

Chapter 38

2019 Regular Session

Subject Agriculture policy

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Overview

This is the 2019 omnibus agriculture policy act. Governor Tim Walz signed this act into law on May 17, 2019. All sections take effect August 1, 2019, unless otherwise specified.

Summary

Section	Description
1	<p>Aquaculture permits; rules.</p> <p>Requires the Minnesota Pollution Control Agency (MPCA) to classify saltwater aquatic farms and facilities that process saltwater aquatic life as agricultural operations for purposes of any construction, discharge, or other permit issued by the agency.</p>
2	<p>Saltwater aquaculture.</p> <p>Defines this term for purposes of the Department of Natural Resources (DNR) transportation and importation permit requirements established below.</p>
3	<p>Saltwater aquatic farm.</p> <p>Defines this term for purposes of the MPCA permit language above and the transportation and importation permit requirements established below.</p>
4	<p>Saltwater aquatic life.</p> <p>Defines this term for purposes of the MPCA permit language above and the transportation and importation requirements established below.</p>
5	<p>Transportation or importation of saltwater aquatic life; quarantine requirement.</p> <p>Subdivision 1. Purpose. Establishes a legislative finding that it is in the public interest to increase private saltwater aquaculture under the coordination of the Minnesota Department of Agriculture (MDA).</p> <p>Subd. 2. Transportation permit. Provides that mandatory transportation and importation permits for saltwater aquatic life are issued by the DNR and governed by this section. Establishes permit requirements.</p> <p>Subd. 3. Exemptions. Establishes exemptions for the permit requirements established above.</p>

Section	Description
6	<p>Fees.</p> <p>Lowers the noncommercial pesticide applicator license fee for a contractor who applies a restricted-use pesticide while performing rest area custodial services for the Minnesota Department of Transportation (MnDOT). According to MDA, a contractor providing rest area custodial services for MnDOT who applies only non-restricted-use pesticides will not require a state pesticide applicator license of any kind.</p>
7	<p>Storage of nursery stock.</p> <p>Authorizes MDA to approve alternative management practices that nurseries may use to maintain the viability of balled and burlapped stock.</p>
8	<p>Drug.</p> <p>Clarifies interpretation of the definition of “drug” for purposes of commercial feed law.</p>
9	<p>Application; date of issuance.</p> <p>Establishes the license period for a new food handler license category created in the next section. This new license will be available to businesses that conduct only custom-exempt meat and poultry processing or slaughter. Custom-exempt operations are those that slaughter and process animals (e.g. livestock, poultry, wild game) for consumption by the animal’s owner.</p>
10	<p>Classification.</p> <p>Creates the new custom-exempt license category. Businesses eligible for this new license category are those that mark all products as “Not For Sale” and do not conduct retail or wholesale sales in the same facility.</p>
11	<p>Delegation to local board of health.</p> <p>Expands MDA’s ability to delegate its statutory responsibility for retail food business licensing and inspections to local units of government. With this change, MDA’s delegation authority expands from only groceries and convenience stores to include other retail food handlers as well. However, MDA retains jurisdiction over meat and poultry processors and other businesses regulated under the state meat inspection program. Under prior law, MDA could delegate to local units of government only the agency’s authority to inspect grocery and convenience stores.</p>
12	<p>Agreements to perform duties of commissioner.</p> <p>Makes conforming changes to reflect MDA’s expanded food-handler delegation authority.</p>
13	<p>Approval of agreements.</p> <p>Makes conforming changes to reflect MDA’s expanded food-handler delegation authority.</p>

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14	<p>Fees effective July 1, 2003.</p> <p>Provides that those who apply for and receive the new custom-exempt food handler license will pay the same fee as those businesses that hold a retail food handler license.</p>
15	<p>Eggs in possession of retailer.</p> <p>Establishes separate shelf-life limits for Grade A and Grade AA eggs sold at retail, allowing Grade A eggs to stay on the shelf almost 50 percent longer than Grade AA eggs before they must be removed from sale.</p>
16	<p>Organic agriculture; commissioner duties.</p> <p>Extends the existing Organic Advisory Task Force by five years, to June 30, 2024.</p>
17	<p>Milk storage requirement.</p> <p>Prohibits haulers from picking up milk from a dairy farm unless the farm's bulk tank is in proper working order. Prohibits a hauler from picking up milk stored for more than 72 hours at a farm; authorizes MDA to waive this 72-hour limit in cases of hardship, emergency, or natural disaster.</p>
18	<p>Labels.</p> <p>Modifies required label information for milk and dairy products sold in Minnesota when these products were produced in another state where official milk plant numbers are not assigned.</p>
19	<p>Manufacture of cheese; requirements in process.</p> <p>Requires cheese produced from raw milk and subjected to an aging process for at least 60 days after manufacture at a temperature of 35 degrees or more to be labeled as aged for 60 days or more.</p>
20	<p>Emergency powers.</p> <p>Allows MDA to issue permits, in the event of a disaster or emergency, to move food if the applicant satisfies all disease and other control measures established by the agency.</p>
21	<p>Livestock expansion.</p> <p>Authorizes the Rural Finance Authority (RFA) to participate in Livestock Expansion loans that facilitate an eligible farmer's purchase of a livestock farm.</p>
22	<p>Eligibility for beginning farmer loans.</p> <p>Modifies RFA's authority to waive farm education requirements for Beginning Farmer Loan recipients.</p>

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23	<p>Definitions.</p> <p>Modifies eligibility for the Beginning Farmer Tax Credit Programs originally enacted in 2017. Modifies farm education requirements for participating beginning farmers. Authorizes MDA to waive the requirement if the farmer has a four-year degree in an agricultural program or related field, reasonable agricultural job-related experience, or certification as an adult farm management instructor.</p> <p>Effective date: This section is effective for tax years beginning after December 31, 2018.</p>
24	<p>Establishment.</p> <p>Authorizes RFA Methane Digester loans to eligible farmers for the improvement of existing digesters.</p>
25	<p>Loan criteria.</p> <p>Eliminates language preventing a borrower from receiving more than one Methane Digester loan through the Rural Finance Authority. A borrower can receive another loan only if the previous loan was paid in full.</p>
26	<p>Loans.</p> <p>Increases the cap on the Rural Finance Authority's participation in a Livestock Equipment loan from \$40,000 to \$100,000.</p>
27	<p>Loan participation.</p> <p>Increases the cap on the Rural Finance Authority's participation in a Farm Opportunity loan from \$45,000 to \$100,000 per individual, and from \$180,000 to \$250,000 for a group of four or more individuals.</p>
28	<p>New open-air swine basins.</p> <p>Provides that a basin used to hold wastewater from a truck wash facility is not a prohibited open-air swine basin.</p>



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