

MINUTES OF THE JOINT SENATE AND HOUSE AGRICULTURE COMMITTEES.

The meeting was called to order by Chairman Derek Schmidt at 8:00 a.m. on April 25, 2001, in Room 313-S of the Capitol.

All members were present.

Committee staff present: Raney Gilliland, Legislative Research Department
 Jill Wolters, Revisor of Statutes
 Gordon Self, Revisor of Statutes
 Betty Bomar, Senate Committee Secretary
 Kay Scarlett, House Committee Secretary

Conferees appearing before the committee:

George Teagarden, Livestock Commissioner
Jamie Clover-Adams, Secretary, Kansas Department of Agriculture
Jonathan Small, Assistant Adjutant General
Leslie Kaufman, Kansas Farm Bureau
Mike Jensen, Kansas Pork Producers Association
Mike Beam, Kansas Livestock Association
Doug Wareham, Kansas Grain & Feed Association and Kansas Fertilizer & Chemical Association

Others attending: See attached list

Proposed Senate Substitute for Sub HB 2468 - relating to animal diseases

Chairman Schmidt stated that this joint committee meeting is the result of the Livestock Commissioner, George Teagarden, advising the Chair and House Chairman Representative Johnson that he has limited authority in the case of an outbreak of Foot and Mouth Disease (FMD) and/or Bovine Spongiform Encephalopathy (BSE). There was a consensus that the Legislature should review the potential need for legislation.

Representative Johnson stated the statutes need to be reviewed; that during the interim period there had been conversations between the Governor's office, the Livestock Commissioner, the Adjutant General's office, and others regarding the need to review the present statutes and make recommendations.

Chairman Schmidt informed the Committees that **Sub HB 2468** was selected as a vehicle for the proposed legislation resulting from conferences between the parties above outlined.

Jill Wolters, Revisor of Statutes, reviewed the proposed legislation (Attachment 1) that: 1) Grants the governor the authority to issue a proclamation relating to a quarantine upon the finding that it is necessary to prevent the spread among domestic animals of any contagious or infectious disease, and grants him authority to require and direct the cooperation of any state agency in establishing and enforcing the quarantine; 2) Provides reimbursement of one-half the appraised value of diseased livestock by the state of Kansas; 3) Enlarges the penalty to a class A, nonperson misdemeanor for anyone who shall knowingly expose any domestic animal to any contagious or infectious disease; 4) Provides for a 1-year moratorium for the feeding of garbage to animals; 5) Establishes a procedure to extend the time of a quarantine; and 6) Gives the governor authority to control ingress and egress "of persons and animals" from, within, and upon a disaster area.

George Teagarden, Livestock Commissioner, appeared in support of the proposed legislation to improve the defense against contagious and infectious diseases and submitted proposed amendments: 1) Section 1, Paragraph (b) should read "the governor shall direct the commissioner"; 2) Wording in Paragraph (c), is too broad and the word "establish" should be stricken; 3) Language in Paragraph (e), should be changed to read "the livestock commissioner or his representative"; 4) Language in Section 5(B) should be stricken; 5) Questioned whether garbage feeding should be allowed to continue; 6) Endorsed the language in Section 11 which enables the governor to declare an emergency and clarifies that those powers apply to disease control and eradication. (Attachment 2)

CONTINUATION SHEET

Brigadier General Jonathan Small, Assistant Adjutant General, testified in support of the proposed legislation, but did raise a question relative to the reimbursement of contaminated livestock by the state as provided in Section 2 as the federal government in many instances pays owners of destroyed animals 100 percent of appraised value.

Jamie Clover Adams, Secretary, Kansas Department of Agriculture (KDA) testified in support of the proposed legislation that strengthens the state's ability to act should FMD appear in the United State or Kansas. KDA strongly supports provisions that strengthen the Governor's ability to respond should FMD be found in Kansas. The economic impact of FMD would be catastrophic to the livestock industry in Kansas. (Attachment 3)

Leslie Kaufman, Associate Director, Kansas Farm Bureau, testified in support of the proposed legislation dealing with animal health, quarantines, and garbage feeding. The proposed legislation will ensure that the Governor and the Livestock Commissioner have the authority to take action to address an animal disease outbreak in the state. The Kansas Farm Bureau encouraged the Committee to act favorably on this measure. (Attachment 4)

Mike Jensen, President, Kansas Pork Producers Association (KPPA), testified in support of the proposed legislation. Mr. Jensen raised the issue of feeding garbage to swine in Kansas, stating this is an issue that should have been addressed years ago. KPPA strongly encouraged the Committee to adopt a provision to permanently ban the feeding of garbage to livestock in Kansas. (Attachment 5)

Mike Beam, Kansas Livestock Association, appeared in support of the proposed legislation enhancing the state's efforts to respond to emergency disease situations. KLA endorses a more aggressive approach to the regulation of garbage feeding, and supports an amendment that completely prohibits the feeding of garbage, cooked or uncooked, to livestock. The risks associated with the feeding of garbage are too great to ignore as witnessed by the recent outbreak of FMD in Europe. (Attachment 6)

The Committee raised the following questions: 1) raise the penalty from a Class A misdemeanor to a felony; 2) state payment for value of lost livestock; 3) treatment of non-domestic animals; and 4) moratorium or permanent ban on feeding of garbage.

Doug Wareham, Kansas Grain and Feed Association, and Kansas Fertilizer and Chemical Association, appeared in response to the utilization of **Sub HB 2468 - County discount program to control noxious weeds**, as a vehicle for the proposed new legislation, stating that he has been assured this legislation will be considered next session. Mr. Wareham does support the proposed legislation.

The hearing was concluded.

The meeting of the Joint House and Senate Agriculture Committees adjourned at 9:20 a.m.

The Senate Agriculture Committee continued its meeting.

Steve Williams, Secretary, Department of Wildlife and Parks, appeared before the Committee and stated that the quarantine of non-domestic animals, primarily deer, raises additional questions, such as fencing off a certain area, private property authority, and who would be shooting the animals, etc.

The Committee requested the penalty be raised to a felony; that the language ensure that federal money be completely utilized before the use of any state money for reimbursement of diseased livestock.

The Chair named a subcommittee consisting of Senators Tyson, Lee, and Schmidt to review the proposed legislation, make the suggested amendments, and report back to the full committee.

The meeting adjourned at 9:50 a.m.

HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: April 25, 2001

NAME	REPRESENTING
GEORGE TEAGARDEN	KAHD
Mike Jensen	Ks Pork Assn
JOHN C. BOTTEBERG	Ks. PORK ASSN.
Jim Allen	Seaboard
Mike Beam	Ks. LIVESTOCK ASSN.
GEORGE TEAGARDEN	KAHD
Debra Duncan	KAHD
Edd Johnson	KLA
Jamie Chloe Adams	KS Dept. of Agriculture
Leslie Kaufman	Ks Farm Bureau
Jan Neilson	Maka'ni Acres
William Neilson	Maka'ni Acres
Dag Wareham	KGFA / KFCA
Susan Holsti	Ks Coop Council
David M. Self	USD 300
Bill Hovis	Governor's office
Chris Wilson	KS Dairy Association

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By

AN ACT concerning animal diseases; relating to quarantines; concerning garbage feeding; relating to state of disaster emergency; amending K.S.A. 47-611, 47-617, 47-623, 47-1211, 47-1211, as amended by section 4 of this bill, 47-1302, 47-1303, 47-1303, as amended by section 7 of this bill, 47-1304, 47-1307, 48-924 and 48-925 and repealing the existing sections.

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

Section 1. K.S.A. 47-611 is hereby amended to read as follows: 47-611. (a) When the commissioner determines that a quarantine and other regulations ~~is~~ are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the commissioner shall notify the governor of such determination, and the governor shall issue a proclamation announcing the boundary of such quarantine and the orders and rules and regulations prescribed by the commissioner, which proclamation shall be published in the Kansas register, except that the commissioner, if the area affected by the quarantine is limited in extent, may dispense with the proclamation of the governor and give such notice as the commissioner shall deem sufficient to make the quarantine effective.

(b) Upon a determination by the governor that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the governor may direct the commissioner to establish a quarantine pursuant to this section.

(c) The governor may require and direct the cooperation and assistance of any state agency in establishing and enforcing such quarantine or other regulations pursuant to subsection (a) or (b).

~~(b)~~ (d) The commissioner shall establish such quarantine immediately and shall give and enforce such directions, rules and regulations as to separating, isolating, handling and treating, feeding and caring for such diseased animals, animals exposed to the disease and animals within the quarantine which have not been immediately exposed, as the commissioner deems necessary to

prevent those classes of animals from coming into contact with one another.

(e) (e) The livestock commissioner is hereby authorized and empowered to enter any grounds and premises to carry out the provisions of this act.

Sec. 2. K.S.A. 47-617 is hereby amended to read as follows: 47-617. When any domestic animal, other than dogs and animals affected with foot-and-mouth disease, is killed by order of the commissioner, ~~said~~ the commissioner shall issue to the owner of the animal or animals the certificate showing the number and kind of animals killed, and the amount to which the holder is entitled, ~~and report the same~~ . Such certificate shall be reported to the board of county commissioners of the county in which the animal was located, and upon presentation of such certificate to the board of county commissioners, such board shall draw its warrant on the county treasurer for the amount therein stated: ~~Provided That~~ . In case of animals killed or disposed of that are afflicted with the foot-and-mouth disease, the appraisal shall be conducted in accordance with the rules and regulations of the ~~bureau of animal industry of the~~ livestock indemnity program administered by the farm service agency of the United States ~~government~~ department of agriculture, and one-half of such appraised values shall be paid by the state of Kansas to the owner of such animal or animals: ~~Provided further That~~ . The state of Kansas shall pay all its expenses incurred in that behalf, and shall pay all its ~~men and help~~ employees necessarily employed therein, and the director of accounts and reports is hereby directed to draw ~~his~~ the warrant on the state treasurer for one-half of the amount of such appraisal.

Sec. 3. K.S.A. 47-623 is hereby amended to read as follows: 47-623. That any person who shall knowingly bring into this state any domestic animal which is affected with any contagious or infectious disease or any animal which has been exposed to any contagious or infectious disease, or who shall knowingly expose any domestic animal in this state to any contagious or infectious

disease, shall be deemed guilty of a misdemeanor,--and--upon conviction--thereof--shall--be--fined--in--any--sum--not--less--than--one hundred--nor--more--than--one--thousand--dollars class A, nonperson misdemeanor.

Sec. 4. K.S.A. 47-1211 is hereby amended to read as follows:
47-1211. (a) The operator of a licensed disposal plant shall dispose of the carcasses of domestic animals or packinghouse refuse by complying with the following standards and requirements:

(1) The skinning and dismembering of carcasses of domestic animals shall be performed within the building where the carcasses are processed;

(2) the cooking vats or tanks shall be airtight, except proper escape for live steam;

(3) steam shall be so disposed of as not to be detrimental to public health or safety;

(4) the materials not cooked or entirely consumed by burning within the plant, shall be disposed of (a):

(A) By burying to such a depth that no part of such carcass shall be nearer than three (3) feet to the surface of the ground, and shall be covered with quick-lime and with at least three (3) feet of earth; or (b)-by-feeding-to-hogs, dogs, or other--animals on-the-premises-contiguous-to-the-disposal-plant; or (c)

(B) in such manner as may be prescribed by rules and regulations adopted by the commissioner;

(5) all carcasses of domestic animals or packinghouse refuse shall be disposed of within ~~forty-eight--(48)~~ 48 hours after delivery to the disposal plant;

(6) all carcasses, parts thereof, or refuse under process for marketing shall not be permitted to come in contact with any part of the building or the equipment used in connection with the unloading, skinning, dismembering and grinding of carcasses or refuse as originally received at disposal plant;

(7) the cooking of materials shall be at a temperature of 212° F. (boiling point) for a period of ~~thirty-(30)~~ 30 minutes.

(b) The commissioner may issue a release for portions of carcasses of dead animals which are uncooked, or which are cooked for a period shorter than ~~thirty--(30)~~ 30 minutes or at a temperature less than 212° F., or both: ~~Provided, That.~~ Such release requires that the products so released shall be identified by freely slashing and covering all exposed surfaces of such products with an edible green dye or other such suitable substance as may be approved by the commissioner: ~~And provided,~~ Such products shall otherwise meet the requirements of the Kansas feeding stuffs statute, article 10 of chapter 2, Kansas Statutes Annotated.

Sec. 5. On and after July 1, 2002, K.S.A. 47-1211, as amended by section 4 of this bill, is hereby amended to read as follows: 47-1211. (a) The operator of a licensed disposal plant shall dispose of the carcasses of domestic animals or packinghouse refuse by complying with the following standards and requirements:

(1) The skinning and dismembering of carcasses of domestic animals shall be performed within the building where the carcasses are processed;

(2) the cooking vats or tanks shall be airtight, except proper escape for live steam;

(3) steam shall be so disposed of as not to be detrimental to public health or safety;

(4) the materials not cooked or entirely consumed by burning within the plant, shall be disposed of:

(A) By burying to such a depth that no part of such carcass shall be nearer than three feet to the surface of the ground, and shall be covered with quick-lime and with at least three feet of earth; or

(B) by feeding to hogs, dogs or other animals on the premises contiguous to the disposal plant; or

(C) in such manner as may be prescribed by rules and regulations adopted by the commissioner;

(5) all carcasses of domestic animals or packinghouse refuse

shall be disposed of within 48 hours after delivery to the disposal plant;

(6) all carcasses, parts thereof, or refuse under process for marketing shall not be permitted to come in contact with any part of the building or the equipment used in connection with the unloading, skinning, dismembering and grinding of carcasses or refuse as originally received at disposal plant;

(7) the cooking of materials shall be at a temperature of 212° F. (boiling point) for a period of 30 minutes.

(b) The commissioner may issue a release for portions of carcasses of dead animals which are uncooked, or which are cooked for a period shorter than 30 minutes or at a temperature less than 212° F., or both. Such release requires that the products so released shall be identified by freely slashing and covering all exposed surfaces of such products with an edible green dye or other such suitable substance as may be approved by the commissioner. Such products shall otherwise meet the requirements of the Kansas feeding stuffs statute, article 10 of chapter 2, Kansas Statutes Annotated.

Sec. 6. K.S.A. 47-1302 is hereby amended to read as follows: 47-1302. (a) On and after the effective date of this act through June 30, 2002, except as provided in subsection (b), it shall be unlawful for any person, firm, partnership or corporation to feed garbage to animals unless.

(b) Any person, firm, partnership or corporation who on the effective date of this act is registered as a garbage feeding operator may continue to feed garbage to animals if such garbage has been heated to a temperature of 212 degrees Fahrenheit (boiling point) for at least 30 minutes as provided by rules and regulations promulgated by the state livestock commissioner. This requirement--shall--not--apply--to--an--individual--who--feeds--such--individual's--own--animals--only--the--garbage--obtained--from--such--individual's--own--household.

(c) On and after July 1, 2002, it shall be unlawful for any person, firm, partnership or corporation to feed garbage to

animals unless such garbage has been heated to a temperature of 212 degrees Fahrenheit (boiling point) for at least 30 minutes as provided by rules and regulations promulgated by the state livestock commissioner. This requirement shall not apply to an individual who feeds such individual's own animals only the garbage obtained from such individual's own household.

Sec. 7. K.S.A. 47-1303 is hereby amended to read as follows: 47-1303. It shall be unlawful for the governing body of any city, or any official or employee of a city, to enter into any contract or agreement for the collection or disposal of garbage unless such contract or agreement requires a ~~heating-and--processing--of garbage-as-required-in-this-act-and-as-required-by-K.S.A.-47-1302 and-amendments-thereto, when-fed-to-animals, or-(2)-such-contract or--agreement--requires--a~~ disposal of garbage in accordance with rules and regulations of the state livestock commissioner, when disposed of by other means.

Sec. 8. On and after July 1, 2002, K.S.A. 47-1303, as amended by section 7 of this bill, is hereby amended to read as follows: 47-1303. It shall be unlawful for the governing body of any city, or any official or employee of a city, to enter into any contract or agreement for the collection or disposal of garbage unless such contract or agreement requires a heating and processing of garbage as required in this act and as required by K.S.A. 47-1302 and amendments thereto, when fed to animals, or (2) such contract or agreement requires a disposal of garbage in accordance with rules and regulations of the state livestock commissioner, when disposed of by other means.

Sec. 9. K.S.A. 47-1304 is hereby amended to read as follows: 47-1304. The state livestock commissioner is hereby authorized to promulgate and enforce all rules and regulations deemed necessary to carry out the provisions of ~~the-act-of-which-this-section-is amendatory-and-of-K.S.A.-47-1306-and-47-1307--and--amendments--to such--sections~~ K.S.A. 47-1301 through 47-1307, and amendments thereto.

Sec. 10. K.S.A. 47-1307 is hereby amended to read as

follows: 47-1307. (a) (1) On and after the effective date of this act through June 30, 2002, except as provided in subsection (f), no person, firm, partnership or corporation shall be allowed to register as a garbage feeding operator.

(2) On and after July 1, 2002, it shall be unlawful for any person, firm, partnership or corporation to feed cooked garbage to animals, other than dogs, as permitted under K.S.A. 47-1302, and amendments thereto, unless the operator of such garbage feeding establishment shall have first registered as a garbage feeding operator with the livestock commissioner and shall have paid the annual registration fee under this section for each place where garbage is to be fed.

(b) The livestock commissioner may accept applications for registration on a form to be supplied by the commissioner's office. Upon the acceptance of such application for registration and the receipt of the annual registration fee under this section for each place where garbage is to be fed, the livestock commissioner shall issue to such applicant and operator a certificate of registration for the current operation period. Such certificate shall expire on June 30 each year following the date of issuance of the certificate of registration. The application for registration may be rejected and denied if the applicant does not supply all the information deemed essential by the livestock commissioner and if the applicant's garbage feeding establishment does not meet the requirements of article 13 of chapter 47 of Kansas Statutes Annotated, and amendments thereto, and the rules and regulations adopted thereunder.

(c) The livestock commissioner shall fix the annual registration fee in such amount as the commissioner deems desirable in interests of public service, but not in an amount of more than \$15 per registration for each garbage feeding establishment.

(d) The certificate of registration for garbage feeding operators may be revoked by the livestock commissioner whenever the operator of a garbage feeding establishment is found to be

operating in violation of law, or rules and regulations adopted thereunder, or in an unsanitary manner. Any such operator shall first be given notice of hearing and an opportunity to appear and be heard in defense of any proceeding for the revocation of any certificate of registration in accordance with the provisions of the Kansas administrative procedure act.

(e) The livestock commissioner shall remit all moneys received by or for the commissioner under article 13 of chapter 47 of Kansas Statutes Annotated and amendments thereto to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the animal disease control fund.

(f) Any person, firm, partnership or corporation who on the effective date of this act is registered as a garbage feeding operator may continue to register annually as a garbage feeding operator if such operator is in compliance with all applicable laws and rules and regulations concerning such garbage feeding establishment.

Sec. 11. K.S.A. 48-924 is hereby amended to read as follows: 48-924. (a) The governor shall be responsible for meeting the dangers to the state and people presented by disasters.

(b) (1) The governor, upon finding that a disaster has occurred or that occurrence or the threat thereof is imminent, shall issue a proclamation declaring a state of disaster emergency.

(2) In addition to or instead of the proclamation authorized by K.S.A. 47-611, and amendments thereto, the governor, upon a finding or when notified pursuant to K.S.A. 47-611, and amendments thereto, that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, may issue a proclamation declaring a state of disaster emergency.

(3) The state of disaster emergency so declared shall continue until the governor finds that the threat or danger of

disaster has passed, or the disaster has been dealt with to the extent that emergency conditions no longer exist. Upon making such findings the governor shall terminate the state of disaster emergency by proclamation, but except as provided in paragraph (4), no state of disaster emergency may continue for longer than 15 days unless ratified by concurrent resolution of the legislature, with the single exception that upon specific application by the governor to the state finance council and an affirmative vote of a majority of the legislative members thereof, a state of disaster emergency may be extended once for a specified period not to exceed 30 days beyond such 15-day period.

(4) If the state of disaster emergency is proclaimed pursuant to paragraph (2), the governor shall terminate the state of disaster emergency by proclamation within 15 days, unless ratified by concurrent resolution of the legislature, except that when the legislature is not in session and upon specific application by the governor to the state finance council and an affirmative vote of a majority of the legislative members thereof, a state of disaster emergency may be extended for a specified period not to exceed 30 days. The state finance council may authorize additional extensions of the state of disaster emergency in the same manner as the original extension for specified periods not to exceed 30 days each. Such state of disaster emergency shall be terminated on the 15th day of the next regular legislative session following the initial date of the state of disaster emergency unless ratified by concurrent resolution of the legislature.

(5) At any time, the legislature by concurrent resolution may require the governor to terminate a state of disaster emergency. Upon such action by the legislature, the governor shall issue a proclamation terminating the state of disaster emergency.

(6) Any proclamation declaring or terminating a state of disaster emergency which is issued under this subsection shall indicate the nature of the disaster, the area or areas threatened

or affected by the disaster and the conditions which have brought about, or which make possible the termination of, the state of disaster emergency. Each such proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent the same, each such proclamation shall be filed promptly with the division of emergency management, the office of the secretary of state and each city clerk or county clerk, as the case may be, in the area to which such proclamation applies.

(c) In the event of the absence of the governor from the state or the existence of any constitutional disability of the governor, an officer specified in K.S.A. 48-1204 and amendments thereto, in the order of succession provided by that section, may issue a proclamation declaring a state of disaster emergency in the manner provided in and subject to the provisions of subsection (a). During a state of disaster emergency declared pursuant to this subsection, such officer may exercise the powers conferred upon the governor by K.S.A. 48-925, and amendments thereto. If a preceding officer in the order of succession becomes able and available, the authority of the officer exercising such powers shall terminate and such powers shall be conferred upon the preceding officer. Upon the return of the governor to the state or the removal of any constitutional disability of the governor, the authority of an officer to exercise the powers conferred by this section shall terminate immediately and the governor shall resume the full powers of the office. Any state of disaster emergency and any actions taken by an officer under this subsection shall continue and shall have full force and effect as authorized by law unless modified or terminated by the governor in the manner prescribed by law.

(d) A proclamation declaring a state of disaster emergency shall activate the disaster response and recovery aspects of the state disaster emergency plan and of any local and interjurisdictional disaster plans applicable to the political

subdivisions or areas affected by the proclamation. Such proclamation shall be authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, materials or facilities assembled, stockpiled or arranged to be made available pursuant to this act during a disaster.

(e) The governor, when advised pursuant to K.S.A. 74-2608, and amendments thereto, that conditions indicative of drought exist, shall be authorized to declare by proclamation that a state of drought exists. This declaration of a state of drought can be for specific areas or communities, can be statewide or for specific water sources and shall effect immediate implementation of drought contingency plans contained in state approved conservation plans, including those for state facilities.

Sec. 12. K.S.A. 48-925 is hereby amended to read as follows: 48-925. (a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing herein shall restrict the authority of the governor to do so by orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation thereof, the governor may issue orders and proclamations which shall have the force and effect of law during the period of a state of disaster emergency declared under subsection (b) of K.S.A. 48-924, and amendments thereto, and which orders and proclamations shall be null and void thereafter unless ratified by concurrent resolution of the legislature. Such orders and proclamations may be revoked at any time by concurrent resolution of the legislature.

(c) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, and in addition to any

other powers conferred upon the governor by law, the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of

state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population.

(d) The governor shall exercise the powers conferred by subsection (c) by issuance of orders under subsection (b). The adjutant general, subject to the direction of the governor, shall administer such orders.

Sec. 13. K.S.A. 47-611, 47-617, 47-623, 47-1211, 47-1302, 47-1303, 47-1304, 47-1307, 48-924 and 48-925 are hereby repealed.

Sec. 14. On and after July 1, 2002, K.S.A. 47-1211, as amended by section 4 of this bill and K.S.A. 47-1303, as amended by section 7 of this bill are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its publication in the Kansas register.

STATE of KANSAS
KANSAS ANIMAL HEALTH DEPARTMENT

George Teagarden, Livestock Commissioner

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April 25, 2001

Chairmen and Members of the House and Senate Agriculture Committees:

I am George Teagarden, Livestock Commissioner, Kansas Animal Health Department. I am here this morning to support legislation that will assist in our efforts to prevent and/or control and eradicate foreign animal diseases that might enter our state through various avenues.

The bill draft that you are considering has the support of the Kansas Animal Health Department. I believe the proposed amendments would be beneficial in our efforts to control and eradicate animal disease within this state.

I do, however, have some minor concerns or suggestions regarding parts of the document.

Section 1 is current law, with a slight correction in grammar.

- Paragraph (b) is somewhat repetitive and perhaps in conflict with section (a). If this language is necessary, then I believe it should read “the governor **shall** direct the commissioner” to establish a quarantine.
- Paragraph (c) is needed to allow the governor to require and direct the cooperation of all state agencies to assist in enforcing a quarantine. While I agree with the substance, I believe the wording in this paragraph is too broad. As paragraph (c) is written, it allows the Governor to direct the assistance of any state agency to “establish” and enforce a quarantine. I do not believe that all state agencies should have the power to establish a quarantine and ask that the word “establish” be stricken.

House Agriculture Committee
April 25, 2001
Attachment 2

- In paragraph (e), I would ask that the language be changed to read “the livestock commissioner **or his representative** is hereby authorized and empowered to enter any grounds...” This change would allow the commissioner to deputize individuals from other agencies as needed to carry out quarantine duties.

Section 4 deals with licensed disposal plants. In (A), the language allowing disposal plant waste to be fed to hogs, dogs or other animal on the premise contiguous to the disposal plant has been stricken. I think that the same language should be deleted in Section 5, (B). To my knowledge, no disposal plant uses this option and I do not think it wise to allow uncooked meat products to be fed to livestock.

If I read this document correctly, Sections 6 through 10 establish a moratorium on garbage feeding (except for those currently registered) for one year. I believe the question is – do we want to allow garbage feeding or not?

I do support Section 11 which consists of statutory language enabling the governor to declare an emergency and which adds language to clarify that those powers apply to disease control and eradication. This power will be beneficial to the state if needed during an outbreak of a foreign animal disease.

Committee members, the threat of a foreign animal disease entering our country or state is real. Our statutes and regulations have protected our state and country for many years, but they are out of date and I think there are always ways to improve our defense system. This document is an excellent start. I urge your support of disease defense.

STATE OF KANSAS

BILL GRAVES, GOVERNOR

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(785) 296-3556
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KANSAS DEPARTMENT OF AGRICULTURE

Joint Agriculture Committee

April 25, 2001

Testimony Regarding Omnibus Animal Health Bill

Jamie Clover Adams, Secretary of Agriculture

Chairman Schmidt, Chairman Johnson and members of the House and Senate Agriculture Committee, I am Jamie Clover Adams, Kansas Secretary of Agriculture. I am here to support the Chairmen's proposal that strengthens the state's ability to act should foot-and-mouth disease (FMD) appear in the United States or Kansas. The proposal also takes the preventive measure of temporarily banning the feeding of garbage.

The Kansas Department of Agriculture (KDA) strongly supports provisions of the proposal that strengthen the Governor's ability to respond should FMD ever be found in Kansas. On January 1, 2000, there were 6.55 million cattle and calves on Kansas farms and ranches. In 1999, cash receipts for cattle and hogs totaled nearly \$4.75 billion. The economic impact of FMD, however, would extend well beyond animal agriculture. For example, when North Carolina health officials suspected FMD in hogs late last month, soybean prices fell to a 21-month low the following day. When test results showed the hogs did not have FMD, the soybean market bounced back.

Currently, KDA is developing protocols for dairy and meat and poultry inspectors to follow should any of them observe possible signs of FMD. We will coordinate our activities with the Animal Health Department when our internal assessment is complete.

KDA field inspectors in each of these programs routinely visit facilities where FMD could appear, and we will be vigilant in identifying any threat to animal agriculture in Kansas. We also will provide any assistance requested by the Animal Health Department or the Adjutant General to address this important issue.

I have attached to my testimony a fact sheet describing FMD and its effects. I appreciate the opportunity to appear to support efforts to strengthen our ability to respond to this threat if necessary. I will stand for your questions at the appropriate time.

House Agriculture Committee
April 25, 2001
Attachment 3

Foot-and-Mouth Disease Fact Sheet
April 25, 2001
Compiled from Existing USDA Information
Provided by the Kansas Department of Agriculture

Physical Signs and Effects of FMD

FMD is a severe, highly communicable viral disease of cattle and swine. It also affects sheep, goats, deer and other ruminants (cloven-hoofed, cud-chewing quadrupeds). The disease is characterized by fever and by blister-like lesions in the mouth and on the teats and feet. Nearly 100 percent of the animals exposed to the virus become infected. Many affected animals recover, but the disease leaves them debilitated, and reduces meat and milk production. To complicate matters, the blisters may not be observed until they rupture, and there is no known cure for the disease. Because it spreads rapidly, and has grave economic and clinical consequences, FMD is one of the animal diseases that livestock owners dread most.

How FMD Spreads

FMD viruses can be spread by animals, people or materials that bring the virus into physical contact with susceptible animals. An outbreak can occur when:

- People wearing contaminated clothes or footwear or using contaminated equipment pass the virus to susceptible animals
- Animals carrying the virus are introduced into susceptible herds
- Contaminated facilities are used to hold susceptible animals
- Contaminated vehicles are used to move susceptible animals
- Raw or improperly cooked garbage containing infected meat or animal products is fed to susceptible animals
- Susceptible animals are exposed to materials such as hay, feedstuffs, hides or biologics contaminated by the virus
- Susceptible animals drink from a common source of contaminated water
- A susceptible cow is inseminated with semen from an infected bull

Economic Impact

According to Purdue University, agriculture economists estimate the economic impact FMD could have in the U.S. ranges from \$2 billion to \$24 billion. Factors that would affect the disease's impact include where the outbreak occurs, how quickly it is diagnosed, the means used to deal with it and the success of those efforts.

FEMA said that treating an outbreak is much the same as responding to a natural disaster, where states take primary responsibility and call on federal resources as they are needed. If a computer study from Britain is followed, the best approach would be to slaughter all infected animals within 24 hours followed by the destruction of all potentially infected animals within about a mile of the infection focal point within 48 hours. Since FMD first erupted in Great

Britain, a few more than 1,400 animals have been diagnosed with FMD but about 1.5 million animals have been tagged for slaughter. That number equals all the animals on feed in every feedlot in Kansas.

On January 1, 2000, there were 6.55 million cattle and calves on Kansas farms and ranches. In 1999, cash receipts for cattle and hogs totaled nearly \$4.75 billion. The economic impact of FMD, however, would extend well beyond animal agriculture. For example, when North Carolina health officials suspected FMD in hogs late last month, soybean prices fell to a 21-month low the following day. When test results showed the hogs did not have FMD, the soybean market bounced back.

Human Impact

While much of the focus has been on this disease's economic impact, its impact on humans should be considered. All animals on a farm, either healthy or sick, and even the pet goats of children are slaughtered. The family and farm are placed under quarantine from two weeks to three months. Children may be prohibited from attending school, while the family may not be able to shop for groceries or attend church. The isolation continues until officials can ensure the property is virus-free.

USDA Prevention Recommendations

The following preventive measures should be taken by travelers to the United States from FMD infected countries:

1. Avoid farms, sale barns, stockyards, animal laboratories, packing houses, zoos, fairs or other animal facilities for five days prior to travel. Before travel to the United States, launder or dry clean all clothing and outerwear.
2. All dirt and soil should be removed from shoes by thorough cleaning prior to wiping with cloth dampened with a bleach solution (five tablespoons of household bleach in one gallon of water). Luggage and personal items (including watches, cameras, laptops, CD players and cell phones), if soiled, should be wiped with a cloth dampened with a bleach solution.
3. Avoid contact with livestock or wildlife for five days after arrival in the United States. **Extra** precautionary measures should be taken by people traveling from farms in infected locales to visit or work on farms in the United States. It is advisable that employers or sponsors provide arriving travelers with a clean set of clothing that can be worn after the visitor showers and shampoos thoroughly. Visitor's traveling clothes should be laundered or dry cleaned immediately. Off-farm activities should be scheduled for the visitor's first five days in-country and contact with livestock or wildlife should be strictly avoided.

USDA: <http://www.usda.gov/>



PUBLIC POLICY STATEMENT

JOINT HEARING BEFORE THE SENATE AND HOUSE COMMITTEES ON AGRICULTURE

**RE: Amendments Regarding Animal Health, Quarantines
and Garbage Feeding**

**April 25, 2001
Topeka, Kansas**

**Presented by:
Leslie J. Kaufman, Associate Director
Public Policy Division
Kansas Farm Bureau**

Chairmen Schmidt and Johnson and members of the Senate and House Agriculture Committees, thank you for the opportunity to appear today on behalf of the farmer and rancher members of Farm Bureau. We welcome the opportunity to express support for the proposed amendments dealing with animal health, quarantines and garbage feeding.

Livestock disease outbreaks, particularly in Europe, have focused attention on our national and state abilities to prevent disease from entering the United States and our ability to address an occurrence of an infectious livestock disease should one emerge. As such, it is fitting for the state to examine actions that might be appropriate, even necessary, should a transmissible livestock disease be identified in Kansas. Part of that evaluation is ensuring that the legal structure exists for the state to take needed actions. We believe that is being done and one of the results are the proposed amendments before the committee today.

For agricultural producers, livestock health is paramount to a profitable operation. Additionally, consumers must have confidence that their food supply is safe. Farm

Bureau has adopted extensive policies on livestock health and animal health emergency management preparedness. These policies were ratified this past January at the annual meeting of the American Farm Bureau Federation.

Farm Bureau strongly supports:

- Cooperative efforts between government and industry, at the national, state, and local levels in crafting a world-class national health emergency management system for the U.S., including prevention, preparedness, recovery and response;
- Additional funding for research into emerging infectious animal diseases;
- Continued research to verify the means of transmitting bovine spongiform encephalopathy (BSE) and inactivating the causative agent;
- Continued monitoring programs for BSE and transmissible spongiform encephalopathies (TSE) in the U.S.;
- Development of a core animal disease control and eradication program to prevent the introduction of foreign or emerging animal diseases, poultry diseases and pests into this country and to control and eradicate those that exist; and
- The USDA's program to prevent the introduction of exotic diseases into the U.S. from foreign countries.

The amendments proposed today will help ensure the Governor and the Livestock Commissioner have the authority to take action to address an animal disease outbreak in this state. These abilities may prove critical to protecting animal health in Kansas, should the state be faced with an infectious livestock disease occurrence. As such, we encourage you to act favorably on the measure. Thank you.



April 24, 2001

Testimony Concerning Infectious Disease Prevention In Kansas

Presented by Mike Jensen, President, KPA

Chairman, members of the committees. I am here today as a representative of the Kansas Pork Association. Our membership produces the overwhelming majority of the pork in Kansas. Our organization has a long history of working to eradicate infectious diseases, and to prevent their spread. Our latest success is the pseudorabies (PRV) eradication. Kansas is in Stage V of the program and is essentially "free". Only a small cluster of herds in just a few other states are preventing the entire US from being declared PRV free. This should be accomplished very soon.

Other infectious diseases in other parts of the world have heightened our producers' awareness to "tighten the safety net" around domestic production. Representatives from our association have worked closely with USDA in this preparedness.

This bill gives our Governor, and the Animal Health Commissioner, the ability to act quickly if the Livestock industry in Kansas is threatened internally, or at our borders. This is very important legislation that we support.

Another issue that is addressed is the feeding of garbage to swine in Kansas. Unfortunately, this practice is still legal in 33 other states. Although only an extremely small number of swine in the U.S. are still fed garbage, there are still an average of 100 violations found annually.

Frankly, this is an issue that should have been addressed years ago. Not only has the practice been associated with infectious outbreaks, it is also a black eye to the industry. We have striven through nutrition, genetics and management to produce a product that is deemed wholesome to the consumer. Today, we have a wide variety of traditional feedstuffs available to producers, as well as the availability and technology of composting to deal with garbage. For the safety of our consumers and the safety of our industry, there is simply no need for this practice.

We would strongly encourage you to adopt a provision ceasing existing garbage feeding and prevention of reoccurrence of the practice.

Thank you for your consideration.

Swill feeding still common

By PHILIP BRASHER
The Associated Press

Giving food scraps to hogs blamed for Europe's outbreak.

WASHINGTON — Feeding food scraps to hogs, the practice now blamed for Europe's foot-and-mouth epidemic, is still legal in 33 states and Puerto Rico even though improperly cooked pig swill long has been recognized as a sure way to spread disease.

The last U.S. outbreak of foot-and-mouth in 1929 occurred when scraps of South American meat were taken off a ship and fed to hogs in California. Experts say that improper swill feeding is one of the most likely ways foot-and-mouth could return.

"That's my biggest concern," said Terry Conger, state epidemiologist with the Texas Animal Health Commission.

Europe's outbreak has been traced by British officials to pig swill that likely contained meat imported illegally or food smuggled by a traveler.

"International travelers are always bringing sausage and whatnot they acquire in foreign countries," Conger said.

Britain and Ireland are outlawing swill feeding as a result of the outbreak, and the European Union is being pressed by several member countries to impose an EU-wide ban.

About 2,700 farmers are

licensed under U.S. law, including 1,300 in Puerto Rico, to feed discarded food to hogs. Federal rules require the swill to be cooked for 30 minutes to kill any pathogens.

All food waste from international flights and ocean liners must be incinerated to prevent infected meat from reaching livestock. Also, meat items are routinely confiscated from arriving passengers.

The Agriculture Department recently advised states to contact every licensed farm within a month to ensure they are following the cooking and record-keeping rules.

"We feel confident that this program is effective," said Alfonso Torres, deputy administrator of veterinary services for the department's Animal and Plant Health Inspection Service. "We want to be sure that everyone is aware of what they need to do once more."

Foot-and-mouth is harmless to humans, but an outbreak can be devastating to livestock producers. The virus spreads so quickly and easily that the only sure way to contain it is to destroy all exposed livestock.

The biggest swill-feeding producers, located in New Jersey and Nevada, raise

thousands of pigs on waste food collected from their state's casinos. The Texas prison system raises hogs on scraps from inmate meals.

"We do everything to state and federal regulations," said Robert Shisler, a licensed New Jersey producer who otherwise declined to discuss his operation.

But most of the licensed producers are small-scale farmers, often poor, who raise a handful of hogs, often on household scraps, government officials say. In addition to Puerto Rico, the largest number are in Texas, Arkansas and Florida.

Fewer than 100 farmers are caught violating the licensing rules annually, according to the Agriculture Department.

Altogether, 50,000 of the nation's 100 million hogs are fed food scraps. Most hogs are raised on feed that is a mixture of soybean meal, grain and dietary supplements.

The Agriculture Department requires swill-feeding producers to be inspected at least quarterly, but some states require such checks more often. Texas, which has 613 such farmers, inspects them monthly.

Foot-and-mouth isn't the only disease that can be

transmitted through swill. A 1995 Agriculture Department study found that improperly cooked food waste was even more likely to expose hogs to campylobacter, salmonella, toxoplasma, trichinella and hog cholera.

The trichinae parasite, which can be transmitted to humans through infected meat, has been virtually eliminated from U.S. pork because of regulations on swill feeding.

The study identified household waste as the food source most likely to transmit foreign disease pathogens to swine because such waste is more likely to contain contraband meat.

When the United States, Canada and Mexico conducted a mock outbreak of foot-and-mouth disease last fall to test the readiness of animal-health officials, the fictional epidemic started with a swill-feeding producer in south Texas. Had the outbreak been real, it would have spread through Texas in days, officials said.

Texas hasn't banned pig swill, or "garbage feeding," as it is known in the industry, for fear of driving the producers underground, where they can't be monitored by the government, Conger said.

"It's very difficult to control," he said. "We don't have officers prowling the roads looking for garbage feeders."

U.S. ag sch wary of out

The Associated Press

EAST LANSING, Mich. — Some U.S. big agriculture schools are canceling study programs out of fear that bringing foot-and-mouth disease back to the U.S. Other universities are going ahead with them, saying they offer an unprecedented chance to see how an agricultural crisis would affect the world.

Michigan State University canceled its study program for 27 students from one Purdue University student called off.

Many schools also have instituted controls. Purdue, the University of California and others aren't letting livestock for a week after their arrival.

"Foot-and-mouth is a very devastating disease," said Conger. "We can't afford to have it in this country," said the University of Wisconsin, where a group of students recently was barred from visiting the state. Students from Iowa State University with plans to go to Ireland this summer canceled their plans. They had planned to stay on farms during the summer.

"We wanted to continue the parts of the program that were still viable, since there's no better way to study it," said Shephard. "It's a great opportunity for our students. But we definitely don't want to be spreading the disease."





Since 1894

To: **Kansas Senate and House Agriculture Committee Members**
Senator Derek Schmidt, Chairman - Senate Ag. Comm.
Representative Dan Johnson, Chairman - House Ag. Comm.

From: Mike Beam, Executive Secretary, Cow-Calf/Stocker Div.

Subj: Support for legislation to enhance the state's efforts to respond to emergency disease situations.

Date: April 25, 2001

On behalf of the Kansas Livestock Association, I want to thank both committees for considering legislation to address a potential emergency situation if our state's livestock industry is ever hit with a deadly and highly infectious disease.

Our communications and public relations efforts have been on overtime and overload since the news of Bovine Spongiform Encephalopathy (BSE) and Foot and Mouth disease (FMD) in Europe. KLA has worked closely with our national affiliate, (the National Cattlemen's Beef Association) and numerous other groups and state/federal agencies during the last 90 days in an effort to respond to inquiries from producers and the media. We feel these efforts have been successful. Despite all the hype, sensationalism, and confusion about these diseases, a recent survey showed 85% of the U.S. consumers are confident in the safety of beef.

In addition to our public relations efforts, we have communicated with state and federal agencies in preparation of a potential disease outbreak in the United States. Several aspects of the legislation discussed this morning are designed to impose additional safeguards to prevent the disease from occurring and to enable the state to properly respond if necessary.

Here are the significant provisions of the draft legislation:

- Amends current law to authorize the Governor to require and direct the cooperation and assistance of any state agency in establishing and enforcing a quarantine. (Section 1)
- Creates a specific crime for anyone "who shall knowingly expose any domestic animal in this state to any contagious or infectious disease". (Section 3)

House Agriculture Committee
April 25, 2001
Attachment 6

- Prohibits the disposal of uncooked carcasses or packinghouse refuse from a disposal plant from being fed to animals until July 1, 2002. (Sections 4 & 5)
- Prohibits the feeding of garbage to animals until June 30, 2002. An exception is made for individual(s) currently holding a license to feed cooked garbage. (Section 6)
- Suspends the issuance of any new garbage feeding permits until June 30, 2002. (Section 10)
- Amends statutes regarding a disaster declaration to specifically authorize the governor to proclaim a state of disaster emergency if necessary to prevent the spread of contagious or infectious diseases among domestic animals. The proposed language also allows for special circumstances to extend a disaster emergency proclamation beyond a 45-day period when the legislature is not in session. (Section 11)
- Amends the law to give the Governor authority to control ingress and egress "of persons and animals" from, within, and upon a disaster area. (Section 12)

Many of these provisions, as they relate to the state agencies' abilities and authorities to react and cooperate with each other, are probably self-explanatory. We see these suggestions as minor updates to the law.

We would suggest the legislature consider a more aggressive approach to the regulation of garbage feeding. In fact, we would support an amendment that would completely prohibit the feeding of garbage, cooked or uncooked, to livestock. We are extremely sensitive to how this may impact the one individual who has operated with a permit under current law. KLA has long been a defender of an individual's right to carry out his or her business in a responsible and legal manner.

The risks associated, however, with the feeding of garbage are too great to ignore. As a reminder, the recent outbreak of FMD in Europe has been traced to improper feeding of garbage to swine. The vector of the last FMD case in the United States, 1929, was also garbage fed to swine. Although the proper cooking of garbage has been recognized as a safe method of feeding this product, we believe it is proper and necessary to impose a ban on garbage feeding in Kansas. We encourage the legislature to consider this request.

Please note I have attached several documents regarding BSE, FMD, and the industry's efforts to address this issue to my statement. We are most willing to provide the committee with additional information or respond to any comments or questions. Thank you!



Since 1894

KLA ACTION CHECKLIST BSE AND FMD

KLA, the Kansas Beef Council (KBC) and the National Cattlemen's Beef Association (NCBA) have worked diligently to maintain consumer confidence in beef safety and inform producers about foreign animal diseases since the media began extensive coverage in mid-January. At the onset, KLA and KBC organized an Issue Management Team to distribute accurate information to the media and discuss other issues associated with preventing Bovine Spongiform Encephalopathy (BSE). The team's focus was broadened in ensuing months as news about Foot and Mouth Disease (FMD) in Europe spawned coverage here in the U.S.

The Kansas team has a broad range of expertise and includes veterinarians, meat and animal scientists, officials from state government, human medicine specialists, other commodity group representatives and KLA/KBC staff. When requests are received from reporters, the most credible team member serves as a spokesperson for the industry. This strategy of disseminating the facts is partly responsible for the high degree of consumer confidence in beef safety shown repeatedly on surveys commissioned by NCBA this year. The latest, conducted in early April, showed 85% of U.S. consumers are confident in the safety of beef. This came despite 93% having seen, heard or read a story on BSE over the past month and 81% exposed to a recent story on FMD. These positive attitudes show consumers are sorting through the media hype to find accurate information distributed by NCBA, KLA, KBC and the Kansas team.

Following are actions taken by the Kansas team to address the situation as of April 24:

- * Compiled BSE and FMD fact sheets for broad distribution. These documents stress neither disease exists in the U.S. and strict measures have been taken to keep them out. Fact sheets were sent to opinion influencers and thought leaders in Kansas including supermarket and restaurant operators, foodservice distributors, chefs, auction market personnel, veterinary practitioners, county extension agents, vocational agriculture instructors, legislators, packers, processors, purveyors and others. Health professionals were sent targeted information on both BSE and FMD. These key groups are in contact with consumers, producers and the media on a daily basis and help shape public opinion about the beef industry. Placing the facts in their hands is a natural extension of the Kansas team's effort to set the record straight.
- * Reminded Kansas feed manufacturers of regulations prohibiting the inclusion of ruminant meat and bone meal in cattle feed. Notification was sent out by the Kansas Department of Agriculture, a member of the Kansas team.
- * Participated in discussions with packers about a form verifying cattle have not been fed ruminant-derived meat and bone meal. KLA represented producer interests as specific language in the form was considered.
- * Updated the Kansas House and Senate Agriculture Committees on the status of BSE and FMD control measures.

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* Responded to hundreds of media calls with factual information on BSE and FMD. These requests originated from national and state media. KLA, KBC, the Kansas Animal Health Department and others on the Kansas team provided BSE and FMD fact sheets to all reporters making requests.

* Strongly encouraged government officials, media, thought leaders and producers to refer to the disease as BSE rather than the more sensationalistic Mad Cow Disease, which stirs unnecessary negative images with consumers.

* Issued multiple news releases to hundreds of media outlets reassuring consumers the U.S. has its guard up against foreign animal diseases and that beef sold in the U.S. is safe. Quoted in the releases were credible sources serving on the Kansas team including Kansas Animal Health Commissioner George Teagarden; Mike Sanderson, DVM, with the Kansas State University College of Veterinary Medicine; K-State meat scientist Jim Marsden; and Kansas Veterinary Medical Association President Al Brightman, DVM.

* Responded to misguided CBS *60 Minutes II* segment on BSE. In a letter to the show's producers, KLA President Don Hineman said the sensationalistic nature of the report was a disservice to both the beef industry and the public. He suggested instead of taking an emotional approach to a disease that has never existed in this country, CBS should have interviewed NCBA Director of Regulatory Affairs Gary Weber, considered by many to be the nation's foremost authority on BSE.

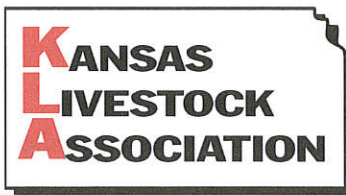
* Supplied producers with accurate information on both diseases via the *KLA News & Market Report*, *Kansas Stockman*, KLA radio programs airing on 40 stations each week, 22 KLA county meetings, numerous stories written and broadcast by the ag media, hundreds of individual telephone conversations, e-mail and other correspondence.

* Distributed facts about BSE and FMD to producers on www.kla.org. Also guided KLA web page visitors to the industry's master site at www.bseinfo.org.

* Participated in an FMD strategy meeting hosted by the Kansas State College of Veterinary Medicine.

* Provided producers with biosecurity strategies to reduce the risk of Foot and Mouth Disease entering their operations. The recommendations, available by calling KLA or going to www.kla.org, were authored by Kansas State University veterinarians Mike Sanderson, Jan Sargeant and Mark Spire. These practical, common sense strategies are for use on a ranch or in a feedyard.

* Discussed details of the FMD indemnity program with state and federal officials. KLA officers have been told by USDA Animal and Plant Health Inspection Service administrators that indemnities would be based on fair market value before any price decline associated with the disease.



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Foot-and-Mouth Disease Q&A

Q: What is foot-and-mouth disease?

A: It is a highly infectious viral disease of animals and also may be called hoof-and-mouth disease. Caused by a virus, it affects cloven-hoofed animals such as cattle, swine, sheep, goats, and deer, often causing epidemics. The disease is characterized by a sudden rise in temperature, followed by an eruption of blisters occurring in the mouth, on areas of tender skin such as the udder in females, and on the feet; blisters may also appear in the nostrils. Salivation and frequent smacking of the lips accompany the eruption. The blisters grow larger and then break, exposing raw, eroded surfaces. Eating becomes difficult and painful, and because the soft tissues under the hoof are inflamed, the animal invariably becomes lame and may shed its hooves. Livestock raised for meat lose much weight, and dairy cattle and goats give less milk. Often the disease kills very young animals and causes pregnant females to abort.

Q: How do you spot it?

A: An animal usually suffers fever and develops blisters, mainly in its mouth or on its feet. The most obvious symptoms are going off feed, severe slobbering, rapid weight loss and lameness. Symptoms can also include shivering, reduced milk yield, sore teats, stiff-legged gait and increased time lying down.

There are seven main types of the disease, which have similar symptoms. The average incubation period is between three and eight days but it can be shorter or may be up to two weeks or longer. The virus responsible for the present outbreak in the UK has been identified as the highly virulent pan-Asiatic O type. When animals recover from infection by one type of the virus they are left with little protection against the others.

Q: How does foot-and-mouth disease spread?

A: The disease spreads by infected animals, contaminated people or even vehicles or other contaminated inanimate objects. Meat from animals, which were infected when slaughtered, can also transmit the virus to animals and previous outbreaks have been linked to imports of infected meat. Infected animals, particularly pigs, also excrete the virus several days before symptoms develop so virus particles can be dispersed by the wind. There is documentation that the virus has traveled airborne as far as 156 miles.

Q: Can people get the disease from animals?

A: It is not believed to readily affect humans. There was one recorded case in Britain in 1966. The effects of the disease for that person were similar to flu with some blisters. The British Food Standards Agency says the disease has no implications for the human food chain. People, however, can spread the virus to animals because it can harbor in human nasal passages for as long as 28 hours and has been known to persist on contaminated clothing for 10-12 weeks.

Q: Which animals are susceptible to foot-and-mouth disease?

A: Pigs, cattle, sheep and goats on farms, some wild animals including hedgehogs, rats and deer and some zoo animals, including elephants, giraffes and antelopes. Horses are not affected.

6-5

Q: How do you get rid of foot-and-mouth disease?

A: The virus can be killed off by heat, low humidity, or some disinfectants. It is only rarely fatal although it is more likely to kill very young animals. There is no cure for it and it usually runs its course in two or three weeks with most animals recovering, although some animals take up to six months to fully recover.

Q: If most animals don't die why go to such great lengths to eradicate it?

A: The disease is highly contagious with nearly 100 percent of exposed animals becoming infected. If the disease became widespread in any country there would be disastrous economic consequences. For example, the most serious effects of the disease in dairy cattle are loss of milk yield, abortion, sterility, chronic mastitis and chronic lameness.

Q: Which other countries have suffered outbreaks of foot-and-mouth?

A: Among those affected in the last year are Brazil, Colombia, Egypt, Japan, Kazakhstan, Korea, Kuwait, Malawi, Malaysia, Mongolia, Namibia, Russia, South Africa, Uruguay and Zambia. The last major outbreak of the disease in an EU country was in Greece last year. Foot-and-mouth is endemic in parts of Africa, Asia, the Middle East and South America.

The United States has experienced nine distinct epizootics; the most serious occurred in 1914, invading 22 states and the District of Columbia. The last outbreak, which occurred in California in 1929, was quickly controlled.

Q: How does the U.S. guard against this disease?

A: USDA has a foot-and-mouth disease eradication program. Information about that program can be found at <http://www.aphis.usda.gov:80/bad/refbook2000/FMD-FAD.pdf>

The U.S. Department of Agriculture inspects all imported livestock, stock feed, and bedding at all points of entry. The department is strict in enforcing quarantine regulations. It also is important that persons traveling to countries with foot-and-mouth disease not bring back food products (lunches, etc.) to the U.S.

Considerable progress has been made toward developing an effective vaccine against foot-and-mouth disease, but the cost (approximately \$1 billion annually) of vaccinating all susceptible animals would be prohibitive. In addition, several strains of the virus exist and cross-protection against other strains following vaccination is limited, reducing the effectiveness. Moreover, the vaccine would not eradicate the disease. Consequently, the slaughter of all exposed animals is the only presently effective countermeasure to foot-and-mouth disease. During the outbreak in the United Kingdom in 1967 and 1968, for example, more than 430,000 animals were slaughtered.

Q: Would livestock producers be reimbursed for animals lost due to required depopulation?

A: USDA officials have told NCBA and KLA leadership a plan is in place to financially compensate livestock owners for losses due to a foot and mouth outbreak. The U.S. secretary of agriculture and Kansas Animal Health Department have the authority to seize, quarantine and dispose of any livestock found to be affected or exposed to the disease. In such an emergency, producers would receive indemnity payments based on fair market value. Funding would come from a combination of state and federal sources, with 100% of fair market value coming from one source or another. Foot and Mouth Disease indemnity payments would be based on fair market value BEFORE any price decline associated with the disease. Assistance would also be available through the Federal Emergency Management Agency, which exists to help in cases of natural disaster.

Q: Is foot-and-mouth disease present in Canada or Mexico?

A: To the best of our knowledge, foot-and-mouth disease has not been diagnosed in our neighboring countries for about 50 years.

BIOSECURITY
HEALTH PROTECTION AND SANITATION STRATEGIES FOR CATTLE

Mike Sanderson, DVM, MS; Jan Sargeant, DVM, PhD; and Mark Spire DVM, MS
College of Veterinary Medicine – Kansas State University

April 2001

INTRODUCTION

This fact sheet describes management strategies to prevent the introduction of disease to a farm with particular reference to Foot and Mouth Disease (FMD). Although the fact sheet refers specifically to cattle, the general strategies are applicable to other livestock.

At the time of this writing, Canada, the United States and Mexico are free of FMD. This unique status is shared with Australia and New Zealand in the Southern Hemisphere. Several other countries in the world are also free of FMD. However, many Asian countries, several in South America, Africa, and most recently the United Kingdom, the Netherlands and France are experiencing outbreaks of the disease.

1. On-farm Control

Kansas livestock producers can prevent the introduction of FMD (and other foreign animal diseases) by common sense and practical on-farm strategies. The FMD virus is easily killed by common procedures for cleaning or washing clothes - dry cleaning, bleach or washing soda. People may harbor the FMD virus in their nasal cavity for up to 2 days. The best available knowledge confirms that persons who have been working with FMD animals must stay away from healthy animals for at least five days.

To prevent the introduction of foreign animal diseases from infected animals on farms in countries with the diseases, Kansas producers should follow these guidelines:

A. Management of New Arrivals - Prevent the Introduction of Disease

1. Maintain a closed herd

The first method is not to purchase cattle. A truly closed herd does not allow the introduction of any outside animals. For practical reasons, there are few truly closed herds in Kansas. In the case of an FMD outbreak, owners should maintain closed status until the outbreak is contained:

- do not allow the introduction of any outside animals to the herd.
- prevent fence-line contacts of their stock with other cattle.
- use artificial insemination for breeding and not bring in bulls.
- not exhibit at shows.
- restrict visitors.

2. Know the source of incoming animals

- Require health certification on all incoming animals.
- Receive incoming animals during daylight and inspect all animals off the truck.

B. Management of Farm Traffic - Prevent the Spread of Diseases

Minimize traffic between farms, ranches and feedlot operations.

Farm visitors wearing boots or clothing freshly contaminated with infectious agents can spread cattle diseases among farms. Birds, rodents, pets, people, equipment, and vehicles contaminated with manure (or other bodily excretions) should be considered potential disease carriers.

1. Control birds rats and mice

- Pigeons, sparrows, starlings and rats and mice may act as carriers of infectious agents on their feet and within their digestive system.

2. Control people and pets

People spread contaminated material directly on footwear, hands and clothing. To decrease the spread of contaminants:

- inform herd workers, visitors, and truckers of your farm protection methods and insist upon cooperation from these individuals
- keep visiting vehicles out of areas accessible to livestock.
- insist visitors wash/disinfect their boots before entering and leaving.
- supply rubber boots and clean coveralls for visitors.
- provide a footbath containing an effective disinfectant.
- control the movement of dogs and cats between farms.
- wash farm clothing with detergents and bleach or washing soda.
- ask foreign visitors about their attendance on farms in their country of origin.
- restrict visitors from their farm if the visitor has been on a farm with a contagious foreign animal disease within the previous 5 days.

3. Equipment

Disease can spread from farm-to-farm indirectly by small and large equipment. To reduce this spread:

- use your own equipment, halters, nose tongs, clippers etc. rather than borrowing them.
- thoroughly wash and disinfect the inside, outside, and tires of equipment shared with neighbors.

4. Use disinfectants

Information about disinfectants is available on the product label or from farm supply dealers, veterinarians, USDA and the product manufacturers. For best results, disinfectants should be applied to cleaned surfaces.

Table 1. Several common disinfectants effective against FMD.

Product	Dilution	Mixing Instructions	Notes
Bleach 5.25% Sodium hypochlorite	3%.	3 gallons of bleach to 2 gallons of water	Not effective on dirty surfaces
Acetic Acid	4-5%	6.5 oz of glacial acetic acid to 1 gallon of water	Vinegar is 4% acetic acid
Sodium Hydroxide (lye)	2%	Add 1/3 cup of Lye pellets to 1 gallon of cold water	Highly caustic - use rubber clothing, gloves and safety glasses. ALWAYS add the lye to the water - NEVER pour water over the lye
Sodium Carbonate (Soda Ash)	4%	Add 1 pound of sodium carbonate to 3 gallon of hot water	Mildly caustic – may dull painted or varnished surfaces

C. Monitoring and Reporting

Provide training to employees on recognition of signs of FMD. Monitor livestock and promptly report any symptoms of FMD to your local veterinarian. FMD may cause high fevers, blisters around the mouth or on the feet, reduced appetite and lameness. FMD can be confused with several other less harmful diseases such as vesicular stomatitis or swine vesicular disease. Failure to promptly report a case of FMD will endanger your neighbors and the entire U.S. livestock industry.



Since 1894

BSE FACT SHEET

- Bovine Spongiform Encephalopathy (BSE) does not exist here and there has never been a confirmed case in the U.S.

- The U.S. beef industry and government are serious about keeping it out of this country. Over the past decade, the U.S. has developed one of the most stringent, comprehensive BSE prevention plans in the world.

- The U.S. has taken aggressive steps to protect consumers and prevent the disease from entering or occurring, including the following:
 - * 1985 – U.S. banned beef imports from the United Kingdom.
 - * 1989 – U.S. banned imports of ruminant animals and ruminant products from countries with confirmed BSE cases.
 - * 1991 – U.S. banned imports of ruminant meat and edible products and most by products of ruminant origin from countries with confirmed BSE cases.
 - * 1997 – U.S. banned imports of all live ruminants and most ruminant products from all European countries, regardless of BSE status. Any products excluded from the ban have been scientifically determined not to have a risk of carrying the BSE infectious agent.
 - * 1997 – U.S. banned the use of ruminant meat and bone meal in cattle feed.
 - * 2000 – U.S. banned imports of all rendered animal protein products, regardless of species, from all European countries.

- Active surveillance has been ongoing since 1990. Food Safety and Inspection Service personnel condemn and test any animal suspected of having a central nervous system disorder. As part of the diagnostic effort, veterinary practitioners have been trained to spot clinical signs of the disease. More than 10 years of extensive testing has never turned up BSE in the U.S.

- Preliminary results of a USDA-funded study at Harvard University show the risk of BSE occurring in the U.S. is almost non-existent due to the prevention steps taken. The comprehensive final report is expected during the spring of 2001.

- Officials with the Council for Agricultural Science and Technology (CAST) recently released a report indicating prevention and control measures have been effective in keeping the disease from entering the U.S. CAST is an organization dedicated to communicating science-based information to decision makers and the general public.

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