

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 998/Senate File 632	House Committee:	PASSED	03-03-2025	22-0
Committee:	Ways & Means	House Ways Com:	PASSED	04-02-2025	23-1
Floor Manager:	Rep. Mommsen	House Floor:			
Date:	May 8, 2025	Senate Floor:	PASSED	04-29-2025	48-0
Staff:	Lew Olson (1-3096)	Governor:			

IDALS Code Clean Up

House File 998/Senate File 632 contains a number of Code clean-up changes that the Iowa Department of Agriculture and Land Stewardship (IDALS) is requesting and recommending.

The conforming amendment (H 1289 to HF 998) make a one-word grammar corrections ('or'/'and').

- **IDALS Code Application of Nutrients & Beneficial Substances** (Division I, Part A-- sections 1 through 27) proposes to create a new category in Code chapter 200 that deals with Fertilizer and Soil Conditioner in regard to 'Beneficial substances'. The term 'Beneficial substances' will replace a narrow existing term 'soil conditioner' and will include an array of chemicals and substances that provide positive impacts to growing crops and soil health that are now being marketed.
- **Application of Pesticide Certification** (Divisions I, part B—section 28) strikes the word 'shall' and replaces it with 'may' in regard to IDALS devising and adopting a rule that allowed oral examination for pesticide certification.
- **Animal Health Infectious Disease and Contagious Disease Emergency Rule Making** (Division II, part A—sections 29 through 33), proposes to authorize IDALS emergency rule making authority during a foreign animal disease outbreak.
- **Practice of Veterinary Medicine Civil Penalties** (Division II, part B-- sections 34 and 35) proposes to give the Board of Veterinary Medicine the ability to assess up to a \$10,000 administrative penalty for violation of veterinary license provisions and rules.
- **Injury to Livestock IDALS Recoupment of Care & Feeding Expenses** (Division II, part C—sections 36-38) provide clear Code language that IDALS has sufficient title to livestock that has been seized under Code chapter 717, to disposed or market livestock abandoned by its owners and to recoup IDALS incurred care and feeding expenses from sale proceeds that were paid for from the Livestock Remediation fund.
- **Agricultural Processing Biennial Licenses** (Division III—sections 39-44) provides for biennial licenses for meat and poultry sites inspected by IDALS with the fee amount changed to reflect biennial basis and clarifies that home establishments licensed under 137F do no need to be license by IDALS.

Section by Section Analysis

Division I: Crop Production--Part A—Application of Nutrients

Section 1— 'Beneficial Substance' Replaces "Soil Conditioner in Uses of Agricultural Land

Amends Section 6A, subsection 1, paragraph b, Code 2025, to replace the term 'Soil conditioner' with 'Beneficial substance' in regard to typical uses of agricultural land provisions within the Eminent Domain Code chapter 6A.

Section 2—Bureau Chief of the Iowa Laboratory Sworn Statements

Amends section 190C.22, subsection 3, paragraph b, Code 2025, to update the official person who provides sworn statements in regard to chemical assessment involving organic product certification as the Bureau Chief (or his Deputy) of the Iowa Laboratory that replaces the out-of-date term 'state chemist'.

Section 3—Fertilizer Code Chapter Definitions Changes

Amends section 200.3, Code 2025 to replace the term soil additive with 'Beneficial substance' that are—(1) a plant stimulant, (2) a plant biostimulant, (3) a plant inoculant, (4) a plant amending ingredient, (5) a soil amending ingredient form, (6) a soil amendment, (7) a soil inoculant, and (8) Compost' and states that this term does not include pesticide. This section further provides a new definition for 'Bulk', 'Compost', 'Distribute', 'Label', 'Labeling', 'Plant amendment', 'Plant biostimulant', 'Plant inoculant', 'Soil inoculant', 'Soil-amending ingredient', 'Soil-amending ingredient form', and 'Unmanipulated manures'.

Sections 4, 6-16, 18-27—'Beneficial Substance' Replacement of "Soil Conditioner"

Amends sections 200.4; 200.6; 200.10; 200.11, 200.12; 200.14; 200.15; 200.16; 200.17; 200.18; 200.19; 200.22 subsection 2; 200A.2; 202.1 subsection 12; 206.12; subsection 1, paragraph a; 321.1, subsection 1 paragraph a & b; 403.17, subsection 3; 455B.11 subsection 3, paragraph b, unnumbered paragraph 1; 579B.1 subsection 14, paragraph b; 716.11 subsection 2, Code 205, to replace the term 'Soil conditioner' with 'Beneficial substance'.

Section 5—Registration of Fertilizer & Beneficial Substance

Amends section 200.5, Code 2025, to replace the term 'Soil conditioner' with 'Beneficial substance' and modifies the information term 'Grade' with verbiage-*'...if the product contains a recognized plant food.'* Additionally, this section contains new provisions that—*'... each microbial organism ingredient must be identified with species and genus colony forming-units per gram for dry product or per milliliter for a liquid product...'* The IDALS Secretary may require submission of additional data for beneficial substances, or other products regulated by chapter 200.

Section 7—Strikes Verbiage Reducing Fertilizer Tonnage Fee If Ending Balance Exceed \$350,000

Amends section 200.8, Code 2025, to add "beneficial substances", make several verbiage clarifications/updates and strikes section 200.8, subsection 3 that provides that the IDALS Secretary shall reduce fertilizer tonnage tax and annual license fees if ending balances of the fund forecast for the next fiscal year exceeds \$350,000.

Section 17—Deletion of 'Compost' from Phosphoric Acid, Nitrogen, and Potash Requirements

Amends section 200.20, subsection 2, Code 2025, that applies to phosphoric acid, nitrogen, and potash fertilizer minimum content requirements to eliminate compost verbiage exemption that no longer makes sense with changes provided by the bill.

Division I: Part B—Application of Pesticides-- Certification

Section 28—IDALS 'May' 'Shall' Adopt Rule Criteria for Certification Written or Oral Exams

Amends section 206.5, subsection 7, paragraph b, subparagraph (1), Code 2025, to replace the term 'shall' with the word- 'may' to remove a conflict with federal regulations concerning the examination for pesticide certification.

Division II: Part A--Animal Health

Control of Infectious or Contagious Afflicting Animals

Sections 29 & 30—Powers of IDALS to Adopt Any Rule to Control Any Infectious or Contagious Animal Disease

Section 29 amends section 163.1, subsection 1, Code 2025, to strike the subsection that grants IDALS the power to adopt any rule to control any infectious or contagious animal disease. This authority is recreated in an ensuing section of this bill (Section 32). Section 30 of this bill further amends section 163.1, subsection 3, Code 2025 that additionally expands the directive to IDALS to control such disease to include identifying diseases that may threaten or actually threaten animals in this state.

Section 31—Authority of IDALS to Adopt Rules to Implement Code Chapter 163 Provisions

Creates new section 163.2B that provides IDALS with authority to adopt rules to implement Chapter 163 provisions and programs.

Section 32--Code Editor Directions to Transfer Certain Code Chapter 163 Sections

The Code editor is to transfer section 163.2A to section 163.3 and section 163.2B to section 163.2A.

Section 33—Code Editor Directions to Arrange Chapter 163 Provisions into Parts-1 & 2

The Code editor is to arrange sections 163.1 through 163.2A into Part I, and sections 163.3 through section 163.5 into Part 2.

Division II: Part B—Veterinary Practice

Section 34--‘Certification’ Fees

Amends section 169.5, subsection 9, Code 2025, to insert the term ‘certification’ in front of the word fees in regard to payment to pay for veterinary certification process costs. This section also delete out-of-date verbiage that has passed the timeframe specified in the language.

Section 35—Discipline of Licenses Options

Amends section 169.13, Code 2025, to give the Board of Veterinary Medicine the ability to assess up to a \$10,000 administrative penalty for violation of veterinary license provisions and rules and to revoke or suspend a license to practice veterinary medicine . Proceeds of fines shall be deposited into the general fund. This section also makes several grammar changes to existing Code text.

Division II: Part C--Court Ordered Care of Livestock in Need of Substance

Section 36—Livestock Indemnity Recoupment of Expenses

Amends section 717.4A, Code 2025, to include new provisions that explicitly allows the Livestock Remediation fund to recoup incurred care and feeding expenses from sale proceeds that were paid for from the Livestock Remediation fund.

Section 37—Court Ordered Disposition of Livestock Considered Receive Appointment

Creates new Code Section 717.5, subsection 1, **paragraph d** that that if a court orders the disposition of livestock that involves the sale or transfer, that order shall be deemed as occurring by a receiver appointment to section 680.4.

Section 38—Disposition Revenues Exceeding Local Cost of Care of Livestock to be Distributed per Receivership Law

Creates new Code Section 717.5, subsection 3, **paragraph d** that specifies that if any money remains after satisfying local authority and IDALS cost of care of livestock in need of sustenance those proceeds shall be distributed per Code chapter 680 that deals with receiverships.

Division III: Agricultural Processing

Section 39-Objectives of Agricultural Processing Chapter

Creates new Code Section 189A.1A that specifies the intent of this chapter to impose and enforce requirements in respect to interstate operation and commerce that are equivalent to the federal meat inspection act or the federal poultry product inspection act. The Iowa Secretary of Agriculture and IDALS are tasks to accomplish this objective.

Section 40—New Definition for Chapter 189A—‘Department’ and ‘Secretary’

Amends section 189A.2 Code 2025 to add a definition of ‘Department’ which is IDALS, and ‘Secretary’ that is the Iowa Secretary of Agriculture.

Section 41—Biennial Licenses for State Meat & Poultry Processing Facilities

Amends 189A.3, Code 2025, to include new verbiage that provides for biennial licenses for meat and poultry sites inspected by IDALS with the fee amount changed to reflect biennial basis and clarifies that home establishments

licensed under 137F do no need to be license by IDALS. It also strike existing verbiage in regard to the objective of this chapter that was reposition into 189A.1a by section 39 of this bill.

Section 42—Grammar Correction—‘Objectives’ to ‘Objective’

Amends 189A.4, subsection 1, unnumbered paragraph 1, Code 2025, to make a grammar change that strikes the word ‘objectives’ and replaces it with ‘objective’.

Section 43—Grammar and Code Section Correction

Amends section 189A.5, subsection 2, unnumbered paragraph 1, Code 2025, to make a grammar change that strikes the word ‘~~objectives~~’ and replaces it with ‘objective’ and corrects the pertinent Code reference to the objective of the Code chapter by striking ‘~~189A.3~~’ and replaces it with ‘189A.1A’.

Section 44—Pertinent Code Section Correction

Amends section 189A.7, unnumbered paragraph 1, Code 2025, that corrects the pertinent Code reference to the objective of the Code chapter by striking ‘~~189A.3~~’ and replaces it with ‘189A.1A’.

Amendment Analysis

H 1289 to HF 998, by Rep. Mommsen is a conforming amendment to correct the one-word difference between HF 998 and Senate File 632 which strikes the word ‘~~or~~’ and replaces it with ‘and’.