

Approved: Eugene Shore 2-24-93  
Date

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Eugene Shore at 9:06 a.m. on February 10, 1993 in Room 423-S of the Capitol.

All members were present except: Representative Goodwin - Excused  
Representative Lloyd - Excused  
Representative Nuefeld - Excused

Committee staff present: Raney Gilliland, Legislative Research Department  
Kay Johnson, Committee Secretary

Conferees appearing before the committee: Larry Woodson, Division of Inspections

Chairman Shore called the meeting to order and opened hearings on **HB 2144: Violations of the Kansas Meat & Poultry Inspection Act.**

Larry Woodson, Director, Division of Inspections, attachment #1, testified in support of **HB 2144** and explained the basic provisions of the bill. Based on court experiences in which there was a legal question regarding the difference between the terms "transportation" and "distribution", there is a need to amend some language in the current law. Also, the law previously only allowed for withdrawal of inspection and a new section in the bill provides for suspension of registration. This will address mislabeling and other situations involving food safety.

Discussion followed concerning civil fine authority, labeling standards and ingress/egress authority.

Representative Shore announced the freshman Republicans would meet in his office immediately following this meeting.

The meeting adjourned at 10:15 am. The next meeting is scheduled for February 11, 1993.

HOUSE BILL NO. 2144  
HOUSE AGRICULTURE COMMITTEE  
February 10, 1993

Mr. Chairman, members of the House Agricultural Committee: My name is Larry D. Woodson, Director of the Division of Inspections and I am here this morning to testify in support of House Bill No. 2144 which will establish administrative remedies in the Kansas Meat and Poultry Inspection law and make other technical changes.

Our desire to amend K.S.A. 65-6a27 is based on our experiences in court in which there was a legal question regarding the difference between the term "transportation" in the unlawful acts section of the law (K.S.A. 65-6a27) and the term "distribution" in the penalty section of the law (K.S.A. 65-6a40). Similar confusion has arisen in federal courts. The amendments proposed for your consideration will address that situation.

New section 6 of this proposal provides for suspension of registration for violations of the Meat and Poultry Inspection Act.

The violations are set forth as convictions, failure to comply with regulations, interference with authorized inspections, and failure to allow ingress and egress.

Previously, the law only allowed for withdrawal of inspection rather than suspension of registration. This allowed action under egregious conditions resulting from adulteration but failed to address mislabeling and other situations involving food safety.

Mr. Chairman, either I or our Chief Counsel, Mr. Kenneth M. Wilke, will answer any questions relative to our request for this bill.

HOUSE AGRICULTURE  
2-10-93  
ATTACHMENT #1