

HOUSE BILL No. 2825

By Representative Barbieri-Lightner

2-11

9 AN ACT concerning crimes and punishment; relating to endangering the
10 food supply; amending K.S.A. 2003 Supp. 21-4221 and repealing the
11 existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2003 Supp. 21-4221 is hereby amended to read as
15 follows: 21-4221. (a) Endangering the food supply is knowingly:

16 (1) Except as provided in subsection (b), bringing into this state any
17 domestic animal which is affected with any contagious or infectious dis-
18 ease or any animal which has been exposed to any contagious or infectious
19 disease;

20 (2) except as provided in subsection (b), exposing any animal in this
21 state to any contagious or infectious disease;

22 (3) except as permitted under K.S.A. 2-2112 *et seq.*, and amendments
23 thereto, bringing or releasing into this state any plant pest as defined in
24 K.S.A. 2-2113, and amendments thereto, or exposing any plant to a plant
25 pest; ~~or~~

26 (4) except as provided in subsection (b), exposing any raw agricultural
27 commodity, animal feed or processed food to any contaminant or con-
28 tagious or infectious disease; *or*

29 (5) *bringing into this state substances of natural origin to manufac-*
30 *ture into a controlled substance to be used on animals and failing to test*
31 *and insure the absence of a contagious or infectious disease in such*
32 *substances.*

33 (b) The provisions of this section shall not apply to bona fide exper-
34 iments and actions related thereto carried on by commonly recognized
35 research facilities.

36 (c) As used in this section: (1) “Animal feed” means an article which
37 is intended for use for food for animals other than humans and which is
38 intended for use as a substantial source of nutrients in the diet of the
39 animal, and is not limited to a mixture intended to be the sole ration of
40 the animal;

41 (2) “contagious or infectious disease” means any disease which can
42 be spread from one subject to another by direct or indirect contact or by
43 an intermediate agent, including, but not limited to, anthrax, all species

- 1 of brucellosis, equine infectious anemia, hog cholera, pseudorabies, psor-
2 roptic mange, rabies, tuberculosis, vesicular stomatitis, avian influenza,
3 pullorum, fowl typhoid, psittacosis, viscerotropic velogenic Newcastle dis-
4 ease, foot and mouth disease, rinderpest, African swine fever, piroplas-
5 mosis, vesicular exanthema, Johne's disease, scabies, scrapies, bovine leu-
6 kosis and bovine spongiform encephalopathy;
- 7 (3) "processed food" means any food other than a raw agricultural
8 commodity and includes any raw agricultural commodity that has been
9 subject to processing, such as canning, cooking, freezing, dehydration or
10 milling; and
- 11 (4) "raw agricultural commodity" means any food in its raw or natural
12 state, including all fruits that are washed, colored or otherwise treated in
13 their unpeeled natural form prior to marketing.
- 14 (d) (1) Endangering the food supply is a class A nonperson
15 misdemeanor.
- 16 (2) Endangering the food supply when the contagious or infectious
17 disease is foot-and-mouth disease is a severity level 4, nonperson felony.
- 18 (e) The provisions of this section shall be part of and supplemental
19 to the Kansas criminal code.
- 20 Sec. 2. K.S.A. 2003 Supp. 21-4221 is hereby repealed.
- 21 Sec. 3. This act shall take effect and be in force from and after its
22 publication in the statute book.