

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Joann Flower at 9:00 a.m. on February 5, 1997, in Room 423-S of the Capitol.

All members were present except:

Committee staff present: Raney Gilliland, Legislative Research Department  
Gordon Self, Revisor of Statutes  
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Representative Cindy Empson  
George Teagarden, Kansas Livestock Commissioner  
Jerry Olson, Lyon County Extension Agent  
Larry Childs, President-Elect, Kansas Horse Council  
Larry Ward, Caney, Kansas  
Tina Coddington, Paola, Kansas

Others attending: See attached list

Chairperson Flower asked committee members to review the minutes of January 27, 28, and 29. If there are corrections or additions, members are requested to contact the committee secretary by 5:00 p.m. today, otherwise the minutes will stand approved as presented.

**Hearing on HB 2062 - Requiring equine to be tested for equine infectious anemia.**

Representative Cindy Empson said she introduced this legislation at the request of a constituent, Larry Ward of Caney, Kansas. She admitted she didn't know too much about equine infectious anemia, but supported the protection of animals.

George Teagarden, Kansas Livestock Commissioner, appeared in support of **HB 2062** relating to testing for equine infectious anemia. Mr. Teagarden told the committee that equine infectious anemia (EIA) is a member of the retrovirus family, as Aids is in humans. He said that most horses infected with EIA show no clinical signs of the disease; however, once infected with the virus, a horse remains infected for life. He explained that EIA is spread by large vectors (such as flies) and contaminated needles. He said that once a horse is diagnosed with EIA, regulations require that the animal be quarantined for life, sent to an approved slaughter plant, or euthanized and disposed of by approved methods. There are no indemnity funds available for infected horses.

Mr. Teagarden said that EIA occurs more often in southern and southeastern states, Kansas had only 13 reported cases last year. He said that most states south and east of Kansas have laws or regulations similar to this proposed bill. Although current regulations require a negative EIA test within twelve months when an equine is brought into Kansas, the Livestock Commissioner, Kansas Animal Health Department, veterinarians, and livestock inspectors fear that Kansas will become a dumping ground for diseased horses from other states. He said the import requirements are nearly impossible to enforce. (Attachment 1)

Mr. Teagarden included a 1996 comparison of equine infectious anemia testing results in Kansas and several other states with his testimony. (Attachment 2) He also provided copies of a brochure prepared by the Kansas Animal Health Department on equine infectious anemia, defining the virus, including the clinical signs, diagnosis, and spread of the disease. The brochure also lists precautions that can be taken. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 9:00 a.m. on February 5, 1997.

Mr. Teagarden distributed copies of a letter he had received from Deanna Fuhrman, Garnett Saddle Club Member, Uniontown Saddle Club Member, and Mid Eastern Kansas Western Horseman's Association Secretary. She agreed that horses constantly traveling from home to events around the state, including equine that work cattle regularly, should be tested; however, she doesn't think equine that are stationary should be included in this legislation. She also expressed concern about the cost of the tests. (Attachment4)

Jerry Olson, County Extension Agent for 4-H and Youth in Lyon County, testified in support of HB 2062. He related his experiences in having to work with families in Lyon County that have had horses test positive for EIA. Although equine infectious anemia may never be completely eradicated, he thought this legislation should help. (Attachment5)

Larry Childs, President-Elect, Kansas Horse Council, spoke in support of HB 2062, but expressed concern with implementation of the proposed legislation. His concerns and questions include: 1) how the law will be policed; 2) how positive horses will be dealt with; 3) how the law will affect equine event managers; and 4) will there be adequate time to educate the equine owners in the state before this law goes into effect. (Attachment6)

Larry Ward, Caney, Kansas, addressed the committee in support of HB 2062 to control the spread of equine infectious anemia. As there is no vaccine against the virus and there is no cure, he said removal of the carriers from the equine population is the only way to control the spread of EIA. He supports strict laws requiring testing. (Attachment7)

Tina Coddington, Paola, Kansas, spoke in opposition to HB 2062. She expressed concern about the cost of the tests to the owners stating there would still be no assurance of an EIA free exhibition or sale as the test is only accurate at the time it is taken. She thought this legislation would give owners a false security that their horses would not be exposed. She listed liability to managers of events and enforcement of the law among other areas of concern. (Attachment8)

Chairperson Flower closed the hearing on SB 2062.

The meeting adjourned at 9:58 a.m. The next meeting is scheduled for February 6, 1997.



**STATE OF KANSAS**  
**KANSAS ANIMAL HEALTH DEPARTMENT**

**George Teagarden, Livestock Commissioner**

712 South Kansas Avenue Suite 4-B Topeka Kansas 66603-3808

Phone 913/296-2326

FAX 913/296-1765

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February 5, 1997

House Agriculture Committee

Madame Chair and members of the committee, I am George Teagarden, Livestock Commissioner for the State of Kansas. I am here in support of HB 2062.

Equine infectious anemia (EIA) is a member of the retrovirus family, as is Aids in humans. Once infected with the virus, a horse remains infected for life. The disease is diagnosed by a serological test; clinical signs are depression and elevated temperature. EIA is spread by large vectors and needles that go from an infected horse to a susceptible equine.

Once a horse is diagnosed with EIA, regulations require that the animal be quarantined for life, two hundred yards from any other equine, sent to an approved slaughter plant or euthanized and disposed of by approved methods. There are no indemnity funds available for infected horses.

Equine infectious anemia, sometimes called swamp fever, occurs more often in the southern and southeastern states although Illinois had more positive testing horses last year than Kansas. Oklahoma, Missouri, Texas and most states south and east of Kansas have law and/or regulations similar to this proposal. The Kansas Animal Health Department staff, Veterinarians and livestock inspectors as well as myself, fear that Kansas will become a dumping ground for suspect horses from other states. Current import requirements call for a negative EIA test within twelve months but those requirements are nearly impossible to enforce if someone wants to circumvent the regulation.

I've enclosed recent experiences of some other states as well as our record.

Thank you for your positive consideration of this proposal.

*House Agriculture Committee  
February 5, 1997  
Attachment 1*

# EQUINE INFECTIOUS ANEMIA TESTING 1996

Arkansas	147 positives	33,157 tested
Louisiana	191 positives	30,086 tested
Mississippi	110 positives	27,000 tested
Florida	48 positives	23,000 tested
Texas	360 positives	
Illinois	23 positives	57,293 tested
<b>Kansas</b>	<b>13 positives</b>	<b>12,531 tested</b>
Nationally	1,374 positives	1.3 million tested

*House Agriculture Committee  
February 5, 1997  
Attachment 2*

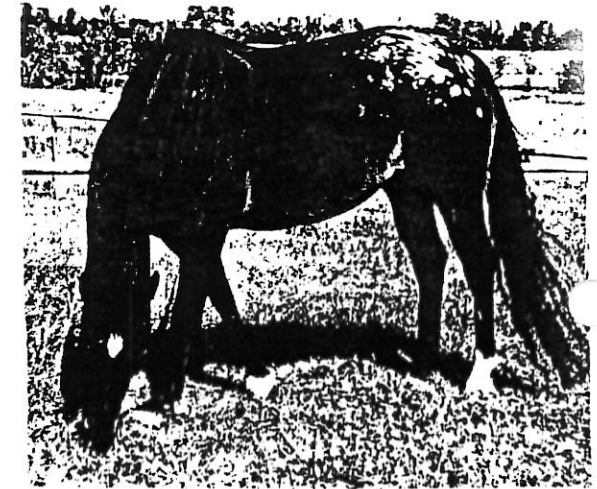
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**Rules and Regulations**

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**Importation**

Any member of the equidae family being imported into Kansas must be accompanied by a health certificate and proof of a negative EIA test within twelve months.



**Equine  
Infectious  
Anemia**

**Kansas Animal Health Department**  
712 S. Kansas Avenue, Suite 4-B  
Topeka, Kansas 66603-3808  
Phone (913)296-2326 Fax (913)296-1765

*House Agriculture Committee  
February 5, 1997  
Attachment 3*

# Equine Infectious Anemia

## The Virus

Equine infectious anemia is a member of the retrovirus family. Once infected with EIAV, a horse remains infected for life. Therefore, all seropositive horses are considered actively infected.

## Clinical Signs

Within 7-30 days of initial infection, most horses experience a viremic episode characterized by anorexia, depression and fever. Clinical signs may be mild and go unnoticed by all but the most observant owners. Severely affected horses may develop anemia. Most horses recover from the initial febrile episode, often showing no additional clinical signs.

Occasionally a horse will remain persistently viremic, developing clinical signs of classic EIA or "swamp fever". They have a consistent increase in body temperature, are depressed and/or exercise intolerant, and have a decreased appetite. The horse loses weight and develops ventral pitting edema. Most horses with chronic EIA die. Other horses recover from the initial febrile episode and appear normal for a period of time varying from days to weeks, followed by recrudescing febrile episodes occurring at variable time intervals.

Most horses infected with EIA show no clinical signs. They are of normal weight, eat with a normal appetite and have normal vital signs. They are diagnosed when blood samples are submitted for routine annual testing.

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*Most horses infected with EIA show no clinical signs. They are of normal weight, eat with a normal appetite and have normal vital signs.*

## Diagnosis

The presence of antibodies to EIAV in the serum of a horse is diagnostic of infection. Two tests are currently approved for serologic diagnosis of EIA in Kansas, the Coggins test and the C-Elisa test. Both tests are sensitive and specific for EIAV infection.

All EIAV serologic testing is done at state and federally approved laboratories. Positive tests are reported directly to the Kansas Animal Health Department.

## How does EIA spread?

In most cases, EIAV is spread from horse to horse via the bites of large horseflies and deerflies. The flies are strictly mechanical vectors and the virus survives less than 2 hours on their mouthparts. Mosquitoes do not spread the virus from horse to horse. After biting an infected horse, the fly might go to another nearby horse to finish its meal, thus transmitting the disease. In more than 90% of cases, a fly completes its meal within 100 yards of the initial bite.

Horses can also be infected when the

same needle is used on subsequent horses, carrying the virus from an infected horse to the next.

**"My neighbor's horse was positive to an EIA test. What can I do to protect my horses?"**

- 1 Require all horses coming on and off your farm to have a current negative test.
- 2 Require a negative EIA test as part of every prepurchase exam.
- 3 Try to control the fly population on the farm.
- 4 Keep horses in the barn during the day in fly season.
- 5 Encourage all events in which you participate with your horses that involve congregation of multiple horses to require proof of a recent negative EIA test.
- 6 If your neighbors do not follow these guidelines, keep your fence line 200 yards from their horses.
- 7 Never use the same needle to inject multiple horses.
- 8 Always properly disinfect any equipment that comes in contact with horse blood before using it on another horse.



RR1, Box 120  
Bronson, KS 66716

State of Kansas  
Kansas Animal Health Department  
George Teagarden, Lvstk Comm.  
712 South Kansas Av.  
Suite 4-B  
Topeka Ks. 66603-3808

Dear George,

We got your letter concerning Equine Infectious Anemia in the state and it's current concern by various individuals as regards to requirements for mandatory testing of horses in commerce and at shows, trail rides, fairs, rodeos, and various other equine events. I agree (as does most of our Garnett Saddle Club in attendance at our January meeting) that some regulations of some kind is needed. However most of our club membership does feel that this would be only for horses who are consistently traveling throughout the state to any of these various equine events.

Here I am quoting from member Butch Trabuc: "{This is} okay for traveling animals but {I am} against it for breeding stock, or stationary animals." Both Christine & Travis Lickteig wrote: "We agree with Coggins testing for all traveling animals (shows, trails, etc.) and at sales (Auctions) and to cross state lines. Brad Esslinger says, "It {Coggins} should be drawn if going around other horses."

DeWayne and I agree that testing for horses who are constantly traveling from home to events around the state, including equine that work cattle regularly, is a good idea, however equine that are stationary (neither leaving the home grounds nor being visited there by various equine which could contract EIA there) should not be included in this legislation. You know that we have worked consistently over the years with lots of 4-H and other families of equine enthusiast. It has always been obvious that in our locality of the state (eastern or southeastern) there are very few wealthy or even well-to-do families that this would not severely hamper financially to add another fee to their horse hobby. I have found they will trade lots of things to include good feed or animal health care to ensure the well being of these family affair horses. Adding additional financial fees to these families may not seem such a big burden to people in the more affluent areas of the state, however around here there are no good paying jobs (or I would NOT be traveling a total of 94 miles one way to work every day).

*House Agriculture Committee  
February 5, 1997  
Attachment 4*



This last brings to mind another associated problem: the cost of these tests. Would there be set or regulated prices for the various veterinarians to comply with or would they still be able to set their own rates? We have found these costs vary from as low as \$15.00 to as high as \$60.00 per horse.

I am both faxing and mailing this letter in order to ensure that these responses all are made available to you in time for the meeting scheduled for February 5th. If further action is required or needed please feel free to write (notice our new address). You know that I feel in order to make government or any organization work at it's peak, everyone is required to be accountable and accept responsibility for both their words and actions. Silence is not golden-usually it is just empty!

Sincerely yours,

*Deanna L. Fuhrman*

Deanna Fuhrman,  
Garnett Saddle Club Member,  
Uniontown Saddle Club Member,  
& Mid Eastern Kansas Western  
Horseman's Association Secretary



**Cooperative Extension Service**

Lyon County Extension Office  
618 Commercial  
Emporia, Kansas 66801-3902  
316-341-3220  
FAX: 316-341-3456

February 5, 1996

House Bill 2062  
Introduced by Representative Empson  
House Agriculture Committee  
JoAnn Flower, Chairman

Madam Chairperson and Committee Members,

I am here today to speak on House Bill 2062 regarding Equine Infectious Anemia. My name is Jerry Olson, I am the County Extension Agent for 4-H and Youth in Lyon County.

Equine Infectious Anemia or EIA is a disease in equine similar to AIDS in humans. It is spread through blood transmissions by horse flies, needles and other blood carrying means.

Kansas has little, if any, regulations concerning required testing for equine unless particular circumstances such as out-of-state travel requires testing. A horse must be tested to enter any of our bordering states, but a horse from those same states may enter Kansas without a negative coggins test.

Another place that negative coggins tests should be required is at all horse sales, shows and rodeos. Most of these are held when the transmission period is at its highest.

As a responsible horse owner myself, I hope you can understand the seriousness of this disease. The only options an owner has if his animal becomes infected is to put the animal to sleep or sell it to a slaughter plant.

I would like to ask for your support to pass legislation to help eradicate this terminal disease from horses in Kansas. EIA will never be completely cleaned up, but we should do what we can to eliminate this deadly disease.

I have worked with families in our county that have had horses test positive for EIA and I can tell you it was not a good experience for them or me. This legislation you are considering will go a long ways, not only clearing up the disease, but will also make the management of programs like 4-H and other shows a lot friendlier to coordinate.

Thank you for considering this request and I would be glad to answer any questions you may have.

Sincerely,

**Jerry Olson**  
**Lyon County Extension Agent**  
**4-H and Youth.**

Kansas State University,  
County Extension  
Councils, Extension  
Districts, and U.S.  
Department of Agriculture  
Cooperating.

All educational programs  
and materials available  
without discrimination on  
the basis of race, color,  
national origin, sex, age,  
or disability.

*House Agriculture Committee*  
*February 5, 1997*  
*Attachment 5*



**Testimony for House Agriculture Committee  
RE: H.B. 2062 Hearing: February 5, 1997  
Provided by: The Kansas Horse Council  
Presented by: Larry Childs, President-Elect**

Chairwoman Flower, Members of the Agriculture Committee. Thank you for the opportunity to speak today. My comments today will be brief and are to show support for H.B. 2062. I will, however, raise some concerns on how the proposed legislation would be implemented.

The Kansas Horse Council is a statewide group representing all facets of the equine industry. The Council has come out in support of the intent of this bill. We view this bill as having a positive effect on the potential spread of *Equine Infectious Anemia*, a contagious, debilitating and sometimes deadly disease, in our equine population. The KHC has talked with many horsepeople and veterinarians, and all agree that this type of legislation is needed.

While support is warranted; concerns and questions are making many horsepeople, and providers of "equine exhibitions" cautious as to how this law would be implemented and carried out. I have had conversations with Livestock Commissioner Teagarden, and understand that many of the "details" can and will be worked out in the *rules and regulations*, written by the Kansas Animal Health Department. And we are comfortable that the Department will listen to our input. We did, however, want to bring the following concerns before this Committee:

- ✓ How is this law going to be policed?
- ✓ How will positive horses be dealt with?
- ✓ How does this affect the equine event managers?
  - What exactly does *Section 1 (f)* mean to the managers of events?
- ✓ When will this law go into effect?
  - Will there be adequate time to educate the equine owners in the State?

In summary, The Kansas Horse Council is in support of H.B. 2062, and will cooperate in any way, to make this law positive for the citizens of Kansas.

Thank you for your time. I would stand for any questions.

*House Agriculture Committee  
February 5, 1997*

February 5, 1997

***RE: Equine Infectious Anemia, also know as Swamp Fever, Malaria Fever, Mountain Fever, and Slow Fever.***

The virus that causes EIA is classified as a Lenti-virus. This family of viruses causes several other viral diseases including; Feline Immunodeficiency virus disease in cats, Ovine Progressive Pneumonia in sheep and acquired immunodeficiency in man.

Infection can result in three different clinical syndromes: acute disease, sub acute disease and chronic. Not all horses progress through all syndromes. Few horses ever show apparent clinical signs but become carriers of the virus for life. Most chronic carriers are asymptomatic but may die of the disease or secondary complications similar to those experienced by AIDS victims.

EIA has been reported in nearly every part of the world and is transmitted by insects, or like AIDS is spread by contaminated hypodermic needles. Semen from infected stallions often contain the virus.

Today, there is no vaccine against the virus and there is no cure. In order to control the spread of EIA, carriers must be removed from the population. There are diagnostic tests available for EIA in order to enable us to identify the positive animals and remove them.

Currently, most states have laws regarding EIA testing, designed to prevent the spread of EIA. Their laws include animals moving through sales and auctions and those being sold privately, horse shows, rodeos and trail rides, and any gathering of equine. Kansas has no laws in regard to EIA testing, therefore, we are becoming the dumping ground for other states.

Strictly on a voluntary basis the people of Kansas showed 15 positive EIA cases in 1996. Illinois had 21 animals test positive January to November of 1996 and only 11 positive the entire year of 1995, the honor system.

According to 1996 Kansas Equine Survey done by Kansas Department of Agriculture, there was 103,000 equine in Kansas on January 1, 1996. Equine related assets totaled over 1.03 billion dollars with equine on hand accounting for 183 million dollars of the total assets. As you can see the equine industry in Kansas is very large. We need to protect this industry by passing strict laws requiring Coggins testing.

Larry Ward  
Rt 1 Box 201A  
Caney, Kansas 67333

*House Agriculture Committee  
February 5, 1997  
Attachment 7*



Response by  
Tina Coddington

## EIA - HOUSE BILL # 2062

- ① DOES NOT POSE HAZARD TO HUMAN HEALTH.
  - Ⓐ UNLIKE RABIES - EIA DOES NOT TRANSFER TO HUMANS
- ② ADDED COST TO CONSUMER - \$15 - \$45 PER TEST DEPENDING ON VET PLUS VET CALL AND/OR EXAM. WHAT ABOUT PEOPLE WHO WANT TO RIDE IN PARADE OR LOCAL HORSE SHOW AND CANT AFFORD TEST? WILL STATE HELP IN THESE INSTANCES?
  - Ⓐ TEST ONLY SHOWS THE DAY BLOOD IS DRAWN AND PRIOR IS NEGATIVE. FROM THAT POINT ON - IT DOESNT COVER THE HORSE.
  - Ⓑ NO VACCINE TO PREVENT EIA
  - Ⓒ GIVES CONSUMER FALSE SECURITY THAT HORSES WOULD NOT BE EXPOSED.
  - Ⓓ IF EXPOSED - WHO WOULD BE LIABLE - MANAGEMENT NOT REQUIRED TO KEEP RECORDS OF PEOPLE / HORSES. - FALL BACK ON MANAGEMENT &/OR STATE FOR INAPPROPRIATE RECORDS & REQUIREMENTS.
  - Ⓔ PAPERS MUST BE MATCHED TO HORSES.
- ③ HORSE SHOWS UP AT EXHIBITION OR SALE WITH NO NEG. TEST
  - Ⓐ HORSE ALREADY ON GROUNDS - COULD ALREADY PASS ON EIA IF POS. TEST BY WAY OF BLOOD - FLY BITES ect. - NO VACCINE -
- ④ EQUINE SURVEY - DEPT. OF AG. KS. '96 - 103,000 EQUINE (FROM RESPONDANTS) - LESS THAN 20 CASES - 96
- ⑤ UNENFORCEABLE -  
MANAGEMENT CANNOT ENFORCE - ARE NOT LAW ENFORCERS  
NO RECORDS - NOTHING TO PROVE ENFORCEMENT.
- ⑥ BILL MISREPRESENTED TO PUBLIC.
  - Ⓐ - REPRESENTED TO SALE BARN - KC - WOULD BE LIKE JOPLIN MO SALE PURCHASER OF HORSE NOT TESTED - SIGN PAPER TO GUARANTINEE - UNTIL TEST BACK
  - Ⓑ EXHIBITIONS REQUIRING ENTRY FEES - REQUIRE NEG TEST. House Ag  
2-5-97  
Attachment 8