

Reported Recommending
Ind. Postponed
Passed Senate
Failed to Pass Senate
Passed House
Failed to Pass House

Senate File 243

February 11, 1947.
Passed on File.

By LYNES, KEIR, COLBURN,
KNUDSON, ELTHON.

A BILL FOR

An Act creating a marketing bureau in the department of agriculture, providing for the appointment of a director, defining his powers and duties, providing for an annual report and providing a penalty for violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Creation: Purpose. For the purpose of
2 promoting and developing, for the public welfare, improved
3 marketing methods and procedures including the proper harvesting,
4 efficient and economical handling, grading, processing, packing,
5 transporting, storage, distribution, inspection, and sale of
6 farm and food products within the State, there is hereby created
7 within the Department of Agriculture a Marketing Bureau
8 (hereinafter referred to as the "Bureau") under the direction
9 and supervision of a Director (hereinafter referred to as the
10 "Director") appointed by the Secretary of Agriculture, in
11 conformity with the State laws governing such appointments.

1 Sec. 2. Definitions.

2 (a) The term "farm products" shall include all agri-
3 cultural, floricultural, vegetable, and fruit products of
4 the soil, livestock and meats, poultry, eggs, dairy products,

5 and any and all products which have their situs of production
6 on the farm.

7 (b) The term "food products" shall include any and
8 all products either in a natural or processed state used by
9 man or animal as food.

10 (c) The term "farmer" shall mean any natural person
11 or other legal entity comprised of natural persons actually
12 engaged in farming.

1 Sec. 3. Powers and duties of Director. The Director,
2 under general supervision and direction of the Secretary of
3 Agriculture is empowered and directed:

4 (a) To appoint such competent and experienced
5 persons to assist him in the performance of his powers and
6 duties as may be necessary to effectuate the purpose of this
7 act.

8 (b) To delegate to any officer or employee of the
9 Bureau any of the powers and duties conferred upon him pursuant
10 to this Act.

11 (c) To investigate methods and practices in
12 connection with the processing, handling, standardizing, grading,
13 classifying, sorting, weighing, packing, transportation, storage,
14 inspection, and sale of farm and food products within this
15 State and all matters relevant thereto; and to acquire and
16 disseminate information relative to such matters in such form
17 and at such time as he may deem advisable.

18 (d) To acquire and disseminate information as to

19 market prices of farm and food products and market conditions,
20 in the markets of the State and any other markets, through use
21 of Bureau market reporters, agreements with organized groups
22 of producers, shippers or dealers in farm produce for the joint
23 employment of market reporters, or special arrangements
24 with existing market reporting agencies, when in his judgment
25 such information will be valuable to the producers or consumers
26 of the State.

27 (e) To ascertain sources of supply of farm and food
28 products, wherever produced, and prepare and publish from time
29 to time lists of the names and addresses of producers and
30 consignors thereof and furnish the same to persons applying
31 therefor.

32 (f) To cooperate with and aid farmers and other
33 producers of farm and food products and distributors and consumers
34 thereof in improving and maintaining economic and efficient
35 systems of harvesting, processing, storage, distribution, and
36 marketing, and in reaching advantageous markets.

37 (g) To assist and advise in the organization and
38 conduct of cooperative and other associations for improving
39 relations and services among producers, distributors, and con-
40 sumers and for improving methods and practices, and all matters
41 relevant thereto.

42 (h) To investigate delays, embargoes, conditions
43 and practices, charges, and rates in the marketing, transportation,
44 and handling of farm and food products, and when such investigation

45 discloses a probably violation of State or Federal Law, to make
46 recommendations to the proper State or Federal authorities for
47 appropriate action thereon.

48 (i) To take such action as he shall deem advisable
49 in the public interest and without profit, to facilitate the sale
50 of any farm or food products likely to spoil, waste or depreciate
51 in value for lack of ready market.

52 (j) To formulate, promulgate and announce proper
53 and fair standards, grades, and classes, for and among farm food
54 products, which shall not be lower in their requirements than
55 the minimum requirements of the official standards for corresponding
56 grades or classifications, commonly known as U. S. grades,
57 promulgated from time to time, and to recommend the same for
58 voluntary use by cooperative and other like associations of
59 producers, distributors, and vendors as the standards, grades
60 or classes to be adopted for marketing the same.

61 (k) To provide independently or in cooperation with
62 and Federal or State authority or agency or any organization
63 or individual for inspection and determination of the class,
64 quality, or condition of farm and food products and issuance
65 of certificates of such inspections. The Director shall provide
66 for the payment of fees for such inspection services, which
67 fees shall cover the estimated cost of the inspections and
68 certificates. The fees collected for such inspection services
69 shall be deposited into a special fund and shall be disbursed
70 in accordance with the terms of any cooperative agreement for

71 the conduct of the work.

72 (l) To investigate as to the needs of terminal,
73 regional, assembly, dock, and other distributing facilities for
74 the delivery, sale, and distribution of foods at the centers of
75 population; to advise and cooperate with public and private
76 agencies or organizations to promote the establishment, construction,
77 or acquisition of such facilities for public use and make
78 recommendations as to the conduct thereof; and to advise and
79 cooperate in establishing local markets, and warehouses for
80 assembling, grading, packing and storing food or farm products,
81 whenever in the judgment of the Director the public interest
82 requires such establishment.

83 (m) To administer such regulatory laws governing
84 the marketing and sale of farm products within the State, and
85 to exercise such other powers and perform such other functions,
86 authorized by law, as may be delegated or assigned to him by
87 said Secretary of Agriculture.

88 (n) In general, to such extent as the Director
89 shall deem necessary in connection with the powers and duties
90 conferred herein in order to effectuate the purposes of this Act,
91 to conduct investigations, hold hearings, develop plans, engage
92 in promotional activities, and cooperate, through cooperative
93 agreements or otherwise, with Federal or State officials,
94 governmental or non-governmental organizations, and other persons,
95 including the furnishing of such data or information as are not
96 otherwise prohibited herein.

1 Sec. 4. Annual reports. The Director shall make an
2 annual report to the Secretary of Agriculture on or before the
3 first day of each year, in which shall be set forth in
4 detail the work performed by the Bureau during the preceding
5 calendar year; a statement of the plans made for the development
6 of the work; a detailed statement of receipts and expenditures
7 and of estimated financial requirements of the Bureau for the
8 next fiscal year, and such other matters as the Secretary may
9 require.

1 Sec. 5. Business of buying and selling prohibited. The
2 Director and employees of the Bureau are prohibited, during their
3 respective terms of office or employment, except for the purposes
4 of the Bureau in the public interest and without profit, from
5 engaging in this State or elsewhere in the business of buying,
6 selling, or dealing on a commission basis in farm or food
7 products; provided, however, that the Director or any employee
8 of the Bureau shall be permitted to sell farm or food products
9 grown or produced by him or them.

1 Sec. 6. Confidential Information. All information
2 furnished to or acquired by the Director pursuant to this Act
3 with reference to which a request for confidential treatment was
4 made by the person furnishing it at the time such information was
5 furnished shall be deemed confidential, and no officer or
6 employee of this State or person acting in behalf of this State
7 under or by any authority of this State shall disclose such
8 information in his official capacity. Nothing in this section

9 shall be deemed to prohibit the issuance of general statements,
10 statistical studies, or similar reports or publications which
11 are based upon information furnished by a number of persons
12 and which do not reveal the methods, practices, rates, prices
13 or charges of particular persons.

1 Sec. 7. Discrimination forbidden. In the performance of
2 his duty under this Act the Director shall not discriminate
3 against any farm or food products, or against any producer or
4 processor of any such products, on account of the country, State,
5 or political subdivision in which any such products are produced
6 or processed, or on account of the legal nature of the producer,
7 processor, or other persons engaged in the marketing of any such
8 products, or on account of the conditions of employment of the
9 nature of the labor employed in the production, processing, or
10 marketing of such products; or on account of the method of
11 transportation but the Director shall take every reasonable
12 precaution to prevent any such discrimination.

1 Sec. 8. Violation and Penalties. The violation of any
2 of the prohibitions contained in this act by any officer or
3 employee of this State or a person acting in behalf of this
4 State under or by authority of this State pursuant to this Act,
5 shall constitute grounds for the dismissal of such person and
6 shall constitute a misdemeanor.