

COOPERATION BETWEEN THE STATE AND FEDERAL DEPARTMENTS OF AGRICULTURE

The theory of American federalism, as it refers to the distribution of powers between the United States and the various State governments, often suggests that the Federal and State governments are rivals for power. While this argument goes on, the two governmental agencies dealing with agriculture have found it expedient to develop coöperative action for administering common problems.¹ Several forces have impelled this development. Coöperative relationships in the field of concurrent powers aid in eliminating duplication of efforts and conflicts between jurisdictions. Coöperative relationships also are necessary to eliminate governmental "no-man's land", the weak point in a Federal system. Economic factors undoubtedly have stimulated coöperation between the State and Federal governments. Where one level of government may be financially unable to assume the burden of a particular function, the other can often assume the financial burden, supply leadership, and coördinate plans.

Coöperation of an informal sort is common to the Federal and State agriculture departments. Personal contacts between officials of the departments are frequent. Conferences are held to discuss mutual problems, to consider plans and programs, and to eliminate conflicts or misunderstandings. These informal and almost intangible forms of co-

¹ Much of the general material of this chapter is based upon the comprehensive study of the Federal-State relations by Jane Perry Clark in *The Rise of a New Federalism* (1938). An article on the administration of the Iowa State Department of Agriculture was published in the July number of *THE IOWA JOURNAL OF HISTORY AND POLITICS*.

operation exist side by side with more formal means and often are utilized to clarify and to carry out provisions of formal agreements. Such informal coöperation may take the form of advice from the Federal agricultural bureaus or the temporary loan of personnel or equipment to aid in some emergency program such as crop pest control.

Formal agreements or contracts compose a second type of coöperative arrangement. Most agreements of this kind between the Federal Department of Agriculture and the Iowa Department of Agriculture have been written. When the conditions of coöperation are likely to remain stabilized for a period of time and definite understandings are to be reached defining the responsibilities of each party, written agreements have proven most useful. The various agreements between the Iowa Division of Animal Industry and the Federal Bureau of Animal Industry; the Iowa Division of Entomology and the Federal Bureau of Entomology and Plant Quarantine; and the Iowa Dairy and Food Division and the Agricultural Marketing Service are all written agreements stating the responsibilities and obligations of each party. These agreements assume the nature of a contract in which one agency contracts to perform a service for another in exchange for certain considerations.

The Iowa Weather Service, established in 1878,² presents an early example of coöperation between Federal and State agencies for the provision of services of benefit to Iowa farm interests. In 1890, the Iowa Weather Service was replaced by the Weather and Crop Service under the supervision of the Iowa State Agricultural Society. The board of directors of the society recommended the director to the Governor for appointment. The law provided further that the assistant director was to be an officer of the United

² *Laws of Iowa*, 1878, Ch. 45.

States Signal Service appointed by the Chief Signal Officer.³

A significant step in the field of Federal-State coöperation was taken in 1921 when the Iowa Weather and Crop Service Bureau was established in place of the Weather and Crop Service. The law specifically required that the new agency "cooperate with the national agencies for the purpose of collecting and disseminating weather, crop and livestock statistics and meteorological data, and of promoting knowledge of meteorology and the climatology of the state." The director of the bureau, appointed by the Governor, must be an officer of the United States Weather Bureau, "if one be detailed for that purpose."⁴

The Iowa Weather and Crop Service Bureau was placed under the control of the reorganized Department of Agriculture in 1923, and in 1924 the Secretary of Agriculture was authorized to appoint the director. This bureau coöperated with the United States Weather Bureau and the Division of Crop and Live Stock Estimates of the Bureau of Agricultural Economics of the United States Department of Agriculture until 1937, when the Forty-seventh General Assembly abolished the Iowa Weather and Crop Service Bureau and established the Division of Weather and the

³ *Laws of Iowa*, 1890, Ch. 29. At that time the United States Army Signal Service was performing the function of weather reporting for the Federal government. By 1908, the equipment in the volunteer weather reporting stations in Iowa had been improved through coöperation with the United States Weather Bureau.—*Iowa Year Book of Agriculture*, 1908, p. 3. The coöperative relation between the Iowa Weather and Crop Service and the Federal agency was extended further by an agreement with the Federal Bureau of Crop Estimates whereby its agents coöperated in the collection of statistics relating to crops, acreage, condition of crops, and yields.—*Iowa Year Book of Agriculture*, 1919, p. 681.

⁴ *Laws of Iowa*, 1921, Ch. 178. The *Iowa Year Book of Agriculture* for 1922, page 562, reported another example of coöperation when the Federal Department of Agriculture assumed the cost of telegraphing daily weather forecasts to many cities in Iowa.

Division of Agricultural Statistics within the Iowa Department of Agriculture. Each division is required by the statute to work in close coöperation with the corresponding Federal agencies to avoid State duplication of existing Federal functions.⁵

On July 1, 1937, a coöperative agreement was signed by the Iowa Department of Agriculture and the United States Weather Bureau which placed the State Weather Division under the direction of the Federal bureau and coördinated the services and resources of the two offices. This coöperative agreement regulates the climatological, phenological, weather, and crop reporting services of the State of Iowa and the United States government. The Federal bureau agrees to maintain a field office in Des Moines and to furnish a trained meteorologist to supervise the activities of the coöperating agency. The Federal meteorologist conducts and supervises all the work of this kind which the Iowa Department of Agriculture is required by law to perform. The United States Weather Bureau further agrees to furnish crop news and digests for the Iowa Department and to make all reports available to it. Stationery, supplies, equipment, travel funds necessary to carry on the regular work of the office, and postage-free envelopes (for use of reporting weather stations in Iowa) are furnished by the Federal bureau.

The Federal agency also furnishes office space, telephone, utilities, and janitor service for the bureau. Research in crop phenology for the benefit of Iowa farmers is conducted by the Federal meteorologist. It is specifically stated in the written agreement that the Federal meteorologist is responsible to the United States Weather Bureau for the conduct of the office in an efficient and satisfactory manner. He is also required to perform carefully all the work done

⁵ *Laws of Iowa*, 1937, Ch. 108.

for the State Department. All project employees paid from State funds are selected by the Federal meteorologist with the approval of the State Secretary of Agriculture. Collaborating employees may be appointed with or without compensation.

The Iowa Department of Agriculture agrees to appoint and recognize the Federal meteorologist as director of the State Division of Weather. Furthermore it agrees to provide funds (as annually determined by the two parties) to help defray the expenses of maintaining weather stations, gathering and compiling of meteorological, climatological, and phenological data, publishing weekly weather and crop reports, and providing any other special help that may be needed from time to time. The coöperative nature of the project is further emphasized by the agreement that both parties are to be given credit on all publications issued by the coöperating agencies.⁶

Under the general terms of this coöperative agreement, the State of Iowa appropriates \$5000 a year as its share of the expenses of the project. This appropriation is expended largely for salaries for clerks engaged in preparing the weather and crop reports as required by State law.⁷ The total Federal appropriation for salaries and maintenance of its weather functions in Iowa is approximately \$150,000 annually. The director of the Weather Division is a public officer of the State of Iowa but receives no compensation from State appropriations. His full salary is supplied by Federal funds. The agreement is extended from year to year by both parties signing a "confirmation of agree-

⁶ Memorandum of Agreement between the Weather Bureau of the United States Department of Commerce and the Iowa Department of Agriculture, effective July 1, 1937, in the files of Charles D. Reed, Federal Meteorologist and Director of the Weather Division of the Iowa Department of Agriculture, Des Moines.

⁷ *Laws of Iowa*, 1943, Ch. 1.

ment". Amendments may be made by attaching conditions to the original agreement with the consent of both parties. Agreements may be terminated by the withdrawal of one of the coöperating parties.⁸

The original agreement was made with the Federal Department of Agriculture but in 1940 the Weather Bureau was transferred to the United States Department of Commerce, so confirmations are now made with that agency. Thus the Iowa Department of Agriculture now coöperates with two Federal departments. No difficulties have arisen. This experience may suggest the feasibility of further agreements with other departments as the need arises.

A similar coöperative agreement was signed on July 1, 1937, by the United States Bureau of Agricultural Economics and the Division of Agricultural Statistics of the Iowa Department of Agriculture.⁹ By the terms of this contract, the agricultural statistician of the Des Moines office of the Federal Bureau of Agricultural Economics is to be appointed as director of the Division of Agricultural Statistics. The director is a public officer of the State of Iowa as well as of the Federal government, but only a nominal portion of his salary, \$400 in 1941-1942, is defrayed out of State funds.¹⁰ As director of the State division, the Federal agricultural statistician is responsible for the gathering, compilation, and preparation of all statistics and estimates

⁸ Based on a personal conference with Charles D. Reed, Federal Meteorologist and Director of the Iowa Weather Division, Des Moines, June 13, 1942.

⁹ Memorandum of Agreement between the Bureau of Agricultural Economics of the United States Department of Agriculture and the Iowa Department of Agriculture, effective July 1, 1937, in the files of Leslie M. Carl, Senior Agricultural Statistician and Director of the Division of Agricultural Statistics of the Iowa Department of Agriculture, Des Moines. Since the original agreement was signed, these functions have been transferred to the Agricultural Marketing Service of the United States Department of Agriculture and the yearly "confirmation of agreement" is made with that office.

¹⁰ *State of Iowa Employees*, July 1, 1941, to June 30, 1942, p. 46.

relating to crops and livestock in Iowa. Aided by crop statisticians appointed by the director with the approval of the Secretary of Agriculture, the director tabulates, compiles, and prepares for publication the county assessors' annual farm statistics report. The Iowa Department of Agriculture agrees not to publish any quantitative estimates of farm production of crops or livestock unless such statistics are prepared by or approved by the Federal agricultural statistician in the capacity of director of the Division of Agricultural Statistics. The State of Iowa appropriates \$5000 annually for this work and the money is utilized to defray salaries of crop statisticians and to pay the State's share of the director's salary.¹¹ The Federal government furnishes about \$45,000 a year.¹²

This agreement was amended, effective July 1, 1939, to provide for the collection, summarizing, and publishing of data relating to the dairy products industry of Iowa. The Federal bureau agreed to furnish the necessary supplies for the project, to maintain an up-to-date mailing list of all dairy plants and firms in Iowa, to summarize such information, and to make it available to the Iowa Department of Agriculture. The latter agreed to obtain periodical reports from manufacturers and handlers of dairy products in Iowa, and to assist in any necessary follow-up work to complete the reports.¹³

¹¹ *Laws of Iowa*, 1943, Ch. 1.

¹² Based on the Memorandum of Agreement between the Bureau of Agricultural Economics of the United States Department of Agriculture and the Iowa Department of Agriculture, effective July 1, 1937, and a personal conference with Leslie M. Carl, Senior Agricultural Statistician and Director of the Division of Agricultural Statistics, Des Moines, June 13, 1942.

¹³ Amendment to the Memorandum of Agreement between the Agricultural Marketing Service of the United States Department of Agriculture and the Iowa Department of Agriculture, July 1, 1939, in the files of Leslie M. Carl, Senior Agricultural Statistician and Director of the Division of Agricultural Statistics, Des Moines.

Supplementing these comprehensive coöperative agreements, less formal agreements are frequently devised. In 1938 there was urgent need for a complete inspection of the weather station equipment in Iowa. A large proportion of the weather stations had not been inspected by trained men for many years. Much of the equipment had been moved and was not properly adjusted. A coöperative arrangement was established between the United States Weather Bureau and the Iowa Department of Agriculture whereby the former supplied a trained man and paid his expenses and the latter furnished and maintained a State-owned car for his use. Equipment found to be faulty was replaced. In many instances the inspector found it necessary to train the observers in the correct procedures of making readings. Yearly inspections under similar coöperative arrangements are now made.¹⁴

These coöperative arrangements also exemplify joint use of personnel by the State and Federal governments, based on joint appointment and recommendation. The director of the Weather Division and the director of the Division of Agricultural Statistics are State-Federal officers.¹⁵

The employees of each of these two divisions, appointed by the directors subject to the approval of the Iowa Secretary of Agriculture, are State employees paid from State funds. In addition, they appear to be Federal collaborators since they are frequently subject to rulings of the Federal agency.¹⁶ Thus, the memorandum of agreement between the Bureau of Agricultural Economics and the

¹⁴ *Iowa Year Book of Agriculture*, 1938, pp. 365, 366, 1939, pp. 411, 412, 1940, p. 461.

¹⁵ Based on personal conference with Leslie M. Carl, Senior Agricultural Statistician and Director of the Iowa Division of Agricultural Statistics, Des Moines, June 13, 1942. See also Jane Perry Clark's *The Rise of a New Federalism*, pp. 102, 103.

¹⁶ Jane Perry Clark's *The Rise of a New Federalism*, pp. 104, 105.

Iowa Department of Agriculture states that all employees appointed by the director with the approval of the State Secretary of Agriculture are collaborators and are subject to the provisions and penalties of Federal laws relating to the safeguarding of crop and livestock information for publication. The directors of the two divisions, as Federal employees, are also subject to Federal civil service rules.

These coöperative arrangements are closely related to Federal grants-in-aid, but the significant difference lies in the fact that funds for the coöperative projects are not given to the State but are expended by the Federal agency. Instead of receiving Federal funds to help carry on these services, the State of Iowa receives services which are rendered to it at less than cost.

FEDERAL GRANTS-IN-AID

Federal grants-in-aid are a most effective means of Federal-State coöperation. By this means the Federal government provides funds to State agencies which are to perform specific functions according to particular standards approved by both parties. Grants-in-aid may be viewed as administrative devices to secure the coöperation of State agencies in functions which directly affect the public welfare and safety of the entire nation. Many of the problems of agriculture are national in scope. The elimination of Bang's disease is, for example, essential to the protection of public health and private property. Such diseases do not recognize State boundaries. They can be attacked best on a national basis. This has been recognized and Federal legislation was demanded and secured. Instead of the Federal government entering into the field with little or no consideration of the efforts of the States and duplicating State work, grants-in-aid are utilized to develop coördinated programs.

Federal grants-in-aid have encouraged States to appropriate more adequate funds to pay compensation to owners of cattle destroyed because they were infected with tuberculosis or Bang's disease. The expert services of Federal technicians and laboratory facilities are made available to the States. Leadership on a national basis is furnished by the Federal bureau and the efforts of the several States are coördinated into a reasonably coherent and effective program.

Between January, 1934, and November, 1938, the Federal government expended slightly over two million dollars in Iowa for the eradication of Bang's disease while the State failed to make any appropriation for this purpose. By act of Congress, the Federal Department refused further indemnities for cattle which reacted to the test unless the State matched Federal funds. Some action by the State was thus required.

In 1939, in order to take advantage of the Federal grant-in-aid, the General Assembly of Iowa enacted a law authorizing the State Department of Agriculture to coöperate with the Federal government to eradicate Bang's disease. The same General Assembly appropriated \$100,000 as the State's share of the coöperative program. Under this act the State of Iowa agreed to pay up to one-third of the difference between the appraised value of cattle reacting to the Bang's disease test and their salvage value, up to eight dollars for a grade animal and twelve and one-half dollars for a registered purebred animal. In 1941 these limits were raised to twelve and one-half dollars for grade animals and twenty-five dollars for purebred cattle. State indemnity can not, however, be paid on any cattle which are not eligible for indemnities from the United States Department of Agriculture. In addition each county is authorized to levy a tax to help pay indemnities and for other expenses

incurred in carrying out the intent and purpose of this law.¹⁷

This arrangement demonstrates the coöperation of three levels of government in a common program in which the Federal and State agencies supply skilled men and funds, and the counties supply additional funds. The Iowa Department of Agriculture acts as a coördinating agency and supervises the county Bang's disease eradication funds.¹⁸ Grants-in-aid have also been utilized to control bovine tuberculosis and various plant diseases.¹⁹

INTERDEPENDENT LAW AND ADMINISTRATION

Federal-State coöperation in the nature of interdependent law exemplifies another type of relationship existing between the Iowa Department of Agriculture and the United States Department of Agriculture. Thus Federal action may be contingent upon the action of the State or the State may effectuate its law and programs through Fed-

¹⁷ *Laws of Iowa*, 1939, Ch. 87, 1941, Ch. 121, Sec. 19.

¹⁸ All funds raised by this levy are earmarked in the county treasury as the "Bang's disease eradication fund". Claims against the fund must be certified by the Department of Agriculture before payment by county boards of supervisors. Each county auditor is required to render a report to the Secretary by July 15th of each year showing the total remaining in the fund as of July 1. If the Secretary determines that the balance remaining in any county eradication fund is sufficient, with the State and Federal allotments, to carry on the work of eradicating Bang's disease for the ensuing year, the county auditor is so notified and the county boards of supervisors cannot make a levy for the Bang's disease eradication fund. Whenever the county fund becomes less than twenty-five hundred dollars, the Secretary of Agriculture is notified in writing by the county auditor. No expenses in excess of the total in the county eradication fund can be incurred.—*Laws of Iowa*, 1939, Ch. 87, Secs. 20-26.

¹⁹ For the control of bovine tuberculosis, the State Department and the Federal Department of Agriculture agree to provide funds to the extent appropriated by Congress, the State legislature, and county boards of supervisors. All State funds estimated to be available for testing cattle for tuberculosis are prorated by the Department to each county on the basis of the number of breeding cattle recorded in the county by the last records of the assessor. The Department is also responsible for securing a similar allotment from Federal funds which are available for tuberculosis testing.—*Code of 1939*, Sec. 2703.

eral action. It is the latter — State action contingent upon Federal action — which characterizes many coöperative relations of the Iowa Department with the Federal Department of Agriculture.

One example of coöperative action through interdependent law and administration is furnished by the Iowa statute which requires all applicants for a State permit to manufacture biological products in Iowa to possess a Federal license issued by the United States Department of Agriculture. If such a manufacturer ceases to hold a Federal license, the State permit is automatically revoked. Furthermore, no biological product may be sold in Iowa unless produced in a plant licensed by the Federal Department of Agriculture.²⁰ Veterinarians appointed by the Iowa Department of Agriculture to enforce the bovine tuberculosis eradication law must have passed an examination devised by the State and Federal departments, and be authorized to make tests under "uniform methods and rules governing accredited herd work" which are approved by the Federal Department.²¹ Many other examples of interdependent law or contingent legislation exist.

The Iowa Secretary of Agriculture is authorized to establish standards for foods when such standards are not fixed by law, but such standards must conform to those established by the United States Department of Agriculture²² and the Iowa Department has adopted as standards for Iowa many of the food standards established by the Federal Department.²³ Oleomargarine sold in Iowa must conform to the package regulations established by the Fed-

²⁰ *Code of 1939*, Secs. 2709, 2717, 2719.

²¹ *Code of 1939*, Sec. 2680.

²² *Code of 1939*, Sec. 3059.

²³ *Pure Food Laws*, Bulletin No. 58, issued by the State Department of Agriculture, 1939, pp. 18-40.

eral government.²⁴ By administrative ruling, the Secretary of Agriculture has approved certain coal-tar colors for use in coloring foods. The items on the approved list are the same as those approved by the United States Department of Agriculture.²⁵

The standards for weights and measures in Iowa which are in the care of the Department of Agriculture are required by statute to be periodically inspected by the United States Bureau of Standards. These weights and measures are certified by the bureau according to standards established by Federal law.²⁶ Iowa law provides that certain bulk commodities must be sold by avoirdupois weight unless sold in standard containers as established by the United States Standard Container Act of 1928.²⁷ Bottomless dry measures may be used in Iowa only if they conform in shape to the United States standard dry measures.²⁸

The Iowa agricultural seeds law of 1941 is enforced by the State Department of Agriculture in coöperation with the Federal Department. The techniques and methods utilized by the Iowa Department and the Iowa State College in analyzing agricultural seeds are required to be "in general accord with the rules for seed testing promulgated by the United States Department of Agriculture for the enforcement of the Federal Seed Act" and all rules and regulations governing methods of sampling, inspecting, analyzing,

²⁴ *Code of 1939*, Sec. 3100.08.

²⁵ *Pure Food Laws*, Bulletin No. 58, issued by the Iowa Department of Agriculture, 1939, p. 6, Rules 14b, 15. The Secretary of Agriculture has established a rule that all grades relating to the quality of foods must conform with State standards, Federal standards, or standards established by good trade custom. Federal standards have precedence over trade-custom standards, but State grade standards take precedence over both of the others.

²⁶ *Code of 1939*, Sec. 3227.

²⁷ *Code of 1939*, Sec. 3226.

²⁸ *Code of 1939*, Sec. 3233. See also *Pure Food Laws*, Bulletin No. 58, issued by the Iowa Department of Agriculture, 1939, p. 4, Rule 9c.

testing, and examining seeds and the tolerances to be allowed in administering the State law must "be in general accord with officially prescribed practice in interstate commerce under the Federal Seed Act".²⁹

Further exemplary of such contingent legislation is the provision in the Iowa statute relating to infectious and contagious animal diseases requiring that all rules adopted by the Iowa Department of Agriculture regarding interstate shipment of animals must not conflict with rules established by the Federal Department, except in emergency situations.³⁰ The Iowa crop pest act states that no provision of that law is to conflict with "any act of Congress regulating the movement of plants and plant products in interstate or foreign commerce."³¹

These examples of interdependent law indicate that Iowa has made the operation of these laws depend, to some extent, upon Federal laws and action. Such Federal laws establish standards; State laws reinforce them. They attempt to eliminate conflicting and differing standards thus making the administration less difficult for both agencies. Since standards established by the Federal government for goods entering interstate commerce are paramount, differing State standards for interstate commerce are confusing and State standards usually follow Federal standards, not as the result of compulsion, but largely for the sake of convenience in administration and enforcement.

COOPERATIVE USE OF PERSONNEL

Coöperative use of personnel is the most common form of

²⁹ *Laws of Iowa*, 1941, Ch. 130, Secs. 10.3, 11.2.

Tables of maximum tolerances allowable in the enforcement of the agricultural seeds law may be established by the Secretary of Agriculture who "may be guided in such preparations by the rules and regulations under the Federal Seed Act." — *Laws of Iowa*, 1941, Ch. 130, Sec. 1.

³⁰ *Code of 1939*, Sec. 2649.

³¹ *Code of 1939*, Sec. 4062.22.

coöperative action employed by the United States Department of Agriculture and the Iowa Department. Federal utilization of State personnel, State utilization of Federal personnel, and joint utilization of employees is practised. The last is by far the most important in Iowa. Several illustrations of the coöperative use of personnel are available.

The agreement between the Iowa Division of Animal Industry and the Federal Bureau of Animal Industry³² provides for a program of joint action to control and eradicate bovine tuberculosis. Each agency furnishes personnel to conduct investigations and make tuberculin tests. Similar rules and regulations have been adopted thus simplifying the problem of joint administration. Tests for tuberculosis may be made either by State or Federal veterinarians. All testing must be done by methods approved by the Federal Bureau of Animal Industry and under the supervision of the Iowa Division of Animal Industry or the Federal bureau. Cattle from accredited herds may be shipped interstate if a certificate to that effect is obtained from either agency. If the test reveals the herd to be free of tuberculosis, a "Tuberculosis Free Accredited Herd" certificate is issued the owner by the State and Federal agencies.³³

The Federal Bureau of Animal Industry has agreed to

³² The Division of Animal Industry offers numerous examples of coöperation with Federal agencies. It is authorized to coöperate and arrange for assistance from the United States Department of Agriculture in the performance of its duties.—*Code of 1939*, Sec. 2643.9. Under this authority, the division has entered into several coöperative arrangements. General authority to coöperate with Federal agencies is reinforced by specific authority to coöperate with the Federal government for the purpose of eradicating tuberculosis from all dairy and beef cattle in Iowa.—*Code of 1939*, Sec. 2665.

³³ All owners of herds of cattle kept for dairy or breeding purposes who wish to have their herds tuberculin inspected may make application with the Iowa Department of Agriculture. The owner must enter into an agreement with the Federal Bureau of Animal Industry and the State Division of Animal Industry permitting agents of either office to make the necessary tests. The owner fur-

make a chief inspector available in Iowa to supervise testing of cattle for Bang's disease, to employ additional veterinary inspectors and other personnel as needed, providing funds are available, and to pay the salaries and traveling expenses of the bureau inspectors. The Iowa Division of Animal Industry has agreed to cooperate in Bang's disease work, provide laboratory facilities and personnel, and such field personnel as appropriations permit. It has also agreed to enforce State regulations governing the handling of herds of cattle under supervision for the detection of Bang's disease. Both agencies agree to confer at frequent intervals to discuss joint problems and to improve cooperation.³⁴

Additional cooperative arrangements exist between the Iowa Department of Agriculture and the United States Department of Agriculture for the control and eradication of sheep and cattle scabies and hog cholera and related diseases. These agreements are similar to those for the control of Bang's disease and bovine tuberculosis, but no State compensation is provided.³⁵

Animal diseases pay no heed to political boundaries. The control work of the Iowa Division of Animal Industry would be practically useless if the Federal government did

not agree, in consideration of services rendered, to abide by the laws of the United States and the State of Iowa and all reasonable rules established by either agency for the control and eradication of tuberculosis.— *Statutes, Rules and Regulations for the Control of Contagious and Infectious Diseases of Livestock*, issued by the Iowa Department of Agriculture, 1937, pp. 27-36.

³⁴ Memorandum of Agreement Regarding the Blood Testing of Cattle for Bang's Disease in the State of Iowa by Cooperation Between the State of Iowa and the Bureau of Animal Industry of the United States Department of Agriculture, in the files of Dr. J. A. Barger, Inspector-in-Charge, Bureau of Animal Industry, United States Department of Agriculture, Des Moines.

³⁵ Copies of these cooperative agreements are on file in the office of the United States Department of Agriculture, Bureau of Animal Industry, Des Moines. Copies may also be secured from the Division of Animal Industry, Iowa Department of Agriculture, Des Moines.

not aid in the control of animal diseases in interstate channels. Nor could the Federal government carry on its control work effectively without the coöperation of the State agency to eliminate such diseases at the source. To promote efficient and effective control and to eliminate needless and expensive duplication, the State and Federal agents cooperate and enforce both State and Federal laws. Most control and eradication work within Iowa is, however, carried out under State laws and regulations.³⁶

The Division of Entomology coöperates with the Federal Department of Agriculture in several ways. The Iowa General Assembly authorized it to aid in the enforcement of Federal plant quarantines which may be established by the United States Department of Agriculture.³⁷ The enforcement of Federal quarantines by State officers, in addition to the enforcement of State quarantines, occupies considerable time of the division. This arrangement affords an excellent example of the use of State personnel to enforce Federal laws.

The Iowa crop pest act empowers the Division of Entomology to control and eradicate all insect pests and the division coöperates with the United States Bureau of Entomology and Plant Quarantine in insect control work. In the spring of 1937, these agencies coöperated to fight the grasshopper menace which threatened the greater part of the State. Federal agencies supplied the poison and mill feeds for preparing grasshopper bait, while the State Department of Agriculture, aided by county agents, carried on the campaign.³⁸

³⁶ Letter from Dr. J. A. Barger, Inspector-in-Charge, Bureau of Animal Industry, United States Department of Agriculture, Des Moines, June 18, 1942.

³⁷ *Code of 1939*, Sec. 4062.12. See also *United States Statutes at Large*, Vol. XXXVII, Ch. 308.

³⁸ *Code of 1939*, Secs. 4062.05, 4062.06; *Iowa Year Book of Agriculture*, 1937, p. 21.

During the crop season of 1941 the two agencies and the State Agricultural Extension Service again entered into a coöperative agreement to protect crops from grasshoppers. The Federal bureau agreed to provide leadership and supervision, to provide bait material convenient to local mixing stations for use and distribution by State or local agencies or individuals, to provide one or more agents with travel expenses to coöperate with authorized State agents in supervising the use of bait and to give instruction in grasshopper control measures, to keep the State project supervisor informed of bait deliveries and assignment of Federal personnel to the Iowa project, and, finally, to secure advice and assistance from other Federal agencies and to coördinate their efforts along the line of this agreement.

The State Department of Agriculture and the State Agricultural Extension Service agreed to appoint members to a State grasshopper control advisory committee for the 1941 season to represent State agencies or local institutions interested in or concerned with grasshopper control. This committee, in coöperation with the Iowa Secretary of Agriculture and the Extension Director for Iowa State College, was responsible for the development of policies and procedures for the control of grasshoppers. The State Department of Agriculture agreed to appoint the chief of the Division of Entomology as State supervisor of the grasshopper-control project.

The Department further authorized agents of the Federal bureau to exercise State crop pest authority, including the right to enter upon private property, in order to carry the agreement into effect. The coöperating State agencies were to requisition bait material as needed, designate county project leaders, conduct educational activities, and secure agreements from counties and communities to provide labor and equipment for mixing, storing, and hauling

bait.³⁹ This agreement is of particular interest because it clothed Federal agents with State authority. In effect these Federal agents aided in the enforcement of State laws.

Similar action was taken to control the chinch bug invasion which threatened Iowa's corn crop in 1940. The Iowa Department of Agriculture furnished storage tanks for creosote, pumps, and handling facilities and established five permanent creosote storage stations in areas most subject to chinch bug outbreaks. Federal emergency funds were made available to supply the necessary creosote. Four field men to assist the Iowa Agricultural Extension entomologist in conducting surveys and carrying on demonstrations for the farmers were provided by the Federal Bureau of Entomology and Plant Quarantine. County agricultural agents also participated. The ease with which this emergency work was handled indicates, to some extent, the wholesome coöperative attitude which generally has prevailed between the departments in the past years.⁴⁰

In coöperation with the Federal Bureau of Entomology and Plant Quarantine, the Iowa Division of Entomology also carried on a barberry eradication program. Funds of the Federal bureau were utilized principally to cover administrative and supervisory costs. Works Progress Administration funds generally provided the labor, the county boards of supervisors frequently provided for the transportation of the workers, their equipment, and the chemicals necessary for the eradication program. The division generally supervised and coördinated the projects.⁴¹

³⁹ Memorandum of Understanding between the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture and the Iowa Department of Agriculture and the Iowa Agricultural Extension Service in the files of the Secretary of Agriculture, Des Moines.

⁴⁰ *Iowa Year Book of Agriculture*, 1940, pp. 107-109.

⁴¹ *Iowa Year Book of Agriculture*, 1940, pp. 226, 227. See also the Memo-

Several coöperative agreements have been established between the Division of Dairy and Food of the Iowa Department of Agriculture and the Agricultural Marketing Service of the United States Department of Agriculture relating to the inspection of food-processing plants and other matters. In 1941, the Iowa Dairy and Food Division agreed to a joint Federal-State inspection service for live and dressed poultry and dressed domestic rabbit and edible products thereof. The Federal agency assumed the responsibility for the administration and technical supervision of inspections, the collection of fees, and the payment of salaries and other expenses. All inspection fees collected were placed in special trust funds from which expenses under the agreement were paid.

The Iowa Department of Agriculture assumed no financial responsibilities under this agreement, but it agreed to carry on as much educational and demonstration work as it could in order to educate producers to the value of high standard products. The active interest and coöperation of other State agencies was also desired. Federal-State certificates of inspection, or Federal certificates of inspection, as mutually agreed upon, are issued.⁴²

In 1941, an agreement was signed with the Federal Agricultural Marketing Service "to make the inspection service for processed fruits and vegetables authorized by Congress more widely available to distributors and processors in

randum of Understanding between the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture and the Iowa Department of Agriculture and the Iowa State College of Agriculture and Mechanic Arts in the files of the Iowa Department of Agriculture, Des Moines.

⁴² Memorandum of Agreement between the Cooperating State Agencies and the Agricultural Marketing Service of the United States Department of Agriculture, providing for the Federal-State Inspection Service on Live and Dressed Poultry, Etc., effective January 1, 1940 (and confirmed each year by confirmation of agreement), in the files of the Secretary of Agriculture, Des Moines.

Iowa than would be possible without the cooperation of the Iowa Department of Agriculture." The Federal agency agreed to assume the same responsibilities as in the poultry agreement. The Dairy and Food Division agreed to accept United States standards and grades as developed by the Agricultural Marketing Service for use in the inspection service provided by this agreement. The division agreed also to carry on educational and demonstrational work relative to the proper grading of processed foods; to inform the consumer of the desirability of purchasing foods on the basis of recognized Federal grades; and to cooperate with the Federal Department in conducting studies which may grow out of this joint inspection activity. When requested by the Federal Department, the Dairy and Food Division agreed to furnish inspectors and samplers. All salaries and expenses of State inspectors enforcing Federal standards are paid out of a trust fund established by the Federal agency. As part of the arrangement, trained Federal inspectors are assigned to inspect Iowa plants approved for the inspection service.⁴³

A third agreement signed by the same two agencies early in 1941 provided for a Federal-State inspection and grading service of all agricultural commodities and products to be purchased by the Federal government or any of its agencies (including purchases for foreign governments as provided for under the Lend-Lease Act). In addition to the usual arrangements, the Federal agency agreed to keep the cooperating agencies informed of Federal requirements and specifications to be established for the various products

⁴³ Memorandum of Agreement between the Agricultural Marketing Service of the United States Department of Agriculture and the Iowa Department of Agriculture, Providing for Inspection Service on Processed Fruits and Vegetables, effective June 30, 1941, and confirmed until June 30, 1942, in the files of the Secretary of Agriculture, Des Moines. These agreements are continued from time to time.

which the Federal government purchases under the Lend-Lease Act.

The State agency is to carry on demonstrational and educational work consistent with its general program and to cooperate with the Agricultural Marketing Service in the dissemination to producers of information relating to grades, specifications, and inspections of commodities purchased by the Federal government. The State agency also agreed to aid in the administration of the work done under this agreement as mutually decided. State dairy and food inspectors on a reimbursable, or licensing basis, may also aid in carrying out the agreement.⁴⁴

A cooperative agreement was signed by the Iowa Department of Agriculture and the Agricultural Marketing Service of the United States Department of Agriculture, "to bring about close coordination of the activities under the State Seed Law with those under the Federal Seed Act in order that the provisions of the Federal Seed Act may be more fully effective with the view of protecting the residents in your State from shipments of seed made in interstate commerce as well as to protect such residents from advertising in interstate commerce that may be in violation of the Federal Seed Act."⁴⁵

According to the agreement, the Federal Agricultural Marketing Service exercises general supervision over all enforcement activities. It authorizes acceptable and qualified officers, appointed by the State Secretary of Agricul-

⁴⁴ Cooperative Agreement between the Cooperating State Agencies, Signatories Hereto, and the Agricultural Marketing Service of the United States Department of Agriculture, Providing for Federal-State Inspection and Grading Service of Agricultural Commodities and Products for the fiscal year ending June, 1941, in the files of the Secretary of Agriculture, Des Moines.

⁴⁵ Letter from E. J. Murphy, Grain and Seed Division, Agricultural Marketing Service, United States Department of Agriculture, to Mark G. Thornburg, Secretary of Agriculture, October 2, 1940, in the files of the Secretary of Agriculture, Des Moines.

ture, to inspect seeds, take samples, and secure information and records of seeds in Iowa which are subject to the Federal Seed Act and assists the State Department to provide inspection procedures to enable the inspectors to secure evidence acceptable under the Federal Seed Act relating to violations and irregularities. It also issues written notices or warnings to minor violators of the Federal act, initiates all formal proceedings under the Federal act or regulations, makes further investigations in Iowa, and tests seed samples submitted by the State Department for the purpose of standardizing seed-testing methods. As its part in the cooperative agreement, the State Department has agreed to inspect and draw samples of seeds subject to the Federal Seed Law, to submit samples for testing in the Federal seed laboratories, and to forward to the Federal agency any other information or records which indicate that the Federal law is being violated. The cooperative agreement may be abrogated at any time by mutual consent, or by either party after thirty days written notice.⁴⁶

One further example of Federal use of State personnel and organization should be included. The depression of the 1930's found Iowa possessed of machinery to seal non-perishable agricultural produce as collateral for loans, but no State loan agency existed. When the Federal government bridged the gap in 1933 by providing loans for stored agricultural commodities, it relied for some time upon State personnel and administrative machinery (as provided by the Iowa Unbonded Agricultural Warehouse Act) to seal

⁴⁶ Memorandum of Understanding between the Agricultural Marketing Service of the United States Department of Agriculture and the Iowa Department of Agriculture, in the files of the Secretary of Agriculture, Des Moines. Inspectors of the Iowa Department of Agriculture are also authorized by agreement with the Federal department to collect samples of interstate shipments of feeds which are turned over to the Federal agency for action against the manufacturer if the product is misbranded.—*Iowa Year Book of Agriculture*, 1931, p. 59.

corn, the main basis of the loans in Iowa. Had the Federal agency not availed itself of this existing State machinery, it could not have acted as swiftly and efficiently as it did. As the emergency program gave way to a long range plan, the Federal agency gradually developed its own personnel and organization and displaced the old county unbonded warehouse boards. This situation also illustrates how a function originally performed by the State (through the local boards) has been absorbed by the Federal government.

The preceding examples of Federal-State coöperative use of personnel should indicate the difficulty in attempting to classify types of coöperative action. In any one arrangement several different types of coöperation may be utilized. Thus, it is not uncommon to find oral and written agreements, interdependent law and administration, grants-in-aid, and coöperative use of personnel all a part of one agreement.

Coöperative use of personnel is also to be found in the agreements between the United States Weather Bureau and the State Weather Division; and between the Federal Agricultural Marketing Service and the State Division of Agricultural Statistics.

These several recent coöperative agreements covering the inspection of foods and food products may well indicate a new and growing field of coöperative State and Federal action. They help to establish higher standards for foods and processing of foods, and stimulate educational and promotional work explaining to the producer and the consumer the economic value of high standards for foods and other products. The Federal government has sought to secure the services of existing State inspection agencies rather than duplicate them. The good will of the State agency is desired perhaps more than any other factor. As a result of

these coöperative arrangements, Federal control over food standards would appear to be broadened largely through the use of the power of the State.

A broad new field of Federal-State coöperation, involving local agencies as well, appears to be developing in relation to the soil conservation law enacted in 1939 by the Forty-eighth General Assembly to provide for "the restoration and conservation of the soil and soil resources of this State and for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist and maintain the navigability of rivers and harbors, preserve wildlife, protect the tax base, protect public lands and promote the health, safety and public welfare of the people of this State."⁴⁷

Under this statute, a State Soil Conservation Committee is established as an agency of the State to perform certain specified functions. The committee consists of five members: the Secretary of Agriculture, the Director of the State Agricultural Extension Service, and three bona fide farmers (living on farms) appointed by the Governor of Iowa and confirmed by the Senate. The ex officio members serve as long as they occupy the offices by virtue of which they are serving on the committee. The three appointive members serve six-year terms. The committee may and in practice does invite the Federal Secretary of Agriculture to appoint a representative to serve on the committee in an advisory capacity.⁴⁸

The State committee is empowered to assist the supervisors of the local soil conservation districts established under the provisions of this law, and to coördinate their programs by means of advice and consultation. It is fur-

⁴⁷ *Code of 1939*, Sec. 2603.03.

⁴⁸ *Code of 1939*, Sec. 2603.05.

ther empowered to keep the district supervisors informed of the activities of other districts, to facilitate coöperation between districts, to disseminate information throughout Iowa relating to the activities of the soil conservation districts, and to encourage the establishment of such districts where needed. It is also authorized to secure the coöperation and assistance of agencies of the Federal government and of Iowa in carrying on the work of the local districts.⁴⁹

The State soil conservation districts which may be created under the provisions of this law are empowered, among other things, to "accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, . . . and to use or expend such moneys, services, materials, or other contributions in carrying on its operation". This law lays the framework for further coöperative action between State, Federal, and local units of government to meet a problem more than local and more than State-wide in nature. The coöperative feature of the law is believed by the State Soil Conservation Committee to be "its strongest aspect."⁵⁰

These examples of agreements between the Iowa Department of Agriculture and the United States Department of Agriculture constitute the major coöperative activities of the Department. The Federal agencies generally supply Federal funds to help finance the project, trained leadership, technical and specialized services and equipment, a store of knowledge and experience of similar problems in other States, and authority to reach across State lines in enforcing control measures. Equally important to the success of these coöperative ventures are the contributions of the Iowa Department of Agriculture. It contributes some

⁴⁹ *Code of 1939*, Sec. 2603.05 (4).

⁵⁰ *Code of 1939*, Sec. 2603.09 (10); *Iowa Year Book of Agriculture*, 1940, p. 325.

funds, an existing administrative organization, familiarity with local conditions, the good will of the Department itself, and, above all, the broad police power of the State.

The coöperative activities of the Iowa Agriculture Department have, in general, been very successful. Its relations to the Federal Department have been friendly and coöperative, in spite of political differences which have sometimes existed between the two departments.

Coöperation between State and Federal agencies arises largely out of the administrative necessity of bringing together into a working pattern the loose ends of their powers. Duplication in government services as well as a potential gap between the two levels of government cannot be condoned if government is to operate efficiently and effectively. Coöperation attempts to eliminate these very difficulties. Furthermore, it tends to establish minimum standards which bear a reasonable relationship to standards throughout the rest of the country. Some coöperative arrangements have even led to increased State interest and support. Although Federal-State coöperation is not without its administrative difficulties, the experience of the Iowa Department of Agriculture has demonstrated its value.

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