

House Research Act Summary

CHAPTER: 107

SESSION: 2003 Regular Session

TOPIC: Omnibus Ag Policy Bill

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Analyst: Sam Rankin, 651-296-5047

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Overview

Minnesota Laws 2003, Chapter 107, is the omnibus agriculture policy bill. It brings Minnesota rules concerning foods and packaging, including organic foods and milk, into conformity with new federal regulations. Passage of federal organic food laws has made it possible for all states to adopt a single, uniform, national organic food law and the regulations developed under that law. Chapter 107 brings Minnesota rules into compliance with federal law and repeals Minnesota's conflicting laws.

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- 1 **Packaged blended rice.** Existing law that exempts some blends containing wild rice from labeling requirements are modified to restrict the exemption.
- 2 **Emergency response.** If the governor declares by proclamation that a national security emergency exists in all or part of the state, or if the governor declares a peacetime emergency, and if the commissioner of agriculture has probable cause to believe that a food or consumer commodity is likely to be adulterated, the commissioner may embargo a geographic area of the state that is included in the declared emergency. The commissioner must provide notice to the public and those with custody of the food or consumer commodity.
- 3 **Pesticide chemical rules; conformity with federal regulation.** Updates Minnesota Rules on pesticide chemicals to conform with federal regulations.
- 4 **Food additive rules; conformity with federal regulation.** Updates Minnesota food additive rules to conform with federal regulations.
- 5 **Color additive rules; conformity with federal regulation.** Updates Minnesota color additive rules to conform with federal regulations.

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- 6 Special dietary use rules; conformity with federal regulation.** Updates Minnesota special dietary use rules to conform with federal regulations.
- 7 Fair packaging and labeling rules; conformity with federal regulation.** Updates Minnesota Rules on fair packaging and labeling to conform with federal regulations.
- 8 Food and drug rules; conformity with federal regulation.** Provides that applicable federal regulations on food and drug are adopted as Minnesota Rules.
- 9 Fishery products rules; conformity with federal regulation.** Updates Minnesota Rules on fishery products to conform with federal regulations.
- 10 Meat and poultry rules; conformity with federal regulation.** Updates Minnesota meat and poultry rules to conform with federal meat and poultry regulations.
- 11 Standards for fresh fruits, vegetables, and other products; conformity with federal regulation.** Incorporates federal regulations on standards for fresh fruits, vegetables, and other products as Minnesota Rule.
- 12 Dairy grade rules; manufacturing plant standards; conformity with federal regulation.** Adopts as Minnesota Rule the federal regulations on grading and inspection standards for manufacturing dairy plants and products.
- 13 Identity, quantity, and fill of container rules; conformity with federal definitions and standards.** Adopts as Minnesota definitions and standards the federal definitions and standards for identity, quality, and fill of container.
- 14 Consumer commodities labeling rules; conformity with federal regulation.** Requires that all labels of consumer commodities must conform with federal regulations adopted under the Fair Packaging and Labeling Act.
- 15 Definition; federal law.** Defines federal law as the U. S. Organic Foods Production Act and U.S. code regulations.
- 16 Definition; organic.** Amends the definition of organic to comply with federal law.
- 17 Definition; organic production.** Creates a new definition for “organic production.”
- 18 Uniformity with federal law.** Adopts federal law and regulation as Minnesota’s organic food production law and rule.
- 19 Commissioner duties.** Removes certain of the commissioner’s obligations prescribed in current law and adds an emphasis on the marketing of the products of organic agriculture.
- Expands the content of a biennial report to the legislature on organic agriculture.
- Establishes a 14-member “organic advisory task force” to advise the commissioner on ways to improve organic agriculture in the state. The task force expires June 30, 2005.
- Allows the commissioner to receive and spend funds to assist the industry.
- Gives the commissioner the option of requiring registration of organic producers and handlers in the state, including those who would be exempted under federal law.
- 20 Definition; Dairy Product; conformity with federal regulation.** Adopts as the Minnesota definition the federal definition for dairy products.
- 21 Milk quality standards; penalties.** For purposes of enforcement of milk quality standards, changes the term “dairy plant field service representative” to “qualified dairy sanitarian.”
- 22 Rules; Grade A milk.** Updates a reference to U.S. Department of Health ordinances that set standards and requirements for Grade A milk, milk products, and goat milk.
- 23 Raw milk storage.** Reduces from 76 hours to 72 hours the maximum time milk can be held

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- on the farm before being picked up for processing.
- 24 Milk for manufacturing; quality standards.** Updates a reference to USDA requirements for manufacturing milk production and processing standards.
- 25 Extension of expiration date; emergency restrictions on the movement of people, livestock, machinery, and personal property.** Extends by two years (to July 31, 2005) the expiration of emergency powers to respond to disastrous animal disease outbreaks.
- 26 Ethanol production goal.** Extends and increases an existing statutory statement of ethanol production in the state. In 2008 and thereafter the goal is 480,000,000 gallons of ethanol.
- 27 Minnesota agriculture education leadership council; expiration date.** Extends the expiration date of MAELC to June 30, 2008.
- 28 Turtle racers; license exemptions.** Provides that a person who owns or rents up to 25 racing turtles is not required to obtain a turtle seller's license or an angling license. The person is responsible for the wellbeing of the turtles.
- 29 Counties; processing applications for animal feedlots.** Exempts pastures from Pollution Control Agency 7020 feedlot rules. Also exempts a "concentrated animal feeding operation" (CAFO) feedlot from limits on how large an investment can be required for pollution abatement upgrades. Also defines the term "pasture."
- 30 Minimum ethanol content required.** Amends a current requirement that most gasoline sold in Minnesota must contain 2.7 percent oxygen to requiring a minimum of 10.0 percent of denatured ethanol. Stipulates that the 10.0 percent mandate will be met if the actual ethanol content is between 9.2% and 10.0%.
- 31 Aliens and non-American corporations.** Allows certain aliens who entered the country on E-2 investment visas and purchased farm land in Minnesota to retain ownership of their land if they agree to become a permanent resident alien or a citizen within 5 years of the effective date of this section.
- 32 Repealer; anaplasmosis testing requirements.** The section of statute requiring that imported breeding cattle be accompanied by a recent test for anaplasmosis is repealed. Also, the rules adopted to enforce the requirement are repealed.
- 33 Repealer; Minnesota grown; organic certification; definition of milk.** Repeals sections of law that included definitions and requirements related to Minnesota Grown and organic food certification. Also repeals the obsolete Minnesota statutory definition for milk, skim milk, and lowfat milk (in all cases federal definitions are adopted).
- 34 Effective date.** Section 1 is effective August 1, 2004, and sections 25, 31, and 32 are effective the day following final enactment.