

**Senate Study Bill 1160 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON DRISCOLL)

**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:

unofficial

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

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, and microplant  
20 nutrients, that can be demonstrated by scientific research to be  
21 beneficial to one or more species of plants, soils, or media,  
22 including any 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 b. "Beneficial substance" does not include a pesticide.

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

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

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

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

10 ~~7.~~ 8. "Department" means the department of agriculture and  
11 land stewardship.

12 9. "Distribute" means to import, consign, manufacture,  
13 produce, compound, mix, blend, or offer for sale, sell, barter,  
14 or otherwise supply a commercial fertilizer or beneficial  
15 substance in this state.

16 ~~8.~~ 10. The term "distributor" "Distributor" means any person  
17 who imports, consigns, manufactures, produces, compounds, mixes,  
18 or blends commercial fertilizer, or who offers for sale, sells,  
19 barters, or otherwise distributes, a commercial fertilizer or  
20 beneficial substance in this state.

21 ~~9.~~ 11. a. "Established date of operation" means the date on  
22 which an anhydrous ammonia plant commenced operating.

23 b. If the physical facilities of the plant are subsequently  
24 expanded, the established date of operation for each expansion  
25 is deemed to be a separate and independent "established date  
26 of operation" established as of the date of commencement of the  
27 expanded operations.

28 c. The commencement of expanded operations does not divest  
29 the plant of a previously established date of operation.

30 ~~10.~~ 12. "Established date of ownership" means the date of  
31 the recording of an appropriate instrument of title establishing  
32 the ownership of real estate.

33 ~~11.~~ 13. The term "fertilizer" "Fertilizer" means any  
34 substance containing one or more recognized plant nutrient which  
35 is nutrients used for its plant nutrient content and which

1 is designed for use and claimed to have value in promoting  
2 plant growth except unmanipulated animal and vegetable manures  
3 or calcium and magnesium carbonate materials used primarily for  
4 correcting soil acidity.

5 ~~12.~~ 14. The term ~~"fertilizer material"~~ "Fertilizer material"  
6 means any substance used as a fertilizer or for compounding  
7 a fertilizer containing one or more of the recognized plant  
8 nutrients which are used for promoting plant growth or altering  
9 plant composition.

10 ~~13.~~ 15. The term ~~"grade"~~ "Grade" means the percentages of  
11 total nitrogen, available phosphorus or  $P_2O_5$  or both, and soluble  
12 potassium or  $K_2O$  or both stated in whole numbers in same terms,  
13 order, and percentages as in the ~~"guaranteed analysis"~~  
14 guaranteed analysis.

15 ~~14.—Guaranteed analysis:~~

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

21 Total Nitrogen (N) ... percent  
22 Available Phosphorus (P) or  $P_2O_5$  or both ... percent  
23 Soluble Potassium (K) or  $K_2O$  or both ... percent

24 (2) Registration and guarantee of water soluble phosphorus  
25 (P) or ( $P_2O_5$ ) shall be permitted.

26 b. The term ~~"guaranteed analysis"~~ "Guaranteed analysis",  
27 in the form specified in paragraph "a", includes all of the  
28 following:

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

32 (b) For bone tankage and other organic phosphatic materials,  
33 total phosphorus or  $P_2O_5$  or both.

34 (2) When any additional plant nutrient elements contained in  
35 a beneficial substance as ~~identified in subsection 10 of this~~

1 ~~section,~~ are claimed in writing, they shall be identified in  
2 the guarantee, expressed as the element, and shall be subject  
3 to inspection and analysis in accordance with the methods and  
4 regulations that may be prescribed by the association of official  
5 agricultural chemists.

6 17. "Label" means the display of all written, printed,  
7 or graphic matter upon the immediate container or statement  
8 accompanying a commercial fertilizer or beneficial substance.

9 18. "Labeling" means the advertising or promotion of any  
10 commercial fertilizer or beneficial substance including but  
11 not limited to any written, printed, graphic, or electronic  
12 communication used in promoting the sale of a commercial  
13 fertilizer or beneficial substance.

14 ~~15.~~ 19. "Licensee" means a person licensed under section  
15 200.4.

16 ~~16.~~ 20. "Nuisance" means public or private nuisance as  
17 defined by statute or by the common law.

18 ~~17.~~ 21. "Nuisance action or proceeding" means an action,  
19 claim or proceeding brought at law, in equity, or as an  
20 administrative proceeding, which is based on nuisance.

21 ~~18.~~ 22. The term "official sample" "Official sample" means  
22 any sample of commercial fertilizer taken by the secretary or the  
23 secretary's agent.

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

26 ~~20.~~ 23. "Owner" means the person holding record title to  
27 real estate, and includes both legal and equitable interest under  
28 recorded real estate contracts.

29 ~~21.~~ 24. The term "percent or percentage" "Percent" or  
30 "percentage" means the percentage by weight.

31 ~~22.~~ 25. The term "person" "Person" includes an individual,  
32 or a type of partnership, limited liability company, corporation,  
33 or association, firm, and corporation formed or organized to do  
34 business in this state or authorized to do or transact business  
35 in this state.

1     ~~23.~~ 26. ~~The term "pesticide" as used in this chapter~~  
2 means "Pesticide" includes insecticides, miticides, nemacides,  
3 fungicides, herbicides, and any other substance used in pest  
4 control.

5     27. "Plant amendment" means any substance applied to a plant  
6 seed which is intended to improve growth, yield, product quality,  
7 reproduction, flavor, or other favorable characteristics of a  
8 plant except a fertilizer, soil amendment, agricultural liming  
9 material, animal manure, vegetable manure, pesticide, plant  
10 regulator, or other material which may be exempted by regulation.

11     28. "Plant biostimulant" means a substance, microorganism,  
12 or mixture thereof, that, when applied to a seed, plant,  
13 the rhizosphere, soil, or other growth media, acts to  
14 support a plant's natural nutrition processes independently  
15 of the biostimulant's nutrient content and improves nutrient  
16 availability, uptake, or use efficiency, tolerance to abiotic  
17 stress, and consequent growth, development, quality, or yield.

18     29. "Plant inoculant" means a product consisting of  
19 microorganisms to be applied to the plant or soil for the purpose  
20 of enhancing the availability or uptake of plant nutrients  
21 through the root system.

22     ~~24.~~ 30. "Secretary" means the secretary of agriculture.

23     ~~25.~~ 31. The term "sell" "Sell" or "sale" includes exchange.

24     ~~26.~~ 32. A "soil conditioner" is "Soil amendment" means any  
25 substance which when added to the soil or applied to plants will  
26 produce a favorable growth, yield or quality of crop or soil  
27 flora or fauna or other soil characteristics, other than or a  
28 mixture of substances which is intended to improve the physical,  
29 chemical, biochemical, biological, or other characteristic of  
30 the soil, except a fertilizer, recognized pesticide agricultural  
31 liming material, unmanipulated animal and manure, unmanipulated  
32 vegetable manures or calcium and magnesium carbonate materials  
33 used primarily for correcting soil acidity manure, pesticide, or  
34 any other material exempted by regulation.

35     33. "Soil inoculant" means a microbial product that is

1 applied to colonize the soil to benefit the soil chemistry,  
2 biology, or structure.

3 34. "Soil-amending ingredient" means any substance which when  
4 applied to soil will improve the physical, chemical, biochemical,  
5 biological, or other characteristics of the soil.

6 35. "Soil-amending ingredient form" means the chemical  
7 compound, such as salt, chelate, oxide, or acid, of an ingredient  
8 or the physical form of an ingredient.

9 27. 36. ~~A "specialty fertilizer" is~~ "Specialty fertilizer"  
10 means a commercial fertilizer distributed primarily for nonfarm  
11 use, such as home gardens, lawns, shrubbery, flowers, golf  
12 courses, municipal parks, cemeteries, greenhouses, and nurseries,  
13 and may include commercial fertilizers used for research or  
14 experimental purposes.

15 28. 37. ~~The term "ton"~~ "Ton" means a net weight of two  
16 thousand pounds avoirdupois.

17 29. 38. a. ~~The term "unmanipulated manures"~~ "Unmanipulated  
18 manures" means any substances composed primarily of excreta,  
19 plant remains, or mixtures of such substances which have not been  
20 processed in any manner other than dewatering.

21 b. "Unmanipulated manures" includes unmanipulated animal  
22 manure or unmanipulated vegetable manure.

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

26 Sec. 4. Section 200.4, Code 2025, is amended to read as  
27 follows:

28 **200.4 License — fee and expiration — mixture requirement.**

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

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

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

9 Sec. 5. Section 200.5, Code 2025, is amended to read as  
10 follows:

11 **200.5 Registration.**

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

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

- 28 a. Net weight, if sold in packaged form.
- 29 b. Name and address of the registrant.
- 30 c. Name of product.
- 31 d. Brand.
- 32 e. Grade, if the product contains a recognized plant food.
- 33 f. Guaranteed analysis.

34 3. In addition to the information required in subsection 2  
35 ~~of this section, applications~~ an application for the registration

1 of ~~soil conditioners~~ a beneficial substance must include the name  
2 or chemical designation and percentage of content of each of the  
3 active ingredients. Each microbial organism ingredient must be  
4 identified with species and genus in colony-forming units per  
5 gram for a dry product or per milliliter for a liquid product.  
6 Another unit of quantity may be acceptable if an accurate and  
7 verifiable guarantee is presented.

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

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

24 6. The secretary, whenever the secretary deems it necessary  
25 in the administration of this chapter, may require the submission  
26 of additional data about any article, including a fertilizer,  
27 beneficial substance, or other product regulated under this  
28 chapter to support the claims made for it. If it appears to  
29 the secretary that the composition of the article is such as to  
30 warrant the claims made for it, and if the article, its labeling  
31 and other material required to be submitted, comply with the  
32 requirements of this chapter, the secretary shall register the  
33 product.

34 7. If it does not appear to the secretary that the article is  
35 such as to warrant the proposed claims for it, or if the article

1 and its labeling and other material required to be submitted does  
2 do not comply with ~~the~~ a provision of this chapter, the secretary  
3 shall notify the registrant of the manner in which the article,  
4 labeling, or other material required to be submitted fails to  
5 comply with this chapter so as to afford the registrant an  
6 opportunity to make the necessary corrections before resubmitting  
7 the label.

8 8. It shall be the responsibility of the registrant to submit  
9 satisfactory evidence of favorable effects and safety of the  
10 product.

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

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

18 ~~11. The advisory committee created in section 206.23 shall~~  
19 ~~advise and assist the secretary on the registration of a product~~  
20 ~~of commercial fertilizer or soil conditioner under the provisions~~  
21 ~~of this chapter.~~

22 Sec. 6. Section 200.6, Code 2025, is amended to read as  
23 follows:

24 **200.6 Labeling.**

25 1. a. Any commercial fertilizer offered for sale or sold or  
26 distributed in this state in bags~~7~~ or other containers~~7~~ shall  
27 have placed on or affixed to the container in legibly written  
28 or printed form, the information required by section 200.5,  
29 subsection 2~~7~~1, either on tags affixed to the end of the package  
30 or directly on the package.

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

35 ~~3.~~ c. A commercial fertilizer formulated according to

1 specifications which are furnished by a consumer prior to mixing  
2 shall be labeled to show the net weight, guaranteed analysis,  
3 and the name and address of the distributor and may show the  
4 net weight and guaranteed analysis of each of the fertilizer  
5 materials or soil conditioners used. It is the responsibility of  
6 the distributor to mix these materials uniformly and intimately  
7 so that when sampled in the prescribed manner the resulting  
8 analysis would meet the guarantee.

9 ~~4.~~ d. All bulk bins or intermediate storage of bulk  
10 commercial fertilizer where being offered for sale or distributed  
11 direct to the consumer shall be labeled showing brand, name, and  
12 grade of product.

13 ~~5.~~ e. All fertilizers distributed or stored in bulk, unless  
14 in the manufacturers authorized containers, shall be labeled as  
15 the responsibility of the possessor.

16 ~~6.~~ 2. ~~Soil conditioners~~ A beneficial substance shall be  
17 labeled in accordance with subsection 1 ~~of this section~~ and in  
18 addition shall show the name or chemical designation and content  
19 or the active ingredients.

20 Sec. 7. Section 200.8, Code 2025, is amended to read as  
21 follows:

22 **200.8 Inspection fees.**

23 1. a. There shall be paid by the licensee to the secretary  
24 for ~~all any commercial fertilizers and soil conditioners~~  
25 fertilizer or beneficial substance sold, or distributed in this  
26 state, an inspection fee to be fixed annually by the secretary  
27 ~~of agriculture~~ at not more than twenty cents per ton. ~~Sales~~  
28 The sale of a commercial fertilizer or beneficial substance  
29 for manufacturing purposes only ~~are hereby~~ is exempted from  
30 fees an inspection fee but must still be reported showing  
31 the manufacturer who purchased same it. Payment of ~~said the~~  
32 inspection fee by any licensee shall exempt all other persons,  
33 firms, or corporations from the payment thereof.

34 b. On an individual packages package of specialty a  
35 commercial fertilizer or beneficial substance containing

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

14 c. Any person other than a manufacturer who annually offers  
15 for sale, sells, or distributes ~~specialty~~ fertilizer in the  
16 amount of four thousand pounds or more or applies specialty  
17 fertilizer for compensation shall pay an annual inspection fee  
18 of thirty dollars in lieu of the semiannual inspection fee as set  
19 forth in this chapter.

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

23 a. File not later than the last day of January and July of  
24 each year, on forms furnished by the secretary, a semiannual  
25 statement setting forth the number of net tons of commercial  
26 fertilizer or ~~soil conditioners~~ beneficial substance distributed  
27 in this state by grade ~~for each county~~ during the preceding  
28 six-month period; ~~and upon~~. Upon filing such the semiannual  
29 statement, the person shall pay the inspection fee at the rate  
30 stated in subsection 1. However, in lieu of the semiannual  
31 statement by grade ~~for each county~~, on individual packages of  
32 specialty fertilizer containing twenty-five pounds or less of  
33 commercial fertilizer, the registrant shall file not later than  
34 the last day of July of each year, on forms furnished by the  
35 secretary, an annual statement setting forth the number of net

1 tons of specialty commercial fertilizer distributed in this state  
2 by grade during the preceding twelve-month period.

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

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

21     4. 3. In addition to the fees imposed under subsection 1, a  
22 groundwater protection fee shall be imposed upon nitrogen-based  
23 fertilizer. The fee shall be based upon the percentage of  
24 actual nitrogen contained in the product. An eighty-two percent  
25 nitrogen solution shall be taxed at a rate of seventy-five  
26 cents per ton. Other nitrogen-based product formulations shall  
27 be taxed on the percentage of actual nitrogen contained in  
28 the formulations with the eighty-two percent nitrogen solution  
29 serving as the base. The fee shall be paid by each licensee  
30 registering to sell fertilizer to the secretary of agriculture.  
31 The fees collected shall be deposited in the agriculture  
32 management account of the groundwater protection fund. The  
33 secretary ~~of agriculture~~ shall adopt rules for the payment,  
34 filing, and collection of groundwater protection fees from  
35 licensees in conjunction with the collection of registration

1 and inspection fees. The secretary shall, by rule, allow an  
2 exemption to the payment of this fee for fertilizers which  
3 contain trace amounts of nitrogen.

4 Sec. 8. Section 200.10, Code 2025, is amended to read as  
5 follows:

6 **200.10 Inspection, sampling, and analysis.**

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

28 2. a. The methods of sampling and analysis shall be the  
29 official methods of the association of official agricultural  
30 chemists in all cases where methods have been adopted by the  
31 association.

32 b. The findings of the ~~state chemist or the state chemist's~~  
33 bureau chief of the Iowa laboratory bureau, or the bureau chief's  
34 deputy, as shown by the sworn statement of the results of  
35 analysis of official samples of any brand and grade of commercial

1 fertilizer, fertilizer material, or ~~soil conditioner~~ beneficial  
2 substance, shall constitute prima facie evidence of ~~their~~ its  
3 correctness in the courts of this state, as to the particular  
4 lots sampled and analyzed.

5 3. The secretary, in determining for administrative purposes  
6 whether any commercial fertilizer is deficient in plant food,  
7 or ~~soil conditioner~~ beneficial substance deficient in guaranteed  
8 active ingredients, shall be guided by the official sample as  
9 defined in section 200.3, subsection ~~18~~ 22, and obtained and  
10 analyzed as provided for in subsection 2 ~~of this section~~.

11 4. The results of official analysis of any commercial  
12 fertilizer or ~~soil conditioner~~ beneficial substance which has  
13 been found to be in violation of any provision of this chapter,  
14 shall be forwarded by the secretary to the registrant. Upon  
15 request, the secretary shall furnish to the registrant a portion  
16 of any sample.

17 Sec. 9. Section 200.11, Code 2025, is amended to read as  
18 follows:

19 **200.11 ~~Filler material~~ Item that is injurious or filler.**

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

29 Sec. 10. Section 200.12, Code 2025, is amended to read as  
30 follows:

31 **200.12 False or misleading statements.**

32 A commercial fertilizer or ~~soil conditioner~~ beneficial  
33 substance is misbranded if it does not identify ~~substances~~ items  
34 promoting plant growth as ~~defined in section 200.3, subsection~~  
35 ~~11~~, or if it carries any false or misleading statement upon or

1 attached to the container or stated on the invoice or delivery  
2 ticket, or if the container or on the invoice or delivery  
3 ticket or in any advertising matter whatsoever connected with,  
4 accompanying, or associated with the commercial fertilizer or  
5 ~~soil conditioner~~ beneficial substance. Further, the burden  
6 of proof of the desirable effect of the ~~product~~ commercial  
7 fertilizer or beneficial substance on plant growth shall be the  
8 responsibility of the registrant.

9 Sec. 11. Section 200.14, Code 2025, is amended to read as  
10 follows:

11 **200.14 Rules.**

12 1. a. The department may adopt rules pursuant to chapter  
13 17A providing minimum general safety standards for the design,  
14 construction, location, installation, and operation of equipment  
15 for storage, handling, transportation by tank truck or tank  
16 trailer, and utilization of ~~fertilizers and soil conditioners~~ a  
17 fertilizer or beneficial substance.

18 b. The rules shall be such as are reasonably necessary  
19 for the protection and safety of the public and persons using  
20 ~~fertilizers or soil conditioners~~ a fertilizer or beneficial  
21 substance, and shall be in substantial conformity with the  
22 generally accepted standards of safety.

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

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

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

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

1     Sec. 12. Section 200.15, Code 2025, is amended to read as  
2 follows:

3     **200.15 Refusal to register or cancellation of registration**  
4 **and licenses.**

5     1. Upon satisfactory evidence that the registrant or licensee  
6 has used fraudulent or deceptive practices or has willfully  
7 violated any provisions of this chapter or any rules and  
8 ~~regulations promulgated~~ adopted under this chapter, the secretary  
9 is authorized and empowered to do any of the following:

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

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

14    c. Refuse to license any applicant.

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

18     Sec. 13. Section 200.16, Code 2025, is amended to read as  
19 follows:

20     **200.16 "Stop sale" orders.**

21     The secretary may issue and enforce a written or printed  
22 "stop sale, use or removal" order to the owner or custodian of  
23 any lot of commercial fertilizer or ~~soil conditioner~~ beneficial  
24 substance, if the secretary finds the commercial fertilizer  
25 or ~~soil conditioner~~ beneficial substance is being offered or  
26 exposed for sale in violation of any of the provisions of this  
27 chapter ~~or including any of the rules and regulations promulgated~~  
28 rule adopted under this chapter. The secretary may hold the  
29 commercial fertilizer or ~~soil conditioner~~ beneficial substance at  
30 a designated place until the law has been complied with and the  
31 commercial fertilizer or ~~soil conditioner~~ beneficial substance is  
32 released in writing by the secretary, or the violation has been  
33 otherwise legally disposed of by written authority, and all costs  
34 and expenses incurred in connection with the withdrawal have been  
35 paid.

1     Sec. 14. Section 200.17, Code 2025, is amended to read as  
2 follows:

3     **200.17 Seizure, condemnation, and sale.**

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

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

27     1. If it shall appear from the examination of any commercial  
28 fertilizer or ~~soil conditioner~~ beneficial substance or any  
29 anhydrous ammonia installation, equipment, or operation that ~~any~~  
30 ~~of the provisions~~ a provision of this chapter ~~or the rules~~  
31 ~~and regulations issued,~~ including any rule adopted under this  
32 chapter, have been violated, the secretary shall cause notice of  
33 the violations to be given to the registrant, distributor, or  
34 possessor from whom said sample was taken; ~~any.~~ The person so  
35 notified shall be given opportunity to be heard under such rules

1 and regulations as may be prescribed by the secretary. If it  
2 appears after such hearing, either in the presence or absence of  
3 the person so notified, that any ~~of the provisions~~ provision of  
4 this chapter ~~or rules and regulations issued, including a rule~~  
5 adopted under this chapter ~~have,~~ has been violated, the secretary  
6 may certify the facts to the proper prosecuting attorney.

7 Sec. 16. Section 200.19, Code 2025, is amended to read as  
8 follows:

9 **200.19 Exchanges between manufacturers.**

10 Nothing in this chapter shall be construed to restrict or  
11 avoid sales or exchanges of commercial fertilizers or soil  
12 conditioners beneficial substances to each other by importers,  
13 manufacturers, or manipulators who mix fertilizer materials for  
14 sale or as preventing the free and unrestricted shipments of  
15 commercial fertilizer or soil conditioner to manufacturers or  
16 manipulators who have registered their brands as required by the  
17 provisions of this chapter.

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

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

21 a. A specialty fertilizer.

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

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

26 ~~(1) The land is being used to produce an agricultural~~  
27 ~~commodity that is an organic agricultural product as provided~~  
28 ~~in chapter 190C, including rules adopted by the department under~~  
29 ~~that chapter.~~

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

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

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

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

17     **200A.2 Purpose.**

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

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

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

25     a. Provide feed or services ~~relating to~~ as part of the  
26 livestock's care and feeding of livestock. If the livestock is  
27 dairy cattle, "produce" includes milking the dairy cattle and  
28 storing raw milk at the contract producer's contract livestock  
29 facility.

30     b. Provide for planting, raising, harvesting, and storing a  
31 crop. "Produce" includes preparing the soil for planting and  
32 nurturing the crop by the application of ~~fertilizers~~ a fertilizer  
33 or ~~soil conditioners~~ beneficial substance as defined in section  
34 200.3 or ~~pesticides~~ a pesticide as defined in section 206.2.

35     Sec. 21. Section 206.12, subsection 1, paragraph a, Code

1 2025, is amended to read as follows:

2     a. For the purpose of this chapter, ~~fertilizers~~ a fertilizer  
3 in a mixed fertilizer-pesticide formulations formulation or  
4 a beneficial substance in a beneficial substance-pesticide  
5 formulation shall be considered as an ~~inert ingredients~~  
6 ingredient.

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

9     1. a. "Agricultural hazardous material" means a hazardous  
10 material, other than hazardous waste, whose end use directly  
11 supports the production of an agricultural commodity, including,  
12 but not limited to, ~~a fertilizer, pesticide, soil conditioner~~  
13 beneficial substance, or fuel.

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

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

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

31 ~~Agricultural land~~

32     b. "Agricultural land" includes land on which is located farm  
33 residences or outbuildings used for agricultural purposes and  
34 land on which is located facilities, structures, or equipment for  
35 agricultural purposes. ~~Agricultural land~~

1 c. "Agricultural land" includes land taken out of  
2 agricultural production for purposes of environmental protection  
3 or preservation.

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

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

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

11 An agriculture management account. Moneys collected from the  
12 groundwater protection fee levied pursuant to section 200.8,  
13 subsection 4 3, the portion of the fees collected pursuant  
14 to section 206.8, subsection 2, and section 206.12, subsection  
15 3, and other moneys designated for the purpose of agriculture  
16 management shall be deposited in the agriculture management  
17 account. The agriculture management account shall be used for  
18 the following purposes:

19 Sec. 26. Section 579B.1, subsection 14, paragraph b, Code  
20 2025, is amended to read as follows:

21 b. Provide for planting, raising, harvesting, and storing a  
22 crop. "Produce" includes preparing the soil for planting and  
23 nurturing the crop by the application of ~~fertilizers~~ a fertilizer  
24 or ~~soil conditioners~~ beneficial substance as defined in section  
25 200.3 or ~~pesticides~~ a pesticide as defined in section 206.2.

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

28 2. a. "Critical infrastructure sabotage" means an  
29 unauthorized and overt act intended to cause and having the  
30 means to cause, and in substantial furtherance of causing,  
31 a substantial and widespread interruption or impairment of a  
32 fundamental service rendered by the critical infrastructure.  
33 ~~However, "critical infrastructure sabotage"~~

34 b. "Critical infrastructure sabotage" does not include an  
35 accidental interruption or impairment of service to the critical

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

17 PART B

18 APPLICATION OF PESTICIDES — CERTIFICATION

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

21 (1) The department shall may adopt by rule criteria for  
22 allowing a person required to be certified to complete either a  
23 written or oral examination.

24 DIVISION II

25 ANIMAL HEALTH

26 PART A

27 CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES AFFLICTING ANIMALS

28 Sec. 29. Section 163.1, subsection 1, Code 2025, is amended  
29 by striking the subsection.

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

32 3. Determine and employ the most efficient and practical  
33 means for the identification and control of an infectious or  
34 contagious disease afflicting animals that may threaten or  
35 actually threatens animals in this state.

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

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

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

15     Sec. 32. CODE EDITOR DIRECTIVE.

16     1. The Code editor is directed to make the following  
17 transfers:

18     a. Section 163.2A to section 163.3.

19     b. Section 163.2B to section 163.2A.

20     2. The Code editor shall correct internal references in the  
21 Code and in any enacted legislation as necessary due to the  
22 enactment of this section.

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

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

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

29

PART B

30

PRACTICE OF VETERINARY MEDICINE

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

33     9. A person who provides veterinary medical services, owns  
34 a veterinary clinic, or practices in this state shall obtain a  
35 certificate from the board and be subject to the same standards

1 of conduct, as provided in this chapter and rules adopted by  
2 the board, as apply to a licensed veterinarian, unless the board  
3 determines that the same standards of conduct are inapplicable.  
4 The board shall issue, renew, or deny a certificate; adopt rules  
5 relating to the standards of conduct; and take disciplinary  
6 action against the person, including suspension or revocation  
7 of a certificate, in accordance with the procedures established  
8 in section 169.14. Certification fees shall be established  
9 by the board pursuant to subsection 7, paragraph "j". Fees  
10 Certification fees shall be established in an amount sufficient  
11 to fully offset the costs of certification pursuant to this  
12 subsection. ~~For the fiscal year beginning July 1, 2001, and~~  
13 ~~ending June 30, 2002, the department shall retain fees collected~~  
14 ~~to administer the program of certifying veterinary clinics and~~  
15 ~~the fees retained are appropriated to the department for the~~  
16 ~~purposes of this subsection. For the fiscal year beginning~~  
17 ~~July 1, 2001, and ending June 30, 2002, notwithstanding section~~  
18 ~~8.33, fees which remain unexpended at the end of the fiscal~~  
19 ~~year shall not revert to the general fund of the state but~~  
20 ~~shall be available for use for the following fiscal year to~~  
21 ~~administer the program. For the fiscal year beginning July 1,~~  
22 ~~2002, and succeeding fiscal years, certification Certification~~  
23 fees shall be deposited in the general fund of the state and are  
24 appropriated to the department to administer the certification  
25 provisions of this subsection. This subsection shall not apply  
26 to an animal shelter, as defined in section 162.2, that provides  
27 veterinary medical services to animals in the custody of the  
28 shelter.

29 Sec. 35. Section 169.13, Code 2025, is amended to read as  
30 follows:

31 **169.13 Discipline of licensees.**

32 1. The board of veterinary medicine, after due notice and  
33 hearing, may ~~revoke or suspend a license to practice veterinary~~  
34 ~~medicine~~ take disciplinary action against a licensee if it  
35 determines that a veterinarian licensed to practice veterinary

1 medicine is guilty of violating any of the following acts or  
2 offenses: grounds for discipline in this section.

3 2. The board is authorized to discipline licensees in any of  
4 the following ways:

5 a. Impose a civil penalty against the licensee in an amount  
6 not to exceed ten thousand dollars. If the board imposes a civil  
7 penalty, all of the following apply:

8 (1) The collection of the civil penalty may be enforced in  
9 a civil action brought by the attorney general on behalf of the  
10 board.

11 (2) Moneys collected in civil penalties shall be deposited in  
12 the general fund of the state.

13 b. Revoke or suspend a license to practice veterinary  
14 medicine.

15 3. Any of the following actions or offenses constitutes  
16 grounds for discipline:

17 a. Knowingly making a misleading, deceptive, untrue, or  
18 fraudulent representation in the practice of the profession.

19 b. Being convicted of a felony in ~~the courts~~ a court of  
20 this state or another state, territory, or country. Conviction  
21 as used in this paragraph includes a conviction of an offense  
22 which if committed in this state would be deemed a felony without  
23 regard to its designation elsewhere, or a criminal proceeding in  
24 which a finding or verdict of guilt is made or returned, but  
25 the adjudication or guilt is either withheld or not entered. A  
26 certified copy of the final order or judgment of conviction or  
27 plea of guilty in this state or in another state is conclusive  
28 evidence.

29 c. Violating a statute or law of this state, another state,  
30 or the United States, without regard to its designation as either  
31 felony or misdemeanor, ~~which~~ if the statute or law relates to the  
32 practice of veterinary medicine.

33 d. Having the person's license to practice veterinary  
34 medicine revoked or suspended, or having other disciplinary  
35 action taken by a licensing authority of another state,

1 territory, or country. A certified copy of the record or  
2 order of the suspension, revocation, or disciplinary action is  
3 conclusive or prima facie evidence.

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

6 f. Being adjudged mentally incompetent by a court of  
7 competent jurisdiction. The adjudication shall automatically  
8 suspend a license for the duration of the license unless the  
9 board orders otherwise.

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

19 h. ~~Inability~~ Demonstrating an inability to practice  
20 veterinary medicine with reasonable skill and safety by reason  
21 of illness, drunkenness, excessive use of drugs, narcotics,  
22 chemicals, or other type of material or as a result of a mental  
23 or physical condition.

24 i. ~~Willful~~ Having willfully or ~~repeated violation of~~  
25 repeatedly violated lawful rules adopted by the board or  
26 violation of a lawful order of the board, previously entered by  
27 the board in a disciplinary hearing.

28 ~~2.~~ 4. a. The board, upon probable cause, may compel a  
29 veterinarian to submit to a mental or physical examination by  
30 designated physicians. Failure of a veterinarian to submit  
31 to an examination constitutes an admission to the allegations  
32 made against that veterinarian and the finding of fact and  
33 decision of the board may be entered without the taking of  
34 testimony or presentation of evidence. At reasonable intervals,  
35 a veterinarian shall be afforded an opportunity to demonstrate

1 that the veterinarian can resume the competent practice of  
2 veterinary medicine with reasonable skill and safety to animals.

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

15 PART C

16 COURT-ORDERED MANAGEMENT OF LIVESTOCK IN IMMEDIATE NEED OF  
17 SUSTENANCE

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

20 **717.4A Livestock in immediate need of sustenance — livestock**  
21 **remediation fund.**

22 The department may utilize the moneys deposited into the  
23 livestock remediation fund pursuant to section 459.501 to pay  
24 for any expenses associated with providing sustenance to or  
25 the disposition of the livestock pursuant to a court order  
26 entered pursuant to section 717.3 or 717.5. The department  
27 shall utilize moneys from the fund only to the extent that  
28 the department determines that expenses cannot be timely paid  
29 by utilizing the available provisions of sections 717.4 and  
30 717.5. The department shall deposit any unexpended and  
31 unobligated moneys in the fund. ~~The department shall pay to~~  
32 ~~the fund the proceeds from the disposition of the livestock and~~  
33 ~~associated products less expenses incurred by the department in~~  
34 ~~providing for the sustenance and disposition of the livestock,~~  
35 ~~as provided in section 717.5~~ If there are proceeds remaining

1 after the disposition of the livestock or associated products  
2 and satisfaction of the department's expenses, and the department  
3 has utilized moneys from the livestock remediation fund, the  
4 department shall repay the fund from the proceeds.

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

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

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

13 NEW PARAGRAPH. d. If any moneys remain after satisfying the  
14 costs of the local authority or department, such moneys shall be  
15 distributed pursuant to the process and priorities contained in  
16 chapter 680.

17 DIVISION III

18 AGRICULTURAL PROCESSING

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

20 1. It is the objective of this chapter to provide for  
21 meat and poultry products inspection programs that will impose  
22 and enforce requirements with respect to intrastate operations  
23 and commerce that are at least equal to those imposed and  
24 enforced under the federal Meat Inspection Act and the federal  
25 Poultry Products Inspection Act with respect to operations and  
26 transactions in interstate commerce.

27 2. The secretary is directed to administer this chapter so  
28 as to accomplish this objective. The bureau chief of the  
29 meat and poultry inspection bureau shall be designated as the  
30 secretary's delegate to be the appropriate state official to  
31 cooperate with the secretary of agriculture of the United States  
32 in administration of this chapter.

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

35 NEW SUBSECTION. 5A. "Department" means the department of

1 agriculture and land stewardship.

2 NEW SUBSECTION. 29A. "Secretary" means the secretary of  
3 agriculture.

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

6 **189A.3 License — fee.**

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

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

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

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

13 ~~(2)~~ (3) A person who slaughters, processes, or prepares  
14 livestock or poultry of the person's own raising, exclusively for  
15 the person's household, nonpaying guests, or nonpaying employees.

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

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

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

24 b. A license fee collected by the department shall be  
25 retained by the department as appropriated receipts for  
26 administration of this chapter.

27 3. a. ~~The moneys shall be deposited with the department.~~  
28 The A license year shall be from July 1 to June 30 shall expire  
29 on July 1 of each odd-numbered year. Applications

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

32 4. ~~It is the objective of this chapter to provide for~~  
33 ~~meat and poultry products inspection programs that will impose~~  
34 ~~and enforce requirements with respect to intrastate operations~~  
35 ~~and commerce that are at least equal to those imposed and~~

1 ~~enforced under the federal Meat Inspection Act and the federal~~  
2 ~~Poultry Products Inspection Act with respect to operations~~  
3 ~~and transactions in interstate commerce; and the secretary is~~  
4 ~~directed to administer this chapter so as to accomplish this~~  
5 ~~purpose. A director of the meat and poultry inspection service~~  
6 ~~shall be designated as the secretary's delegate to be the~~  
7 ~~appropriate state official to cooperate with the secretary of~~  
8 ~~agriculture of the United States in administration of this~~  
9 ~~chapter.~~

10 Sec. 42. Section 189A.4, subsection 1, unnumbered paragraph  
11 1, Code 2025, is amended to read as follows:

12 In order to accomplish the ~~objectives~~ objective of this  
13 chapter, the secretary may exempt the following types of  
14 operations from inspection:

15 Sec. 43. Section 189A.5, subsection 2, unnumbered paragraph  
16 1, Code 2025, is amended to read as follows:

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

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

22 In order to accomplish the objective stated in section ~~189A.3~~  
23 189A.1A, the secretary may do any of the following:

24 EXPLANATION

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

27 GENERAL. This bill provides for the administration of a number  
28 of programs and regulations relating to agriculture, including  
29 crop production, and specifically the application of soil inputs  
30 such as fertilizers and soil conditioners (Code chapters 200  
31 and 200A) and pesticides (Code chapter 206); animal health, and  
32 specifically the control of infectious or contagious diseases  
33 afflicting animals (Code chapter 163), the practice of veterinary  
34 medicine (Code chapter 169), and the court-ordered management of  
35 livestock in immediate need of sustenance (Code chapter 717);

1 and agricultural processing, and specifically the slaughter and  
2 processing of meat and poultry products (Code chapter 189A).

3 CROP PRODUCTION — APPLICATION OF NUTRIENTS — BACKGROUND. The  
4 department of agriculture and land stewardship (DALs) regulates  
5 the composition of soil inputs, including nutrients such as  
6 fertilizers which are manufactured to achieve optimum plant  
7 growth under the Iowa fertilizer law (Code section 200.1), which  
8 includes a number of definitions (Code section 200.3). DALs  
9 also regulates fertilizing material which is a substance used to  
10 compound a fertilizer, and a commercial fertilizer which refers  
11 to a fertilizer, fertilizing material, and a fertilizer-pesticide  
12 mixture. A secondary input is referred to as a soil conditioner  
13 which is a substance other than a fertilizer that improves the  
14 condition or structure of the soil and is also used to improve  
15 plant growth. DALs licenses persons who manufacture, offer for  
16 sale, sell, or distribute a fertilizer or soil conditioner.  
17 The person is also subject to a license fee (Code section  
18 200.4). Each brand or grade of commercial fertilizer or soil  
19 conditioner must be registered with DALs (Code section 200.5). A  
20 fertilizer or soil conditioner is subject to label requirements  
21 (Code section 200.6). DALs imposes an inspection fee upon  
22 a licensee (Code section 200.8). DALs must sample, inspect,  
23 make analysis of, and test a commercial fertilizer or soil  
24 conditioner distributed within the state (Code section 200.10).  
25 A person is prohibited from manufacturing, offering for sale,  
26 or selling a commercial fertilizer or soil conditioner that  
27 is injurious to crop growth or deleterious to the soil (Code  
28 section 200.11). A person selling a commercial fertilizer or  
29 soil conditioner must identify substances promoting its use in  
30 a manner that is not deceptive (Code section 200.12). DALs  
31 must adopt rules regulating equipment used in storing, handling,  
32 and transporting fertilizers and soil conditioners (Code section  
33 200.14). DALs is authorized to take administrative action  
34 against a licensee or registrant acting in violation of the  
35 law, including by canceling the license or registration (Code

1 section 200.15), issuing a stop order (Code section 200.16),  
2 or seizing a commercial fertilizer or soil conditioner (Code  
3 section 200.17). A county, city, or other political subdivision  
4 is prohibited from passing or enforcing local legislation that  
5 regulates the use, sale, distribution, storage, transportation,  
6 disposal, formulation, labeling, registration, or manufacture  
7 of a fertilizer or soil conditioner (Code section 200.22). A  
8 person registering a pesticide must account for formulations of  
9 a fertilizer (Code section 206.12). A number of Code sections  
10 include a reference to soil conditioners: the definition of  
11 agricultural land for purposes of eminent domain (Code section  
12 6A.21) and urban renewal (Code section 403.17) each include such  
13 a reference. A transportation regulation involving hazardous  
14 materials includes soil conditioners (Code section 321.1). A  
15 commodity production contract lien (Code section 579B.1) covers  
16 the use of a soil conditioner. An exception to the criminal  
17 offense of critical infrastructure sabotage includes the use of  
18 a soil conditioner (Code section 716.11).

19 CROP PRODUCTION — APPLICATION OF NUTRIENTS — BILL. The bill  
20 replaces the term soil conditioner with beneficial substance  
21 which is defined as a substance or compound that is beneficial  
22 to one or more species of plants, soil, or media. It  
23 includes a plant amendment, plant biostimulant, plant inoculant,  
24 soil-amending ingredient, soil-amending form, soil amendment, and  
25 soil inoculant. The bill changes references to the state chemist  
26 to the bureau chief of the Iowa laboratory bureau (Code sections  
27 190C.22 and 200.10).

28 APPLICATION OF PESTICIDES — CERTIFICATION — BACKGROUND. DALS  
29 is responsible for the administration and enforcement of the  
30 "Pesticide Act of Iowa" (Code chapter 206), which in part  
31 regulates the use of a pesticide by a commercial applicator,  
32 public applicator, or private applicator (Code section 206.2).  
33 Generally, a person acting as a commercial applicator or public  
34 applicator must be certified to apply any pesticide, and a  
35 person acting as a commercial applicator, public applicator, or

1 private applicator (e.g., a farmer) must be certified to apply a  
2 restricted use pesticide (Code section 206.5). The designation  
3 "restricted use" is determined by DALs (Code section 206.20) and  
4 is generally based on a pesticide so classified by the United  
5 States environmental protection agency (40 C.F.R. §152.160 et  
6 seq.). DALs is required to administer an educational program  
7 in cooperation with the Iowa cooperative extension service in  
8 agriculture and home economics of Iowa state university of  
9 science and technology. In order to be certified, a person must  
10 participate in the educational program by passing an examination  
11 for an initial certification and pass an examination or attend  
12 instructional hours every three years for the renewal of the  
13 certification (Code section 206.5).

14 APPLICATION OF PESTICIDES — CERTIFICATION — BILL. The bill  
15 removes a requirement that DALs adopt by rule criteria allowing a  
16 person required to be certified to complete either a written or  
17 oral examination. The bill provides that DALs has discretion to  
18 adopt such rules.

19 ANIMAL HEALTH — CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES  
20 AFFLICTING ANIMALS — BACKGROUND. DALs is granted authority to  
21 provide for the health of animals and specifically the control  
22 of an infectious or contagious disease (disease) afflicting  
23 livestock populations (Code chapter 163). The term "control"  
24 refers to prevention, suppression, or eradication efforts (Code  
25 section 163.2).

26 ANIMAL HEALTH — CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES  
27 AFFLICTING ANIMALS — BILL. The bill provides that DALs may  
28 determine and employ the most efficient and practical means to  
29 identify and control a possible, imminent, or actual threat to an  
30 animal population caused by a disease.

31 The bill provides that DALs may adopt any necessary rules for  
32 the control of an infectious disease affecting animals within  
33 the state by emergency rulemaking. When a statute authorizes  
34 emergency rulemaking, an agency may adopt a rule immediately  
35 without going through the periods of the rulemaking process

1 known as regulatory analysis (Code section 17A.4A) and notice  
2 of intended action (Code section 17A.4(3)). The bill requires  
3 that such emergency rulemaking be "double barreled". Under  
4 the process known as double-barreled rulemaking, when an agency  
5 files an emergency rule, it also files the same rule as a  
6 notice of intended action that will follow the regular rulemaking  
7 process. Normally, a rule cannot be effective prior to 35 days  
8 after its filing with the administrative rules coordinator and  
9 publication in the Iowa administrative bulletin. Under emergency  
10 rulemaking, a rule can be made effective on the date of filing  
11 and acceptance by the administrative rules coordinator or any  
12 subsequent date, as specified by the agency in the filing (Code  
13 section 17A.5(2)(b)(1)).

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

29 ANIMAL HEALTH — PRACTICE OF VETERINARY MEDICINE — BILL. The  
30 bill provides that, in addition to imposing disciplinary action,  
31 the veterinary board may assess a civil penalty. The amount  
32 of the civil penalty cannot exceed \$10,000 per violation. The  
33 attorney general may initiate a claim to collect a civil penalty  
34 and any amount collected must be deposited in the general fund of  
35 the state.

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

18 ANIMAL HEALTH — COURT-ORDERED MANAGEMENT OF LIVESTOCK IN  
19 IMMEDIATE NEED OF SUSTENANCE — BILL. The bill rewrites a  
20 provision requiring DALIS to repay the remediation fund any  
21 proceeds that DALIS receives from the disposition of the livestock  
22 less expenses in providing for the sustenance and disposition.  
23 The bill provides that if the court orders the disposition of the  
24 livestock, the order shall be deemed as acting in response to a  
25 petition by a receiver appointed by a court in Code chapter 680.

26 AGRICULTURAL PROCESSING — SLAUGHTER AND PROCESSING OF MEAT  
27 AND POULTRY PRODUCTS — LICENSURE — BILL. The bill provides  
28 that a home food processing establishment licensed by the  
29 department of inspections, appeals, and licensing is exempt from  
30 DALIS licensing requirements (Code chapter 137D). A home food  
31 processing establishment refers to a residence in which homemade  
32 food items are produced for sale, if consumption is off premises  
33 and its business has gross annual sales of less than \$50,000  
34 (Code section 137D.1). The bill also provides that the term  
35 of a license issued by DALIS to a slaughter and processing

S.F. \_\_\_\_\_

1 establishment is extended to a two-year period (from July 1,  
2 2025, to June 30, 2027). The licensee fee is doubled from \$25  
3 to \$50 and from \$50 to \$100 to reflect the license's biennial  
4 term. DALs is required to prorate the license fee for a new  
5 establishment. The bill makes various changes in terminology to  
6 improve readability.

unofficial