

## Iowa State Laws Affected by H.R. 4879

- I. Food
  - a. Food Safety
    - i. Date Packaged, Produced, or Harvested
      - 1. These laws require manufacturers to indicate on items the date on which they were harvested, produced, or otherwise packaged and processed. They are intended to inform consumers as to freshness and quality.
      - 2. Iowa Admin. Code r. 21-36.8(196)
    - b. Milk
      - i. Grade “A” Milk
        - 1. The Pasteurized Milk Ordinance, or “PMO,” is a basic standard used for the processing and packaging of Grade “A” milk. Some states adopt this model standard and others set their own standards that are at least as stringent as the PMO. These state standards apply both to milk processed within the state and milk sold in the state from across lines.
        - 2. Iowa Admin. Code 21-68.12(192)
    - c. Eggs
      - i. Date Labels
        - 1. These laws require egg containers to be marked with a "sell-by" label to indicate the date by which the product should be sold to consumers
        - 2. Iowa Admin. Code r. 21-36.8(196)
- II. Alcohol
  - a. None
- III. Drugs
  - a. Recreational
    - i. Salvia
      - 1. Salvia divinorum or “Salvia” is a species of plant whose leaves have psychoactive properties when consumed or inhaled. Some laws criminalize the sale or possession of salvia, while others impose age restrictions for purchase.
      - 2. IA ST § 124.204
  - b. Tobacco
    - i. Fire Safety Standards
      - 1. These state laws require that any cigarettes offered for sale or sold in the state be tested in accordance with specific test methods and meet certain flammability standards. They are intended to reduce the risk of unintended fires caused by discarded cigarettes.
      - 2. Iowa Code Ann. § 101B.4
      - 3. Iowa Code Ann. § 101B.5

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4. Iowa Code Ann. § 101B.6
  5. Iowa Code Ann. § 101B.7
- IV. Fishing
    - a. None
  - V. Wood and Lumber
    - a. None
  - VI. Home Goods and Products
    - a. None
  - VII. Live Animal Imports
    - a. Aquaculture
      - i. Viral Hemorrhagic Septicemia
        1. These laws impose import requirements or other restrictions on certain species of fish in order to prevent the spread of viral hemorrhagic septicemia, a disease that causes internal bleeding and death among infected animals. Previously, the federal government regulated this disease; however, on April 14, 2014 federal restrictions were removed with the thought that existing state-level regulation was effective and sufficient to limit spread of the disease.
        2. Iowa Adm. Code 571 - 89.2 (481A)
        3. I.C.A. § 481A.143
      - ii. Diseased Fish
        1. These regulations prohibit the importation of certain varieties of diseased or potentially diseased fish.
        2. Iowa Admin. Code 571-89.3(481A)
      - iii. Invasive Aquatic Fish
        1. These laws regulate the importation of invasive aquatic fish into the state. They are intended to protect native populations and prevent damage to the ecosystem.
        2. Iowa Admin. Code 571-90.2(456A)
    - b. Birds
      - i. Avian Influenza and Newcastle Disease
        1. Highly Pathogenic Avian Influenza is a contagious virus most often spread by contact between infected and healthy birds (including wild birds). Humans also can contract this disease. The 2014-15 avian influenza outbreak required the destruction of 50 million birds costing the industry \$3.3 billion in losses. Similarly, Newcastle disease is a contagious viral bird disease affecting the poultry industry and wild avians that is transmissible to humans. States have imposed laws requiring testing, reporting, and regulating imports of poultry to control these diseases, that work in conjunction with federal restrictions.
        2. Iowa Admin. Code 21-65.11(163).
        3. Iowa Admin. Code 21-64.185(163)

4. Iowa Admin. Code 21-65.1(163)
  5. Iowa Admin. Code 21-65.3(163)
- c. Cattle and Bison
- i. Anthrax
    1. Anthrax is an infectious bacterial disease often found in cattle and sheep that causes sudden death and is transmissible to humans. Most often, it is spread through exposure to the spores formed during the decay of deceased animals. Federal regulation prohibits the interstate movement of animals affected by anthrax. However, states impose further restrictions on the importation of animals that have been or may have been exposed to the disease.
    2. Iowa Admin. Code 21-65.3(163)
    3. Iowa Admin. Code 21-64.1(163)
  - ii. Brucellosis
    1. Brucellosis is a contagious and costly disease typically affecting cattle, bison, cervids (elk and deer), and swine that also affects humans. It is a bacterial infection that spreads from animals to people most often through ingestion of unpasteurized milk, cheese, and other dairy products. All 50 states participate in a voluntary program with the federal government to control brucellosis in cattle, and many states impose additional regulations requiring testing, reporting, and regulating of imports.
    2. Iowa Admin. Code 21-64.49(163)
    3. Iowa Admin. Code 21-64.51(163)
    4. Iowa Admin. Code 21-64.52(163)
  - iii. Bovine Tuberculosis
    1. In the early 19th century, bovine tuberculosis caused more deaths of cattle than all other diseases combined. It is a chronic bacterial disease of cows that can spread to humans, typically by the inhalation of aerosols or the ingestion of unpasteurized milk. All 50 states participate in a voluntary program administered in conjunction with the federal government requiring testing, quarantine, and destruction of diseased animals. In addition many states have enacted special legislation addressing the importation of cattle into the state.
    2. Iowa Code Ann. § 165.36
    3. Iowa Admin. Code 21-65.4(163)
    4. Iowa Admin. Code 21-64.73(163) et seq
  - iv. Rabies
    1. Rabies can occur in all warm-blooded animals and is always fatal if not treated promptly after exposure. All forms of livestock and companion animals are at risk for contracting the disease. Transmission often occurs through a bite from a rabid animal and as such the disease can travel between wild and domestic species.

These laws prohibit the importation of animals exposed to rabies or impose additional restrictions to prevent the spread of this disease.

2. Iowa Admin. Code 21-65.3(163)
3. Iowa Admin. Code 21-64.1(163)

d. Cervids

i. Chronic Wasting Disease (“CWD”): Restrictions

1. These laws impose import restrictions and other requirements to ensure that cervids entering the state are not carriers of chronic wasting disease. Some regulations require that only cervids that have been enrolled in a voluntary CWD Herd Certification Program and have undergone testing for the disease may enter the state. These laws are intended to protect local deer producers and wild deer populations.
2. 571-104.20(481A)

e. Bees

i. Import Requirements and Health Certifications

1. These laws impose certification, permitting, or registration requirements prior to the movement of bees into the state. They are intended to ensure the health of bee colonies prior to import in order to protect the health of local bee populations and prevent the spread of disease.
2. Iowa Admin. Code r. 21-22.11(160)

ii. Embargoes on the Import of Bees

1. These laws place a full prohibition on bees originating from certain states. They are intended to protect local populations from disease and pests originating in other states.
2. Iowa Admin. Code 21-22.10(160)

iii. Acceptable Levels of Mites

1. These regulations impose maximum allowable levels of mites for bees coming into the state. They limit the amount of undesirable pests that can be traveling in hives in order to restrict their spread.
2. Iowa Admin. Code 21-22.3(160)
3. Iowa Admin. Code 21-22.4(160)

iv. Prohibition on Africanized Bees

1. These regulations prohibit the introduction of Africanized bees into the state. Some impose certification requirements to confirm that only European honeybees are allowed into the state for transport or sale and to protect the public from more aggressive Africanized bees.
2. Iowa Admin. Code 21-22.9(160)
3. Iowa Admin. Code 21-22.8(160)

v. Destruction or Treatment of Colonies with American Foulbrood

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1. These regulations work to limit the spread of American Foulbrood, a hive-destroying mite that can spread between colonies. Some require the immediate destruction of entering hives found to contain American Foulbrood. Others require hives to be sprayed or treated for Foulbrood prior to import into the state.
2. Iowa Admin. Code 21-22.11(160)
- vi. Disease Free Certification for Sale
  1. These laws require certification that bees or bee equipment be free of disease, or confirmation that each has been sterilized prior to being offered for sale within the state. They are intended to protect local consumers and bee populations.
  2. Iowa Admin. Code 21-22.11(160)
- f. Horses
  - i. Equine Infectious Anemia
    1. Equine Infectious Anemia (“EIA” or “Swamp Fever”) is a viral disease that is extremely contagious, spread through fly bites, and leads to severe, chronic disease or death. Federal regulations restrict the interstate movement of horses once they test positive for EIA but impose no testing requirement. States regulate the importation of horses, often requiring a negative EIA test prior to import.
    2. Iowa Admin. Code 21-65.8(163)
- g. Sheep and Goats
  - i. Scrapie
    1. Scrapie is a fatal, degenerative disease that affects the nervous systems of infected sheep and goats. It is one of several transmissible spongiform encephalopathies (“TSEs”)—which are related to bovine spongiform encephalopathy (“BSE” or “mad cow disease”) and chronic wasting disease in deer. Some states participate in the voluntary National Scrapie Eradication Program to test and destroy animals that test positive for scrapie. In addition, many states require negative testing or certification prior to importation.
    2. Iowa Admin. Code 21-65.6(163)
    3. Iowa Admin. Code 21-65.7(163)(sheep)
- h. Swine
  - i. Pseudorabies
    1. Pseudorabies is an infectious, herpes-virus disease of the central nervous system that causes convulsions, intense itching, and is generally fatal. Some states participate in the voluntary Pseudorabies Eradication State-Federal-Industry Program which includes surveillance, herd certification, and herd cleanup once an

animal tests positive. Additionally, many states require testing or certification prior to import.

2. Iowa Admin. Code 21-65.5(163,166D)

ii. Swine Vesicular Disease

1. Swine vesicular disease causes lesions on the feet, snout, and mouth of swine, and is economically costly because it must be distinguished from foot-and-mouth disease. These laws restrict the importation of pigs to prevent the spread of swine vesicular disease.

2. Iowa Admin. Code 21-65.3(163)

3. Iowa Admin. Code 21-64.1(163)

VIII. Companion Animals

a. Dogs and Cats

i. Veterinary Inspection Requirements

1. These laws impose veterinary health screening or permit requirements prior to selling dogs, cats, and other companion animals, or importing them into the state. They are intended to reduce the spread of communicable disease from one state to another.

2. Iowa Admin. Code 21-65.10(163)

IX. Products for Animals

a. Pet Food

i. Ingredients

1. These laws impose content requirements for pet food. Often they regulate the maximum or minimum amounts of crude protein, fat, fiber, and moisture that may go into a product. Others limit the types of ingredients that may be used, such as those regulations prohibiting the use of meat products that do not come from licensed processing plants subject to inspection.

2. Iowa Admin. Code 21-42.2(198)

ii. Nutritional Labeling

1. These laws impose nutritional standards for pet food marketed as “complete” or “balanced.” They are intended to ensure accuracy and prevent false claims.

2. Iowa Admin. Code 21-42.2(198)

iii. Nutritional Claims

1. These laws regulate the use of the word “proven” in promotional marketing and labeling of pet food products. They are intended to prevent the misuse of the word to avoid promoting claims not supported by science.

2. Iowa Admin. Code 21-42.2(198)

iv. Flavor Labeling

1. These regulations govern flavor designation and labeling on pet food packaging.

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2. Iowa Admin. Code r. 21-42.3(198)
- v. Requirements of Manufacturers
  1. These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.
  2. Iowa Code Ann. § 198.4
  3. Iowa Code Ann. § 198.9
- X. Dead Animals and Animal Parts
  - a. None
- XI. Invasive Pests, Plants, and Disease
  - a. Ash Trees
    - i. Emerald Ash Borer
      1. The emerald ash borer is a green jewel beetle from Asia that causes nearly 100% mortality of ash trees in an infected area within 10 years. These laws supplement federal regulation and establish additional quarantines, prohibit the importation of regulated articles, or impose other conditions or inspection systems affecting regulated articles prior to import.
      2. Iowa Admin.Code 21-46.15 (177A)
    - b. Oak, Aspen, and Other Species of Trees
      - i. Gypsy Moth
        1. These regulations declare gypsy moths to be a pest. They are intended to supplement federal standards and provide for additional quarantines on plant imports or further prohibit the importation of regulated articles in order to contain the moths' spread. Gypsy moths affect hundreds of different plant species and cause the defoliation of millions of acres annually. These regulations seek to protect local plant populations.
        2. Iowa Admin. Code 21-46.15(177A)
    - c. Walnut Trees
      - i. Thousand Cankers Disease
        1. These laws impose a quarantine or other restrictions on the importation of products that may be carrying thousand cankers disease. They are intended to contain the spread of the disease and protect local trees.
        2. Iowa Admin. Code 21-46.15(177A)
    - d. Trees Generally
      - i. Asian Longhorned Beetle
        1. Asian longhorned beetle larvae consume vast quantities of wood in the trunks of trees and the adults eat the leaf buds, leading to a death rate among infected trees of roughly 30 percent. These laws supplement federal laws and establish additional quarantines, prohibit the importation of regulated articles, or otherwise regulate articles that may be carrying the pest.
        2. Iowa Admin. Code 21-46.15(177A)

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- e. Soybeans, Rice, and Grains
  - i. Khapra Beetle
    - 1. These laws restrict the importation of products that may be carrying the khapra beetle, a destructive insect that destroys grains and other foods. They are intended to limit the spread of the invasive beetle and protect local crops from damage.
    - 2. Iowa Admin. Code 21-46.15(177A)
- XII. Procurement
  - a. Agricultural Goods
    - i. These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.
    - ii. I.C.A., § 8A.311
    - iii. I.C.A., § 73.1
- XIII. General Prohibitions
  - a. Toxins in Packaging
    - i. Materials Used to Package Agricultural Products
      - 1. Some states have made it illegal to sell products in packaging that contains certain heavy metals, regardless of whether the product was manufactured or packaged within the state. This is because packaging with heavy metals can contaminate a state's landfills and expose citizens of the state to health hazards. These laws prohibit the sale of products or packaging materials containing dangerous toxins.
      - 2. I.C.A. § 455D.19
- XIV. Miscellaneous
  - a. Poisons of Agricultural Origin
    - i. Bitter Almonds
      - 1. Unlike sweet almonds, bitter almonds are toxic to humans. Though they are similar in appearance to sweet almonds, bitter almonds contain exponentially higher amounts of cyanide-compounds. Once heat-treated, bitter almonds can be used to make almond extract; however, in their raw form, the nuts can be lethal to humans even in small doses of only ten or more nuts if consumed by a child. Several states regulate labeling of bitter almonds or otherwise prohibit their sale as a poison.
      - 2. I.C.A. § 205.5



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