

FEB 16 2005
Agriculture

HOUSE FILE 328
BY GREINER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the regulation of livestock moved into this
2 state, by requiring a certificate treatment, and making
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 328

1 Section 1. NEW SECTION. 163.14A CERTIFICATE OF DRUG
2 TREATMENT.

3 A person shall not move livestock into this state from a
4 foreign country if the livestock has been treated with any
5 drug required to be approved by the United States food and
6 drug administration for treating livestock in this country,
7 and the United States food and drug administration has not
8 approved that drug. The person moving livestock into this
9 state from a foreign country shall keep a certificate of
10 treatment stating that the livestock has not been treated with
11 the drug. The certificate shall be signed by the livestock's
12 owner or agent, which may be a veterinarian responsible for
13 the health of the livestock. A copy of the certificate shall
14 be attached to the waybill accompanying a shipment or as part
15 of the standard form of a transportation certificate or
16 another shipping document as provided in section 172B.3.

17 EXPLANATION

18 The United States food and drug administration requires
19 that animal drug manufacturers show that each new animal drug
20 (e.g., a therapeutic, prophylactic, or growth promoter) is
21 safe and effective before it is approved for marketing in the
22 country (see 21 U.S.C. ch. 9). This bill amends Code chapter
23 163 which, in part, provides for the inspection of livestock
24 including imported livestock, and requires that shipments of
25 livestock be accompanied by a certificate of inspection. The
26 bill is modeled on those provisions.

27 The bill provides that a person cannot move livestock into
28 this state from a foreign country if the livestock has been
29 treated with any drug required to be approved by the United
30 States food and drug administration for treating livestock in
31 this country, and the United States food and drug
32 administration has not approved that drug. The bill requires
33 that a person moving the livestock keep a certificate of
34 treatment stating that the livestock has not been treated with
35 the drug. The certificate must be signed by the livestock's

1 owner or agent. In addition, a copy of the certificate must
2 be attached to the waybill accompanying the shipment or as
3 part of the standard form of a transportation certificate or
4 another shipping document as approved by the department of
5 agriculture and land stewardship. A copy of the certificate
6 must also be delivered to the department.

7 Code section 163.61 provides that the department must
8 establish civil penalties for violations of the Code chapter's
9 provisions. In general, a person violating a provision of the
10 chapter is subject to a civil penalty of at least \$100 but not
11 more than \$1,000. In the case of a continuing violation, each
12 day of the continuing violation is a separate violation.
13 However, a person cannot be subject to a civil penalty
14 totaling more than \$25,000.

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