

HOUSE RESEARCH

Bill Summary

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Overview

This is Governor Dayton's "unsession" bill for the Minnesota Department of Agriculture (MDA). It includes two articles "Technical Changes" and "Warehouses." Article 2 would transfer warehouse law enforcement responsibility from MDA to the Department of Commerce effective July 1, 2015.

Section

Article 1: Agriculture; technical changes

- 1 Development of agricultural industries.** Modifies an outdated reference to the University of Minnesota.
- 2 Value-added agricultural produce processing and marketing grant program.** Eliminates language requiring MDA to administer a value-added agricultural product processing and marketing grant program. Eliminates program eligibility requirements.
- 3 Classification.** Eliminates nonresident frozen food manufacturers from the list of entities MDA must treat as wholesale food processors or manufacturers for food handler licensing purposes. The nonresident frozen food manufacturer license category is repealed at the end of this article.
- 4 Agreements to perform duties of the commissioner.** Eliminates references to potato grading statutes. The potato grading statutes are repealed at the end of this article.
- 5 Fees effective July 1, 2003.** Eliminates the fee schedule for nonresident frozen dairy

Section

manufacturers. This license category is repealed at the end of this article.

- 6** **Gross misdemeanor; license revocation.** Eliminates references to a statute that requires MDA to license nonresident frozen food manufacturers. That requirement is repealed at the end of this article.
- 7** **Violations of container label information laws; license revocation.** Eliminates a reference to the statute that requires MDA to license nonresident frozen food manufacturers. That requirement is repealed at the end of this article.
- 8** **Revisor's instruction.** Directs the Revisor of Statutes to correct cross-references to and move a law enforcement statute from chapter 17, "Department of Agriculture" to chapter 28A, "Licensing Food Handlers."
- 9** **Repealer.** Eliminates the following statutes:
- 17.03 and 17.038 – Authorizes MDA to collect, compile, and supply agricultural statistics. Establishes a Statistical Services Account in the Agricultural Fund.
 - 17.045 – Authorizes MDA to investigate food handling complaints.
 - 17.1161 – Requires the Minnesota Institute for Sustainable Agriculture at the University of Minnesota to establish a framework for participatory problem solving in rural communities. Requires long-term research and education on sustainable cropping and livestock systems, market development, and intergenerational transfer in agriculture.
 - 17.138 – Requires MDA to develop and maintain a list of manure management research and monitoring needs and priorities in consultation with named entities.
 - 17.14 to 17.19 – Prohibits price discrimination when purchasing farm products from different sellers. Requires MDA to investigate complaints. Provides penalties for violations.
 - 17.42 to 17.44 – Establishes a misdemeanor crime for (1) selling grain treated with toxic chemicals in an amount sufficient to harm people or animals, or (2) selling food that contains any amount of toxic chemical unless the seller discloses the fact in writing. Authorizes district courts to order seizure of unlawful grain upon a complaint by MDA. Authorizes courts to dispose of the seized grain for a purpose other than consumption by people or animals.
 - 17.452 – Requires MDA to promote the commercial production of farmed cervidae.
 - 18.011 to 18.71 – Codifies a multistate pest control compact.
 - 30.003 to 30.19 – Regulates the grading and artificial coloring of potatoes to improve potato quality.

Section

- 30.20 – Authorizes MDA to set inspection fees.
- 30.201 – Establishes a misdemeanor crime for violating any provision of chapter 30.
- 30.55 to 30.59 – Requires MDA to create and enforce standards and grades for apples. Requires all apples sold at retail to be marked with the appropriate label.
- 32.104 – Authorizes local units of government to inspect dairy products in their jurisdictions.
- 32.411 – Establishes milk, cream, and fluid milk product standards to promote uniform quality. Creates a misdemeanor crime for failure to comply with the section's requirements.
- 32.417 – Establishes a reimbursement program for qualifying investments by dairy operators who produce milk for sale in cans.
- 32.57 to 32.59 – Requires a person to obtain an MDA license if they sell frozen food, mix, ice cream mix, mix base, or ice cream mix base in Minnesota that was manufactured in another state.

Article 2: Warehouses

Transfers warehouse law enforcement responsibility from MDA to the Department of Commerce.

- 1 Commissioner.** Transfers responsibility for warehouse regulation from MDA to the Department of Commerce.
- 2 Department.** Transfers responsibility for warehouse regulation from MDA to the Department of Commerce.
- 3 Where to file.** Transfers the recipient of warehouse claims from MDA to the Department of Commerce.
- 4 Effective date.** Article 2 does not take effect until July 1, 2015.