

**190C.3 Duties and powers of the department.**

In implementing the provisions of [this chapter](#) consistent with the national organic program, the department shall provide for the administration and enforcement of [this chapter](#), including by adopting rules and issuing orders pursuant to [chapter 17A](#). The department may adopt any part of the national organic program by reference.

1. The department shall be a state certifying agent and the department shall be the certifying agent's operation as provided in the national organic program.

2. The department may request assistance from the council as provided in [section 190C.2A](#) or from one or more regional organic associations as provided in [section 190C.6](#).

3. *a.* The secretary may serve as the state organic program's governing state official. However, no other person shall serve in that position without approval by the secretary.

*b.* The secretary may designate a person within the department to act on the secretary's behalf in carrying out the duties of the state organic program's governing state official.

4. The department may assume enforcement obligations under the national organic program in this state for the requirements of [this chapter](#). The department shall provide for on-site inspections. The department and the attorney general may coordinate the enforcement activities as provided in [section 190C.21](#).

[98 Acts, ch 1205, §3, 20](#); [2003 Acts, ch 104, §9, 21](#)

Referred to in [§190C.6](#)