HOUSE FILE 2581
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2572)
(SUCCESSOR TO HF 2439)
(SUCCESSOR TO HSB 673)

(As Amended and Passed by the House April 5, 2022)

[= New Language by the House
* = Language Stricken by the House

A BILL FOR

An Act providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable.

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

DIVISION I

CHOOSE IOWA PROMOTIONAL PROGRAM

Section 1. Section 159.20, Code 2022, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The department shall establish and administer a choose Iowa promotional program as provided in part 2 of this subchapter, in order to provide consumers a choice in purchasing food items that originate as an agricultural commodity produced on Iowa farms.

Sec. 2. NEW SECTION. **159.26 Definitions.**

As used in this part:

1. *"Food item"* means any of the following:

a. A perishable item derived from an agricultural commodity, or processed from an agricultural commodity, that is fit for human consumption.

b. Honey produced from bees in a managed beehive.

2. *"Iowa farm"* means land in this state used to produce an agricultural commodity.

3. *"Process"* means to prepare a food item in a manner that allows it to be fit for human consumption.

4. *"Program"* means the choose Iowa promotional program established in section 159.29.

Sec. 3. NEW SECTION. **159.28 Administration.**

The department shall administer the provisions of this part, including by adopting rules pursuant to chapter 17A as it determines are necessary or desirable.

Sec. 4. NEW SECTION. **159.29 Choose Iowa promotional program.**

1. The department shall establish and administer a choose Iowa promotional program to advertise for sale on a retail basis a food item that originates as an agricultural commodity produced on an Iowa farm, and that may include any of the following:

a. An agricultural commodity, except that it may be prepared for sale by washing or packaging in this state.

b. A product, if it is processed in this state and any of its ingredients originate as an agricultural commodity produced on an Iowa farm.

2. *a.* The department may adopt rules further defining an Iowa farm and describing how an agricultural commodity originates on an Iowa farm.

b. The department may adopt rules providing for the acceptable use of ingredients originating from agricultural commodities not produced on Iowa farms. In adopting the rules, the department may consider whether the ingredient is an incidental additive or other component that the department determines is insignificant.

Sec. 5. NEW SECTION. **159.30 Choose Iowa logo.**

1. As part of the program, the department may establish a choose Iowa logo to identify a food item originating as an agricultural commodity produced on an Iowa farm.

2. The department may register the choose Iowa logo as a mark with the secretary of state under chapter 548. If allowed under federal law, the department may also register the logo as a trademark with the United States patent and trademark office or as a copyright with the United States copyright office.

3. This section does not require the department to incorporate the name "choose Iowa" as part of a mark, trademark, or copyright, if such name is already protected by state or federal law.

4. If the department registers a mark with the secretary of state, registers a trademark with the United States patent and trademark office, or registers a copyright with the United States copyright office under this section, the state of Iowa shall be named as the owner of the mark, trademark, or copyright.

5. The use of a choose Iowa logo does not do any of the following:

a. Provide an express or implied guarantee or warranty concerning the safety, fitness, merchantability, or use of a

food item.

b. Supersede, revise, or replace a state or federal labeling requirement, including but not limited to a provision in the federal Fair Packaging and Labeling Act, 15 U.S.C. §1451 et seq.

c. Indicate the grade, specification, standard, or value of any food item.

Sec. 6. NEW SECTION. **159.31 Choose Iowa licensing agreement — fees.**

1. A person may apply to the department to participate in the choose Iowa promotional program according to procedures established by rules adopted by the department. The department shall evaluate and approve or disapprove applications based on criteria established by rules adopted by the department. The department may disapprove an application if the department determines the applicant's use of the choose Iowa logo would be associated with the consumption of an adulterated or illegal food item.

2. The department may enter into a licensing agreement with a person participating in the program. The participating person may use the choose Iowa logo to advertise a food item originating as an agricultural commodity produced on an Iowa farm, subject to terms and conditions required by rules adopted by the department. A licensing agreement shall not be for more than one year.

3. The department shall establish application and license fees by rules adopted by the department.

Sec. 7. NEW SECTION. **159.31A Choose Iowa fund.**

1. A choose Iowa fund is established in the state treasury under the management and control of the department.

2. The fund shall include moneys collected as fees by the department as provided in section 159.31, moneys appropriated by the general assembly, and other moneys available to and obtained or accepted by the department, including moneys from public or private sources.

3. Moneys in the fund are appropriated to the department and shall be used exclusively to carry out the provisions of this part as determined and directed by the department, and shall not require further special authorization by the general assembly.

4. *a.* Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund.

b. Notwithstanding section 8.33, moneys in the fund that remain unencumbered or unobligated at the end of a fiscal year shall not revert.

Sec. 8. DIRECTIONS TO CODE EDITOR — TRANSFER.

1. The Code editor is directed to make the following transfer:

Section 159.27 to section 159.25.

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

Sec. 9. DIRECTIONS TO CODE EDITOR — PARTS. The Code editor is directed to divide the provisions in chapter 159, subchapter II, as amended, enacted, or transferred in this division of this Act, into parts as follows:

1. Part 1, including sections 159.20 through 159.25.

2. Part 2, including sections 159.26 through 159.31A.

DIVISION II

REGULATION OF PESTICIDES

Sec. 10. Section 206.12, subsection 3, Code 2022, is amended to read as follows:

3. The registrant, before selling or offering for sale any pesticide for use in this state, shall register each brand and grade of such pesticide with the secretary upon forms furnished by the secretary, and the secretary shall set the registration fee annually at ~~one-fifth of one percent of gross sales within this state with a minimum fee of two hundred fifty dollars and a maximum fee of~~ three ~~thousand~~ hundred dollars for each and every brand and grade to be offered for sale in this state

~~except as otherwise provided~~. ~~The annual registration fee for products with gross annual sales in this state of less than one million five hundred thousand dollars shall be the greater of two hundred fifty dollars or one-fifth of one percent of the gross annual sales as established by affidavit of the registrant.~~ The secretary shall adopt by rule exemptions to the ~~minimum~~ fee. Fifty dollars of each fee collected shall be deposited in the general fund of the state, shall be subject to the requirements of section 8.60, and shall be used only for the purpose of enforcing the provisions of this chapter and the remainder of each fee collected shall be placed in the agriculture management account of the groundwater protection fund.

Sec. 11. Section 206.19, subsection 5, paragraph b, Code 2022, is amended to read as follows:

b. The amount of the civil penalty ~~that may be assessed for each violation committed by a commercial applicator or private applicator~~ shall not exceed five hundred dollars for each offense.

DIVISION III

REGULATION OF MOTOR FUELS

Sec. 12. Section 214A.1, subsections 2, 5, and 13, Code 2022, are amended to read as follows:

2. *"~~A.S.T.M.~~ ASTM international"* means the American society for testing and materials international.

5. *"Biodiesel"* means a renewable fuel comprised of mono-alkyl esters of long-chain fatty acids derived from vegetable oils or animal fats, which is manufactured by the use of a transesterification reaction, and which meets the standards provided in section 214A.2.

13. *"E-85 gasoline"* or *"E-85"* means ethanol blended gasoline formulated with a percentage of between ~~seventy~~ sixty-eight and ~~eighty-five~~ eighty-three percent by volume of ethanol, if the formulation excludes a denaturant, and which meets the standards provided in section 214A.2.

Sec. 13. NEW SECTION. **214A.1A Administration and enforcement.**

This chapter shall be administered and enforced by the department which may adopt rules under chapter 17A to carry out the provisions of this chapter.

Sec. 14. Section 214A.2, Code 2022, is amended to read as follows:

214A.2 ~~Tests and standards~~ Standards and classifications.

1. *a.* The department shall adopt rules ~~pursuant to chapter 17A for carrying out this chapter. The rules may include but are not limited to specifications~~ establishing departmental standards relating to motor ~~fuel, including but not limited to renewable fuel such as ethanol blended gasoline, biobutanol blended gasoline, biodiesel, biodiesel blended fuel,~~ fuels and motor fuel components ~~such as an oxygenate~~.

b. In the interest of uniformity, the department shall adopt by reference ~~other~~ in part or in whole, as some of its departmental standards described in paragraph "*a*", applicable specifications ~~relating to tests and standards for motor fuel, including renewable fuel and motor fuel components,~~ adopted by ASTM international and applicable requirements established by the United States environmental protection agency ~~and A.S.T.M. international~~.

2. Octane number shall conform to the average of values obtained from the ~~A.S.T.M.~~ ASTM international D2699 research method and the ~~A.S.T.M.~~ ASTM international D2700 motor method.

a. Octane number for regular grade unleaded gasoline shall follow the specifications of ~~A.S.T.M.~~ ASTM international but shall not be less than eighty-seven.

b. Octane number for premium grade unleaded gasoline shall follow the specifications of ~~A.S.T.M.~~ ASTM international but shall not be less than ~~ninety~~ ninety-one.

3. *a.* For motor fuel advertised for sale or sold as gasoline by a dealer, the motor fuel must meet requirements for that type of motor fuel and its additives established by

the United States environmental protection agency including as provided under 42 U.S.C. §7545.

b. If the motor fuel is advertised for sale or sold as ethanol blended gasoline, the motor fuel must ~~comply with~~ meet departmental standards ~~which shall meet all of the following requirements~~ including as follows:

(1) Ethanol must be an agriculturally derived ethyl alcohol that meets ~~A.S.T.M.~~ departmental standards based in part or in whole on ASTM international specification D4806 for denatured fuel ethanol for blending with gasoline for use as automotive spark-ignition engine fuel, or a successor ~~A.S.T.M.~~ ASTM international specification, ~~as~~ established by ~~rules adopted by the department~~ rule.

(2) Gasoline blended with ethanol must meet ~~requirements established by rules adopted~~ departmental standards based in part or in whole ~~based~~ on ~~A.S.T.M.~~ ASTM international specification D4814, or a successor ASTM international specification, established by rule.

(3) (a) For ethanol blended gasoline, at least nine percent by volume must be fuel grade ethanol. ~~In addition, the following applies:~~

~~(a)~~ (b) For the period beginning on September 16 and ending on May 31 of each year, the state grants a waiver of one pound per square inch from the ~~A.S.T.M.~~ ASTM international D4814 specification for Reid vapor pressure ~~requirement~~, or a successor ASTM international specification, established by rule.

~~(b) For the period beginning on June 1 and ending on September 15 of each year the United States environmental protection agency must grant a one pound per square inch waiver for ethanol blended conventional gasoline with at least nine but not more than ten percent by volume of ethanol pursuant to 40 C.F.R. §80.27.~~

(4) For standard ethanol blended gasoline, it must be ethanol blended gasoline classified as any of the following:

(a) From E-9 up to but not higher than E-15, if the ethanol blended gasoline meets the departmental standards for that classification as otherwise provided in this paragraph "b".

(b) Higher than E-15 but not E-85 gasoline, if the classification is authorized by the department pursuant to approval for the use of that classification of ethanol blended gasoline in this state by the United States environmental protection agency, by granting a waiver or the adoption of regulations.

(5) E-85 gasoline must be an agriculturally derived ethyl alcohol that meets ~~A.S.T.M.~~ departmental standards based in part or in whole on ASTM international specification D5798, described as a fuel blend for use in ground vehicles with automotive spark-ignition engines, or a successor ~~A.S.T.M.~~ ASTM international specification, ~~as~~ established by ~~rules adopted by the department~~ rule.

c. If the motor fuel is advertised for sale or sold as biobutanol blended gasoline, the motor fuel must ~~comply with~~ meet departmental standards ~~which shall meet all of the following requirements~~ as follows:

(1) Biobutanol must be an agriculturally derived isobutyl or n-butyl alcohol that meets ~~A.S.T.M.~~ ASTM international specification D7862 for butanol for blending with gasoline for use as automotive spark-ignition engine fuel, or a successor ~~A.S.T.M.~~ ASTM international specification, ~~as~~ established by ~~rules adopted by the department~~ rule.

(2) Gasoline blended with biobutanol must meet ~~requirements established by rules adopted~~ departmental standards based in part or in whole ~~based~~ on ~~A.S.T.M.~~ ASTM international specification D4814, or a successor ASTM international specification, established by rule.

4. *a.* For motor fuel advertised for sale or sold as diesel fuel by a dealer, the motor fuel must meet requirements for that type of motor fuel and its additives established by the United States environmental protection agency including as

provided under 42 U.S.C. §7545.

b. If the motor fuel is advertised for sale or sold as biodiesel or biodiesel blended fuel, the motor fuel must ~~comply with~~ meet departmental standards ~~which shall comply with~~ based in part or in whole on specifications adopted by ~~A.S.T.M.~~ ASTM international for biodiesel or biodiesel blended fuel, to every extent applicable, as determined by ~~rules adopted by the department.~~ the department, subject to the following:

(1) Biodiesel must ~~conform to A.S.T.M.~~ meet departmental standards based in whole or in part on ASTM international specification D6751, or a successor ~~A.S.T.M.~~ ASTM international specification, ~~as~~ established by ~~rules adopted by the department~~ rule. The specification shall apply to biodiesel before it leaves its place of manufacture.

(2) At least ~~one~~ five percent of biodiesel blended fuel by volume must be biodiesel.

(3) The biodiesel may be blended with diesel fuel whose sulfur, aromatic, lubricity, and cetane levels do not comply with ~~A.S.T.M.~~ ASTM international specification D975 grades 1-D or 2-D, low sulfur 1-D or 2-D, or ultra-low sulfur grades 1-D or 2-D, provided that the finished biodiesel blended fuel meets ~~A.S.T.M. international specification D975 or a successor A.S.T.M. international specification as established by rules adopted by the department~~ departmental standards as required in subparagraph (1).

(4) Biodiesel blended fuel classified as B-6 or higher but not higher than B-20 must ~~conform to A.S.T.M.~~ meet departmental standards based in whole or in part on ASTM international specification D7467, or a successor ~~A.S.T.M.~~ ASTM international specification, ~~as~~ established by ~~rules adopted by the department~~ rule.

5. Motor fuel shall be classified as follows:

a. (1) Ethanol shall be classified as E-100.

(2) Ethanol blended gasoline formulated with a percentage of between sixty-eight and eighty-three percent by volume of

ethanol shall be classified as E-85.

(3) Ethanol blended gasoline, other than ethanol blended gasoline classified as E-85, shall be ~~designated~~ classified as E-xx where "xx" is the volume percent of ethanol in the ethanol blended gasoline.

b. (1) Biobutanol shall be classified as Bu-100.

(2) Biobutanol blended gasoline shall be ~~designated~~ classified as Bu-xx where "xx" is the volume percent of biobutanol in the biobutanol blended gasoline.

c. (1) Biodiesel shall be classified as B-100.

(2) Biodiesel blended fuel shall be ~~designated~~ classified as B-xx where "xx" is the volume percent of biodiesel.

6. Motor fuel shall not contain more than trace amounts of MTBE, as provided in section 214A.18.

Sec. 15. Section 214A.2A, subsection 1, Code 2022, is amended to read as follows:

1. Fuel which is sold or is kept, offered, or exposed for sale as kerosene shall be labeled as kerosene. The label shall include the word "kerosene" or the designation "K1 kerosene", and shall indicate that the kerosene is in compliance with the standard specification adopted by ~~A.S.T.M.~~ ASTM international specification D3699 ~~(1982)~~, or a successor ASTM international specification, established by rules adopted by the department.

Sec. 16. Section 214A.2B, Code 2022, is amended to read as follows:

214A.2B Laboratory for motor fuel and biofuels.

A laboratory for motor fuel and biofuels is established at a community college which is engaged in biofuels testing on July 1, 2007, and which testing includes but is not limited to B-20 biodiesel fuel testing for motor trucks and the ability of biofuels to meet ~~A.S.T.M.~~ ASTM international standards. The laboratory shall conduct testing of motor fuel sold in this state and biofuel which is blended in motor fuel in this state to ensure that the motor fuel or biofuels meet the requirements in section 214A.2.

Sec. 17. Section 214A.3, Code 2022, is amended to read as follows:

214A.3 Advertising.

~~1. For all motor fuel, a~~ A person shall not knowingly do any of the following:

~~a.~~ 1. Advertise ~~the~~ for sale ~~of~~ any motor fuel ~~which~~ that does not meet the standards provided in section 214A.2.

~~b.~~ 2. Falsely advertise for sale the quality, type, or kind of ~~any~~ motor fuel or a component of motor fuel.

~~c.~~ 3. Add a coloring matter to the motor fuel which misleads a person who is purchasing the motor fuel about the quality of the motor fuel.

4. Falsely advertise for sale the classification of a motor fuel as provided in section 214A.2.

~~2. For a renewable fuel, all of the following apply:~~

~~a. A person shall not knowingly falsely advertise that a motor fuel is a renewable fuel or is not a renewable fuel.~~

~~b. (1) Ethanol blended gasoline sold by a dealer shall be designated according to its classification as provided in section 214A.2. However, a person advertising E-9 or E-10 gasoline may only designate it as ethanol blended gasoline. A person advertising ethanol blended gasoline formulated with a percentage of between seventy and eighty-five percent by volume of ethanol shall designate it as E-85. A person shall not knowingly falsely advertise ethanol blended gasoline by using an inaccurate designation in violation of this subparagraph.~~

~~(2) A person shall not knowingly falsely advertise biobutanol blended gasoline by using an inaccurate designation as provided in section 214A.2.~~

~~(3) A person shall not knowingly falsely advertise biodiesel fuel by using an inaccurate designation as provided in section 214A.2.~~

Sec. 18. Section 214A.5, subsection 2, Code 2022, is amended to read as follows:

2. A wholesale dealer selling ethanol blended gasoline,

biobutanol blended gasoline, or biodiesel blended fuel to a purchaser shall provide the purchaser with a statement indicating its ~~designation~~ classification as provided in section 214A.2. The statement may be on the sales slip provided in this section or a similar document, including but not limited to a bill of lading or invoice.

Sec. 19. Section 214A.16, Code 2022, is amended to read as follows:

214A.16 Notice of renewable fuel — decal.

~~1. *a.* If ethanol blended gasoline is sold from a motor fuel pump, the motor fuel pump shall have affixed a decal identifying the ethanol blended gasoline.~~

~~*b.* If the motor fuel pump dispenses ethanol blended gasoline classified as E-11 to E-15 for use in gasoline-powered vehicles not required to be flexible fuel vehicles, the motor fuel pump shall have affixed a decal as prescribed by the United States environmental protection agency.~~

~~*c.*~~ 1. *a.* If ~~the motor fuel pump dispenses~~ ethanol blended gasoline classified as higher than standard ethanol blended gasoline ~~pursuant to section 214A.2~~ is advertised for sale or sold at a retail motor fuel site, the motor fuel dispenser dispensing the ethanol blended gasoline shall be affixed with a decal ~~shall contain language~~ stating that the classification of the ethanol blended gasoline is for use in flexible fuel vehicles.

~~*d.*~~ *b.* If biobutanol blended gasoline is advertised for sale or sold ~~from~~ at a retail motor fuel site, the motor fuel ~~pump, the motor fuel pump~~ dispenser dispensing the biobutanol blended gasoline shall ~~have~~ be affixed with a decal identifying the classification of biobutanol blended gasoline.

~~*e.* If biodiesel fuel is sold from a motor fuel pump, the motor fuel pump shall have affixed a decal identifying the biodiesel fuel as provided in 16 C.F.R. pt. 306.~~

2. The design and location of the decal shall be prescribed by rules adopted by the department. A decal identifying a

renewable fuel shall be consistent with standards adopted pursuant to section 159A.6. The department may approve an application to place a decal in a special location on a ~~pump~~ dispenser or container or use a decal with special lettering or colors, if the decal appears clear and conspicuous to the consumer. The application shall be made in writing pursuant to procedures adopted by the department.

Sec. 20. Section 452A.12, subsection 2, Code 2022, is amended to read as follows:

2. A person while transporting motor fuel or undyed special fuel from a refinery or marine or pipeline terminal in this state or from a point outside this state over the highways of this state in service other than that under subsection 1 shall carry in the vehicle a loading invoice showing the name and address of the seller or consignor, the date and place of loading, and the kind and quantity of motor fuel or special fuel loaded, together with invoices showing the kind and quantity of each delivery and the name and address of each purchaser or consignee. An invoice carried pursuant to this subsection for ethanol blended gasoline or biodiesel blended fuel shall state its ~~designation~~ classification as provided in section 214A.2.

Sec. 21. Section 455G.31, subsection 1, paragraph b, Code 2022, is amended to read as follows:

b. Ethanol blended gasoline shall be ~~designated~~ classified in the same manner as provided in section 214A.2.

DIVISION IV

IOWA SHEEP AND WOOL PROMOTION BOARD

Sec. 22. Section 182.5, Code 2022, is amended to read as follows:

182.5 Composition of board.

The Iowa sheep and wool promotion board established ~~under this chapter~~ pursuant to section 182.4 shall be composed of nine producers~~, one from each district~~. The dean of the college of agriculture and life sciences of Iowa

state university of science and technology or the dean's representative and the secretary or the secretary's designee shall serve as ex officio nonvoting members of the board. The board shall annually elect a chairperson from its membership.

Sec. 23. Section 182.7, Code 2022, is amended to read as follows:

182.7 Notice of election for ~~directors~~ membership positions.

1. Notice of the initial election for ~~directors of~~ membership positions on the board shall be given by the secretary by publication in a newspaper of general circulation in the state at least five days prior to the date of the election and in any other reasonable manner as determined by the secretary. The notice shall set forth the period of time for voting, voting places, and other information as the secretary deems necessary.

2. Notice of a subsequent ~~elections~~ election for ~~the~~ a membership position ~~for a district~~ on the board shall be given by the board by publication in a newspaper of general circulation in the ~~district~~ state and in any other reasonable manner ~~as determined~~ established by the board ~~and~~. The notice shall set forth the period of time for voting, voting places, and other information as the board deems necessary.

Sec. 24. Section 182.8, Code 2022, is amended to read as follows:

182.8 Terms.

The term of office for members of the board shall be three years ~~and no member shall serve more than two complete consecutive terms~~. The ~~producers~~ members on the initial board shall determine their terms by lot, so that three ~~producers~~ members shall serve a one-year term, three ~~producers~~ members shall serve a two-year term, and three ~~producers~~ members shall serve a three-year term. A member elected to the initial board shall not serve more than two complete consecutive terms. A member subsequently elected to the board shall not serve more than a certain number of consecutive terms if, and as may be,

established by the board.

Sec. 25. Section 182.9, Code 2022, is amended to read as follows:

182.9 Subsequent membership — nominations — election.

After the appointment of the initial board, the board shall administer subsequent elections for members of the board with the assistance of the secretary. Before the expiration of a member's term of office, the board shall ~~appoint a nominating committee for the district represented by the member. The nominating committee shall consist of five producers who are residents of the district from which a member must be elected. The nominating committee shall~~ nominate ~~two resident~~ any number of producers as candidates for the membership position for which an election is to be held. The board shall nominate candidates based on criteria established by the board. Additional candidates may be nominated by a written petition ~~of~~ signed by twenty-five ~~resident~~ producers. ~~The board shall provide by rule and shall publish procedures governing the time and place of filing the nominations~~ The petition shall be in a form and delivered to the board as required by the board.

Sec. 26. Section 182.10, Code 2022, is amended to read as follows:

182.10 Vacancies.

The board shall by appointment fill an unexpired term if a vacancy occurs on the board. The board shall select an appointee ~~shall be a resident producer in the district having a vacancy~~ based on the criteria established by the board.

DIVISION V

LOCAL FOOD AND FARM PROGRAM

Sec. 27. Section 267A.2, Code 2022, is amended by adding the following new subsection:

NEW SUBSECTION. 5. *"Secretary"* means the secretary of agriculture.

Sec. 28. Section 267A.3, subsections 2 and 3, Code 2022, are amended by striking the subsections and inserting in lieu

thereof the following:

2. The council shall be composed of the following voting members:

a. The secretary or the secretary's designee.

b. The following persons appointed by the secretary:

(1) Four farmers each of whom shall produce an agricultural commodity in this state used to prepare or process a local food. A farmer must be actively engaged in the production of an agricultural commodity that is prepared or processed into the local food. The secretary must appoint farmers actively engaged in producing each of the following:

(a) Livestock used to produce meat products.

(b) Poultry used to produce poultry products.

(c) Dairy animals used to produce milk and dairy products.

(d) Fruit or vegetables to be washed or to be produced, cut, canned, or otherwise processed into products.

(2) Two managers of firms each of whom shall represent different types of processors of agricultural commodities doing business in this state. A manager shall be actively engaged in the purchase of agricultural commodities from farmers, the preparation or processing of those commodities into local food, and the resale of the local food to distributors on a wholesale basis in this state. The secretary must appoint managers actively engaged in the sale of the following:

(a) Meat products, poultry products, or milk or dairy products.

(b) Fruits or vegetables, fruit products, or vegetable products.

(3) One manager of a wholesale distributor of local food doing business in this state. The manager must be actively engaged in the purchase of local food prepared or processed from agricultural commodities by processors, and in the marketing of local food on a wholesale basis to food establishments in this state.

(4) Three managers of food establishments doing business

in this state. Each manager must be actively engaged in the purchase of local food prepared or processed from agricultural commodities produced in this state, the purchase of the local food from wholesale distributors, and the marketing or distribution of the local food to consumers in this state. The secretary must appoint managers actively engaged in the operation of the following:

(a) A grocery store.

(b) A food service provider distributing food to any of the following:

(i) Students attending a public or private school from kindergarten through grade twelve.

(ii) Children attending a center for early education.

(c) A food service provider distributing local food to an institution not attended by children.

(5) Two heads of local or regional community food organizations doing business in this state. Each head must be actively engaged in promoting the well-being of Iowans through the distribution of local food prepared or processed from agricultural commodities produced in this state.

(6) An attorney practicing in areas of food and agricultural law.

(7) An employee of a government entity who specializes in nutrition programs.

3. The secretary may invite interested organizations to submit nominations of candidates eligible to be appointed to the council. A designee of the secretary or a member appointed by the secretary serves at the pleasure of the secretary.

Sec. 29. Section 267A.6, Code 2022, is amended to read as follows:

267A.6 Local food and farm program.

1. The local food and farm program coordinator, with advice from the local food and farm program council, shall develop and administer a local food and farm program necessary to carry out the purpose and goals of this chapter as provided in section

267A.1~~, including but not limited to by improving any of the following:~~.

~~1.~~ 2. In administering the program, the coordinator may sponsor and fund projects that do any of the following:

a. ~~Communication~~ Improve communication and cooperation between and among farmers, food entrepreneurs, and consumers.

~~2.~~ *b.* ~~Coordination~~ Improve communication between and among government agencies, public universities and community colleges, organizations, and private-sector firms working on local food and farm-related issues.

c. Demonstrate the value of processing, distributing, and marketing local foods. A demonstration project must be capable of being replicated on a statewide basis.