establishment as defined in
19 section 137D.1.

20 ~~(2)~~ (3) A person who slaughters, processes, or prepares
21 livestock or poultry of the person's own raising, exclusively for
22 the person's household, nonpaying guests, or nonpaying employees.

23 2. a. The license fee for each establishment ~~per year or any~~
24 ~~part of a year~~ shall be as follows:

25 ~~a.~~ (1) For all meat and poultry slaughtered or otherwise
26 prepared not exceeding twenty thousand pounds per year for sale,
27 resale, or custom, ~~twenty-five~~ fifty dollars.

28 ~~b.~~ (2) For all meat and poultry slaughtered or otherwise
29 prepared in excess of twenty thousand pounds per year for sale,
30 resale, or custom, ~~fifty~~ one hundred dollars.

31 b. A license fee collected by the department shall be
32 retained by the department as appropriated receipts for
33 administration of this chapter.

34 3. a. ~~The moneys shall be deposited with the department.~~

35 ~~The~~ A license year shall be from July 1 to June 30 shall expire

1 on July 1 of each odd-numbered year. Applications

2 b. An application for licenses a license shall be in writing
3 on forms a form prescribed by the department.

4 ~~4. It is the objective of this chapter to provide for~~
5 ~~meat and poultry products inspection programs that will impose~~
6 ~~and enforce requirements with respect to intrastate operations~~
7 ~~and commerce that are at least equal to those imposed and~~
8 ~~enforced under the federal Meat Inspection Act and the federal~~
9 ~~Poultry Products Inspection Act with respect to operations~~
10 ~~and transactions in interstate commerce; and the secretary is~~
11 ~~directed to administer this chapter so as to accomplish this~~
12 ~~purpose. A director of the meat and poultry inspection service~~
13 ~~shall be designated as the secretary's delegate to be the~~
14 ~~appropriate state official to cooperate with the secretary of~~
15 ~~agriculture of the United States in administration of this~~
16 ~~chapter.~~

17 Sec. 42. Section 189A.4, subsection 1, unnumbered paragraph
18 1, Code 2025, is amended to read as follows:

19 In order to accomplish the ~~objectives~~ objective of this
20 chapter, the secretary may exempt the following types of
21 operations from inspection:

22 Sec. 43. Section 189A.5, subsection 2, unnumbered paragraph
23 1, Code 2025, is amended to read as follows:

24 In order to accomplish the ~~objectives~~ objective stated in
25 ~~section 189A.3~~ 189A.1A, the secretary shall do any of the
26 following:

27 Sec. 44. Section 189A.7, unnumbered paragraph 1, Code 2025,
28 is amended to read as follows:

29 In order to accomplish the objective stated in section ~~189A.3~~
30 189A.1A, the secretary may do any of the following:

31 EXPLANATION

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

34 GENERAL. This bill provides for the administration of a number
35 of programs and regulations relating to agriculture, including

1 crop production, and specifically the application of soil inputs
2 such as fertilizers and soil conditioners (Code chapters 200
3 and 200A) and pesticides (Code chapter 206); animal health, and
4 specifically the control of infectious or contagious diseases
5 afflicting animals (Code chapter 163), the practice of veterinary
6 medicine (Code chapter 169), and the court-ordered management of
7 livestock in immediate need of sustenance (Code chapter 717);
8 and agricultural processing, and specifically the slaughter and
9 processing of meat and poultry products (Code chapter 189A).

10 CROP PRODUCTION — APPLICATION OF NUTRIENTS — BACKGROUND. The
11 department of agriculture and land stewardship (DALs) regulates
12 the composition of soil inputs, including nutrients such as
13 fertilizers which are manufactured to achieve optimum plant
14 growth under the Iowa fertilizer law (Code section 200.1), which
15 includes a number of definitions (Code section 200.3). DALs
16 also regulates fertilizing material which is a substance used to
17 compound a fertilizer, and a commercial fertilizer which refers
18 to a fertilizer, fertilizing material, and a fertilizer-pesticide
19 mixture. A secondary input is referred to as a soil conditioner
20 which is a substance other than a fertilizer that improves the
21 condition or structure of the soil and is also used to improve
22 plant growth. DALs licenses persons who manufacture, offer for
23 sale, sell, or distribute a fertilizer or soil conditioner.
24 The person is also subject to a license fee (Code section
25 200.4). Each brand or grade of commercial fertilizer or soil
26 conditioner must be registered with DALs (Code section 200.5). A
27 fertilizer or soil conditioner is subject to label requirements
28 (Code section 200.6). DALs imposes an inspection fee upon
29 a licensee (Code section 200.8). DALs must sample, inspect,
30 make analysis of, and test a commercial fertilizer or soil
31 conditioner distributed within the state (Code section 200.10).
32 A person is prohibited from manufacturing, offering for sale,
33 or selling a commercial fertilizer or soil conditioner that
34 is injurious to crop growth or deleterious to the soil (Code
35 section 200.11). A person selling a commercial fertilizer or

1 soil conditioner must identify substances promoting its use in
2 a manner that is not deceptive (Code section 200.12). DALS
3 must adopt rules regulating equipment used in storing, handling,
4 and transporting fertilizers and soil conditioners (Code section
5 200.14). DALS is authorized to take administrative action
6 against a licensee or registrant acting in violation of the
7 law, including by canceling the license or registration (Code
8 section 200.15), issuing a stop order (Code section 200.16),
9 or seizing a commercial fertilizer or soil conditioner (Code
10 section 200.17). A county, city, or other political subdivision
11 is prohibited from passing or enforcing local legislation that
12 regulates the use, sale, distribution, storage, transportation,
13 disposal, formulation, labeling, registration, or manufacture
14 of a fertilizer or soil conditioner (Code section 200.22). A
15 person registering a pesticide must account for formulations of
16 a fertilizer (Code section 206.12). A number of Code sections
17 include a reference to soil conditioners: the definition of
18 agricultural land for purposes of eminent domain (Code section
19 6A.21) and urban renewal (Code section 403.17) each include such
20 a reference. A transportation regulation involving hazardous
21 materials includes soil conditioners (Code section 321.1). A
22 commodity production contract lien (Code section 579B.1) covers
23 the use of a soil conditioner. An exception to the criminal
24 offense of critical infrastructure sabotage includes the use of
25 a soil conditioner (Code section 716.11).

26 CROP PRODUCTION — APPLICATION OF NUTRIENTS — BILL. The bill
27 replaces the term "soil conditioner" with "beneficial substance",
28 which is defined as a substance or compound that is beneficial
29 to one or more species of plants, soil, or media. "Beneficial
30 substance" includes a plant amendment, plant biostimulant, plant
31 inoculant, soil-amending ingredient, soil-amending ingredient
32 form, soil amendment, soil inoculant, and compost. The bill
33 changes references to the state chemist to the bureau chief of
34 the Iowa laboratory bureau (Code sections 190C.22 and 200.10).

35 APPLICATION OF PESTICIDES — CERTIFICATION — BACKGROUND. DALS

1 is responsible for the administration and enforcement of the
 2 "Pesticide Act of Iowa" (Code chapter 206), which in part
 3 regulates the use of a pesticide by a commercial applicator,
 4 public applicator, or private applicator (Code section 206.2).
 5 Generally, a person acting as a commercial applicator or public
 6 applicator must be certified to apply any pesticide, and a
 7 person acting as a commercial applicator, public applicator, or
 8 private applicator (e.g., a farmer) must be certified to apply a
 9 restricted use pesticide (Code section 206.5). The designation
 10 "restricted use" is determined by DALS (Code section 206.20) and
 11 is generally based on a pesticide so classified by the United
 12 States environmental protection agency (40 C.F.R. §152.160 et
 13 seq.). DALS is required to administer an educational program
 14 in cooperation with the Iowa cooperative extension service in
 15 agriculture and home economics of Iowa state university of
 16 science and technology. In order to be certified, a person must
 17 participate in the educational program by passing an examination
 18 for an initial certification and pass an examination or attend
 19 instructional hours every three years for the renewal of the
 20 certification (Code section 206.5).

21 APPLICATION OF PESTICIDES — CERTIFICATION — BILL. The bill
 22 removes a requirement that DALS adopt by rule criteria allowing a
 23 person required to be certified to complete either a written or
 24 oral examination. The bill provides that DALS has discretion to
 25 adopt such rules.

26 ANIMAL HEALTH — CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES
 27 AFFLICTING ANIMALS — BACKGROUND. DALS is granted authority to
 28 provide for the health of animals and specifically the control
 29 of an infectious or contagious disease (disease) afflicting
 30 livestock populations (Code chapter 163). The term "control"
 31 refers to prevention, suppression, or eradication efforts (Code
 32 section 163.2).

33 ANIMAL HEALTH — CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES
 34 AFFLICTING ANIMALS — BILL. The bill provides that DALS may
 35 determine and employ the most efficient and practical means to

1 identify and control a possible, imminent, or actual threat to an
2 animal population caused by a disease.

3 The bill provides that DALs may adopt any necessary rules for
4 the control of an infectious disease affecting animals within
5 the state by emergency rulemaking. When a statute authorizes
6 emergency rulemaking, an agency may adopt a rule immediately
7 without going through the periods of the rulemaking process
8 known as regulatory analysis (Code section 17A.4A) and notice
9 of intended action (Code section 17A.4(3)). The bill requires
10 that such emergency rulemaking be "double barreled". Under
11 the process known as double-barreled rulemaking, when an agency
12 files an emergency rule, it also files the same rule as a
13 notice of intended action that will follow the regular rulemaking
14 process. Normally, a rule cannot be effective prior to 35 days
15 after its filing with the administrative rules coordinator and
16 publication in the Iowa administrative bulletin. Under emergency
17 rulemaking, a rule can be made effective on the date of filing
18 and acceptance by the administrative rules coordinator or any
19 subsequent date, as specified by the agency in the filing (Code
20 section 17A.5(2)(b)(1)).

21 ANIMAL HEALTH — PRACTICE OF VETERINARY MEDICINE —
22 BACKGROUND. Veterinarians are regulated by the board of
23 veterinary medicine (veterinary board) which is responsible
24 for licensing and imposing disciplinary action, including the
25 suspension or revocation of a license for cause following a
26 notice and hearing before the veterinary board. The basis
27 for disciplinary action includes making a false representation,
28 being convicted of a felony in Iowa or another jurisdiction,
29 violating a statute or law of Iowa or another jurisdiction,
30 being subject to disciplinary action in another state, assisting
31 in the unlawful practice of veterinary medicine, being adjudged
32 as mentally incompetent, failing to conform with an acceptable
33 practice of veterinary medicine, and being unable to practice
34 veterinary medicine with reasonable skill and safety (amended
35 Code section 169.13).

1 ANIMAL HEALTH — PRACTICE OF VETERINARY MEDICINE — BILL. The
 2 bill provides that, in addition to imposing disciplinary action,
 3 the veterinary board may assess a civil penalty. The amount
 4 of the civil penalty cannot exceed \$10,000 per violation. The
 5 attorney general may initiate a claim to collect a civil penalty
 6 and any amount collected must be deposited in the general fund of
 7 the state.

8 ANIMAL HEALTH — COURT-ORDERED MANAGEMENT OF LIVESTOCK IN
 9 IMMEDIATE NEED OF SUSTENANCE — BACKGROUND. DALS is granted the
 10 authority to petition a court to conduct a hearing regarding
 11 the condition of livestock. If the court determines that the
 12 livestock are in immediate need of sustenance, it must issue
 13 an order directing DALS to assume supervision of the livestock
 14 (Code section 717.3). The order creates a super-priority lien
 15 attached to the livestock, proceeds from the sale of livestock,
 16 and any associated unmanufactured products, for the benefit of
 17 DALS. DALS may also petition a court to order the disposition
 18 of the specified livestock. The proceeds from the sale of
 19 the livestock are to be used to reimburse DALS according to
 20 the lien's super-priority status. DALS may also utilize moneys
 21 deposited in the livestock remediation fund (remediation fund)
 22 (Code section 459.501) to pay for costs of providing for
 23 sustenance to livestock as provided in the court order (Code
 24 section 717.4A).

25 ANIMAL HEALTH — COURT-ORDERED MANAGEMENT OF LIVESTOCK IN
 26 IMMEDIATE NEED OF SUSTENANCE — BILL. The bill rewrites a
 27 provision requiring DALS to repay the remediation fund any
 28 proceeds that DALS receives from the disposition of the livestock
 29 less expenses in providing for the sustenance and disposition.
 30 The bill provides that if the court orders the disposition of the
 31 livestock, the order shall be deemed as acting in response to a
 32 petition by a receiver appointed by a court in Code chapter 680.

33 AGRICULTURAL PROCESSING — SLAUGHTER AND PROCESSING OF MEAT
 34 AND POULTRY PRODUCTS — LICENSURE — BILL. The bill provides
 35 that a home food processing establishment licensed by the

1 department of inspections, appeals, and licensing is exempt from
2 DALS licensing requirements (Code chapter 137D). A home food
3 processing establishment refers to a residence in which homemade
4 food items are produced for sale, if consumption is off premises
5 and its business has gross annual sales of less than \$50,000
6 (Code section 137D.1). The bill also provides that the term
7 of a license issued by DALS to a slaughter and processing
8 establishment is extended to a two-year period (from July 1,
9 2025, to June 30, 2027). The licensee fee is doubled from \$25
10 to \$50 and from \$50 to \$100 to reflect the license's biennial
11 term. DALS is required to prorate the license fee for a new
12 establishment. The bill makes various changes in terminology to
13 improve readability.