

Approved March 14, 1989  
Date

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Allen at  
Chairperson

10:13 a.m./~~p.m.~~ on March 2, 1989 in room 423-S of the Capitol.

All members were present except: Senator Lee (excused)  
Senator McClure (excused)

Committee staff present: Raney Gilliland, Legislative Research Department  
Lynne Holt, Legislative Research Department  
Jill Wolters, Revisor of Statutes Department

Conferees appearing before the committee: Jerry Jost, Kansas Rural Center  
Dan Nagangast, Kansas Organic Producers

Senator Allen called the committee to order and attention to SB 173 for committee discussion and action.

Copies were given the committee of proposed amendments for SB 173 (attachment 1) as prepared by the Kansas Rural Center and the Kansas Organic Producers. The Chairman called on Jerry Jost to review the proposed amendments. Mr. Jost explained that the Section 1 included definitions of terms used in SB 173; Section 4 refers to requirements for a grower or processor to use organic labels on Kansas produced organic products; Section 5 outlines the organization of an Organic Review Board; and Section 6 states records to be kept by the State Board of Agriculture.

Committee discussion of questions and comments with Mr. Jost and Mr. Nagangast included:

Using the private sector for certification of organic products would reduce state expenses.

That the proposed Organic Review Board requests too big a percentage of the members to be from organic producers and processors.

Would this bill really assure a consumer that a labeled organic product was truly an organic product.

If rules and regulations would be formed through the Committee on Rules and Regulations by the involvement of the State Board of Agriculture with the provisions of SB 173 then civil penalties would have to be included.

The cost of expenses for the members of the Organic Review Board were questioned and also what the total fiscal note of the total bill would amount to.

That SB 173 was written as a way to allow organic products produced in Kansas to be labelled as an organic product for the consumers that desire organic products.

That eleven states have laws pertaining to organic labelling and six other states are working and considering such a law.

The Chairman called for committee action.

Committee suggestions included that more study needed to be undertaken and that an accurate fiscal note needs to be known so it was suggested that SB 173 remain in committee until the next legislative session is held.

The Chairman called for committee action on committee minutes.

It was requested that the 'e' and 'r' be reversed in the second word of line 5 of the minutes for March 1. Senator Daniels made a motion the corrected minutes for March 1 be approved. Seconded by Senator Francisco. Motion carried.

Senator Allen adjourned the committee at 10:51 a.m.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.



Section 1. As used in this act

(a) "Organic Review Board" means a committee of nine (9) members that reviews the written standards of any organization that wishes to be an approved "Standard Setting Body" for purposes of this act.

(b) "Standard Setting Body" means any organization with detailed written standards and definitions of organic agriculture production methods or food processing which provides for third party certification of growers and processors' compliance; for example the Organic Crop Improvement Association, Inc. (OCIA); the Farm Verified Organic Program, (FVO); or Oregon Tilth.

(c) "Certification" means being found in compliance with the written standards and practices of any of the "Standard Setting Bodies" approved by the "Organic Review Board".

(d) "Produce" means any food product destined for human consumption.

(e) "Organic" denotes the agricultural and food processing techniques provided for by the "Standard Setting Bodies".

(f) "Third Party Certification" means an independent evaluation of farmer or processor compliance with approved standards and practices.

Section 4. (a) Beginning July 1, 1990 for use of the words "Organic", "Certified Organic", or "Kansas Certified Organic" in labeling, marketing, or advertising produce grown or processed in the State of Kansas, the grower or processor must be certified, by a third party certifier, in compliance with the written set of standards of a "Standard Setting Body" approved by the "Organic Review Board".

(b) All produce so labelled must clearly and visibly state the name of the approved "Standard Setting Body".

Section 5. (a) The Organic Review Board, for purposes of this act shall be made up of nine (9) members appointed by the governor as follows;

Three (3) grower representatives of the Kansas Organic Producers;

Two (2) processor representatives of the Kansas Organic Producers;

Two (2) representative Consumers appointed by the Department of Agriculture;

Two (2) representatives of the Department of Agriculture.

(b) The members of the Organic Review Board other than the two representatives of the Department of Agriculture will serve for a staggered three (3) year term.

(c) The Organic Review Board shall meet not less than once a year, beginning January 1, 1990 and re-evaluate all Standard Setting Bodies at which time each Standard Setting Body will be approved or disapproved for the following year.

(d) The members of the Organic Review Board other than the representatives of the Department of Agriculture may be reimbursed for any reasonable expenses relating to their official duties.

(e) The Organic Review Board has the power to draft rules and regulations necessary to its functions.

(f) The Organic Review Board will function under the oversight of the Department of Agriculture, and the Department of Agriculture will provide secretarial services.

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Section 6. (a) The Department of Agriculture shall maintain on file, and make available on request, copies of all standards approved by the Organic Review Board.

(b) The Department of Agriculture shall also maintain names and addresses of third party certifiers.

(c) The Department of Agriculture shall also maintain a list of all certified organic producers and processors.

(d) All third party certifiers, standard setting bodies, organic growers and processors are required to register with the Department of Agriculture.

(e) The Department of Agriculture may develop appropriate promotional material and logos to enhance the marketing of Kansas Certified Organic Produce.

*Senate agriculture  
2-2-89  
attachment 1*