

Substituted for by HF 597

3-27-01  
(p. 842)

FILED MAR 19

SENATE FILE 493  
BY COMMITTEE ON AGRICULTURE

**WITHDRAWN**  
3-27-01

(SUCCESSOR TO SF 292)

(COMPANION TO HF 597 BY  
COMMITTEE ON NATURAL RESOURCES)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the disposition of unclaimed deer venison  
2 processed by a meat and poultry processing establishment.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 493

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1 Section 1. NEW SECTION. 556H.1 UNCLAIMED DEER VENISON  
2 HELD BY A MEAT AND POULTRY PROCESSING ESTABLISHMENT.

3 All deer venison deposited with an establishment licensed  
4 pursuant to chapter 189A, which remains unclaimed for a period  
5 of two months after the establishment has attempted to contact  
6 the deer venison owner at least once by ordinary mail at the  
7 owner's last known mailing address, shall be presumed to be  
8 abandoned. The establishment may dispose of the abandoned  
9 deer venison by donating the deer venison to a local  
10 nonprofit, charitable organization. For purposes of this  
11 section, the term "deer" means the Cervidae or game deer  
12 excluding any farm deer as defined in section 481A.1,  
13 subsection 20, paragraph "h", and all donated deer venison  
14 shall include game deer venison only and shall not be  
15 processed as a multispecies meat food product pursuant to  
16 chapter 189A.

17 Sec. 2. Section 672.1, subsection 2, Code 2001, is amended  
18 to read as follows:

19 2. A gleaner, or a restaurant, food establishment, food  
20 service establishment, school, manufacturer of foodstuffs,  
21 meat and poultry establishment licensed pursuant to chapter  
22 189A, or other person who, in good faith, donates food to a  
23 charitable or nonprofit organization for ultimate free  
24 distribution to needy individuals is not subject to criminal  
25 or civil liability arising from the condition of the food if  
26 the donor reasonably inspects the food at the time of the  
27 donation and finds the food fit for human consumption. The  
28 immunity provided by this subsection does not extend to a  
29 donor or gleaner if damages result from the negligence,  
30 recklessness, or intentional misconduct of the donor, or if  
31 the donor or gleaner has, or should have had, actual or  
32 constructive knowledge that the food is tainted, contaminated,  
33 or harmful to the health or well-being of the ultimate  
34 recipient.

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EXPLANATION

1 This bill provides for the disposal of deer venison by a  
2 licensed processing establishment if the owner does not claim  
3 the deer venison after a period of two months from the date  
4 the establishment attempted to contact the owner by mail at  
5 the owner's last known address. If the deer venison is not  
6 claimed after the two-month period, the deer venison shall be  
7 presumed to be abandoned and the establishment may donate the  
8 deer venison to a local nonprofit, charitable organization.

9 The bill defines deer venison which can be donated to  
10 exclude farm deer and to provide that the deer venison shall  
11 not be processed as a multispecie meat food product.

12 The bill also provides limited immunity from civil and  
13 criminal liability to meat and poultry establishments which  
14 donate food to charitable or nonprofit organizations for free  
15 distribution.

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