

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 3:30 p.m. on February 25, 2002, in Room 423-S of the Capitol.

All members were present except: Representative Compton - excused
Representative Faber - excused
Representative O'Brien - excused

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

Conferees appearing before the committee:

Dr. Marc Johnson, Dean/Director, K-State College of Agriculture and K-State Research and Extension
Dr. Bill Hargrove, Director, Kansas Center for Agricultural Resources and the Environment, KSU
Jana Beckman, Coordinator, Kansas Center for Sustainable Agriculture and Alternative Crops, KSU
Dr. Walter Fick, Associate Professor of Range Management in the Department of Agronomy, KSU
Terry Knowles, Deputy Director, Kansas Bureau of Investigation (written only)
Greg Foley, Assistant Secretary, Kansas Department of Agriculture
George Teagarden, Livestock Commissioner, Kansas Animal Health Department
Janet McPherson, Assistant Director, Public Policy Division, Kansas Farm Bureau
Doug Wareham, Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association
Chris Wilson, Kansas Agricultural Aviation Association, Kansas Dairy Association, and Kansas Seed Industry Association

Others attending: See attached list

Dr. Marc Johnson, Dean of the College of Agriculture at Kansas State University and Director of the Kansas State University Agricultural Experiment Station and Cooperative Extension Service, presented an overview of K-State Research and Extension's annual report. He discussed the peer review process and other measures used in the scientific community to protect the integrity of knowledge garnered through scientific research. ([Attachment 1](#))

Dr. Bill Hargrove, Director, Kansas Center for Agricultural Resources and the Environment, Kansas State University, summarized the final results of a three-year study of animal waste management and the environmental impact of land application of animal wastes in Kansas. ([Attachment 2](#))

Jana Beckman, Coordinator, Kansas Center for Sustainable Agriculture and Alternative Crops, Kansas State University, reported on the accomplishments of the Kansas Center for Sustainable Agriculture and Alternative Crops established by the 2000 State Legislature. A *Kansas Family Farmer and Rancher Resources and Services Guide* has been completed as required by statute, copies are available through K-State Research and Extension. ([Attachment 3](#))

Dr. Walter Fick, Associate Professor of Range Management in the Department of Agronomy at Kansas State University, provided an update on the Sericea Lespedeza Management and Control Project. A rancher survey, applied and basic research programs, as well as education programs were discussed. ([Attachment 4](#))

Hearing on SB 395 - State of emergency disaster and unlawful acts involving contagious or infectious diseases of plants or animals.

Chairman Johnson opened the hearing on **SB 395**. Gordon Self explained that **SB 395** would create a new crime of endangering the food supply which would become a severity level 9, nonperson felony. Endangering the food supply would be a severity level 3, nonperson felony, if done with the intent to cause damage to

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE on February 25, 2002, in Room 423-S of the Capitol.

plants or animals or to cause economic harm or social unrest. Endangering the food supply would be a severity level 3, person felony, if done with the intent to cause illness, injury or death to a human being or beings. The bill also defines a criminal threat and would make it a severity level 9, person felony. The bill would allow the Governor to issue a proclamation declaring a state of disaster emergency if there is a contagious or infectious disease among plants, raw agricultural commodities, animal feed or processed food. Currently, the Governor can declare a state of emergency and establish a quarantine in the event of an outbreak of a contagious or infectious animal disease.

A feature story written for the professional journals of Kansas law enforcement on *Biological Threats to Kansas Agriculture* by Terry Knowles, Deputy Director, Kansas Bureau of Investigation, was distributed. The KBI expressed support for this legislation. (Attachment 5)

Greg Foley, Assistant Secretary, Kansas Department of Agriculture, appeared in support of **SB 395**, as amended in the Senate. The Department requested two additional amendments. Amend new Section 1 (a)(4) to include "or contaminant," as well as infectious disease, to cover a wider range of potential threats to agricultural commodities and feed or food stuffs. Amend Section 4 (b)(2) to include one additional statutory cite, K.S.A. 2-2114, which establishes the Secretary of Agriculture's duties in response to a plant pest. (Attachment 6)

George Teagarden, Livestock Commissioner, Kansas Animal Health Department, appeared in support of **SB 395**, as amended. For clarification, he proposed an exemption for research facilities that would come under new Section 1 (a)(2) and (4), much like that in new Section 1 (a)(3) for plants. Concerned about the scope of this bill, the Commissioner thought it might be wise to limit this legislation to foreign animal disease, defined as a disease that presently does not exist in the United States. (Attachment 7)

Janet McPherson, Assistant Director, Public Policy Division, Kansas Farm Bureau, expressed support for the intent of **SB 395**, as amended. She stated that this legislation is consistent with Farm Bureau's new bio-security policy language adopted at their annual meeting in November. (Attachment 8)

Doug Wareham, Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association, testified in support of **SB 395**, as amended. He cautioned that while we tend to look abroad when we hear the word terrorism, history has proven that we face a much greater risk of this type of activity being carried out by special interest extremists presently operating in the United States. With his testimony, he included a listing of terrorist acts carried out in the United States and Great Britain during the past several years. (Attachment9)

Chris Wilson appeared on behalf of the Kansas Agricultural Aviation Association, Kansas Dairy Association, and Kansas Seed Industry Association in support of **SB 395**. These organizations would support an amendment to clarify that research activities are exempt, both for crops and livestock diseases. (Attachment10)

As there were no opponents, Chairman Johnson closed the hearing on **SB 395** and asked the Livestock Commissioner and the Department of Agriculture to work with staff on language for amendments suggested in their testimony.

The meeting adjourned at 5:25 p.m. The next meeting is scheduled for March 6, 2002.

HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: February 25, 2002

| NAME | REPRESENTING |
|------------------|--|
| SUE PETERSON | K-STATE |
| Jim Allen | Sea Board |
| JANA BECKMAN | KS Center for Sustainable Agriculture "Alternative Crops" - K-State |
| Forrest Chumley | K-State |
| Walter Fick | K-State Agronomy |
| Bill Hargrove | KCARE/K-State |
| Marc Johnson | K-State Res + Ext |
| Tom Sim | Kansas Department of Agriculture |
| Bill Scott | " " " |
| Doug Wareham | Ks. Grain & Feed Assn. Ks. Agribusiness Retailers Assn. |
| Matt Berthoff | Ks. Co-op Council |
| Mike Beam | Ks. LVSTK. ASSN. |
| George Teagarden | Ks Animal Health |
| Janet McPherson | Ks Farm Bureau |
| Helin Hayzlett | |
| Daniel L. Howell | Farmer / Rancher |
| Jenny Jost | Kansas Rural Center |
| Carla | Gov's Office |
| Steven Graham | K-State Research + Extension |

HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: February 25, 2002

| NAME | REPRESENTING |
|----------------|---------------------|
| Tom Bruno | Farm Credit Council |
| Mike Johnson | Ks Pork Assn |
| Greg A. Foley | KDA |
| Keith Bradshaw | Ks Budget |
| Chris Wilson | KS Ag Aviation Assn |
| Leslie Kaufman | Ks Farm Bureau |
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**Testimony Before
The House Agriculture Committee, Kansas Legislature
Dr. Marc A. Johnson, Dean/Director
K-State College of Agriculture and K-State Research and Extension
February 25, 2002**

My name is Dr. Marc A. Johnson, Dean of the College of Agriculture at Kansas State University and Director of the Kansas State University Agricultural Experiment Station and Cooperative Extension Service. Thank you for the invitation to address your committee today. During the next hour or so, I will begin with a brief introduction with highlights from our K-State Research and Extension annual report, which you all received earlier in the month. Secondly, Dr. Bill Hargrove, Director of the Kansas Center for Agricultural Resources and the Environment (KCARE), will report on the final results of several years of livestock lagoon research and education programs which represents a model for interaction of state government, university, and public interests. Dr. Hargrove will then introduce Ms. Jana Beckman, who leads the new Kansas Center for Sustainable Agriculture and Alternative Crops (KCSAAC), to provide a report on actions to date. Finally, Dr. Walter Fick, Associate Professor of Range Management in the Department of Agronomy, will come to the podium for an update on research and education related to *Sericea lespedeza*.

Kansas State University is a Land Grant University with responsibilities to teach principles and applications to college students, like other universities in Kansas. The Land Grant mission diverges from that of other universities by two features: a) an Agricultural Experiment Station to conduct basic and applied research relevant to agricultural, food, and rural community issues in Kansas, and b) a Cooperative Extension Service to carry this knowledge to anyone in the state who can use it, through statewide and regional educational mechanisms and through our county extension offices in every county.

K-State's mission requires it to be on the front line of many issues, some controversial, providing science-based knowledge relevant to public and private decision-making. Unfortunately, our scientists are criticized for the results they discover by individuals or groups with a vested interest in the outcome of a study or policy. Once in a while, our scientists are investigated in search of information which can be used to imply a lack of integrity in the way they draw conclusions from analytical procedures. This is a form of shooting the messenger. Fortunately, the institutions of science are established with strong screening of results to protect the integrity of knowledge.

The primary means of protection is the peer review process whereby we require publication of scientific results in peer reviewed journals to share our findings with the rest of the scientific community. Prior to publication, journals require anonymous reviews of the papers by colleagues around the nation who are well-versed in the literature of a particular field. These reviewers test relevance, quality of analytical procedure, quality of data collection protocols, and appropriateness of inferences drawn from available data. After two to four such reviews are collected by a journal editor, reviewer comments are returned to the author for appropriate

modifications. Then the paper is accepted for publication. It is highly unlikely that a fraudulent conclusion could be sustained by the peer review system.

I mentioned earlier that the confined animal feeding lagoon studies represent a model for how state government, university, and private interests work together. In August 1996, Secretary of KDHE, Jim O'Connell, called to see if K-State could study the construction standards required by KDHE in building livestock lagoons to see if the standards were workable. He said he would fund the study and not be part of the study design to protect an arms-length association between the agency seeking the study and the agency conducting the study. K-State accepted the challenge, designed a series of studies directly relevant to the question, and provided reports to the Secretary. However, reports were not released to the Secretary until after passing through the peer review process. Later, the results of these lagoon studies were used by a special committee of the Legislature in its quest to develop livestock lagoon regulations. The original studies relating to lagoon seepage led to additional studies resulting in best management practices for lagoon management, lagoon closure, and application of lagoon contents onto agricultural fields as soil nutrients. Finally, a novel procedure for regulating requirements for lagoon liners to specific sites was devised and adopted by KDHE. Private interests provided sites for study as well as knowledge of practical modifications of best management practices which fit actual production operations. Private interests also have assisted in the educational process by identifying groups interested in receiving knowledge on lagoon issues. Formulating policy informed by science-based knowledge works. The process operated in an environment of controversy, as much of policy making does, but all parties had access to a greater amount of knowledge as a result of scientific studies conducted.

K-State Research and Extension continues to generate and disseminate knowledge for food product development, human nutrition, food safety, community health and safety, agricultural production efficiency, sustainable agricultural production systems, agricultural input usage, genetic improvements of crops, efficient livestock nutrition and health, agricultural product processing and distribution, new value added products for new industries from agricultural products, farm risk management, water conservation, water quality protection, healthy youth and family development, and community development. Science and education from K-State Research and Extension affects the lives of millions of Kansans every year. We appreciate the continuing role the Kansas Legislature plays in support of this mission and invite each of you to visit our county offices and laboratories whenever possible. Thank you.

Land Application of Livestock Waste

Summary of Key Findings from Three Years of Study, 1998-2001 K-State Research and Extension

1. A comprehensive literature review of environmental impact of land application of animal wastes in Kansas confirmed that the environmental risk from land application of livestock wastes is minimal as long as agronomically appropriate rates of application and other agronomically sound practices, such as runoff and erosion control measures, are used.
2. Survey sampling of several sites around the state where animal waste or municipal waste had been applied to land showed no nutrient accumulations in the surface soil of environmental significance except where municipal waste had been applied at excessive rates. Zinc and copper accumulated in soils only where municipal waste had been applied. For several soil profiles studied, evidence of nitrate accumulation below the crop root zone was evident. The exact rates of waste application were unknown at these sites, but it is likely that excessive rates were applied at sites where significant nitrate accumulations were found.
3. Field experiments to monitor nitrate leaching from swine waste applied to cropland showed that limiting animal waste applications to recommended levels and managing irrigation to minimize drainage early in the growing season can effectively limit nitrate leaching. Significant nitrate leaching occurred from swine waste applied at greater than recommended rates.
4. With regard to the impact of waste application on soil physical properties, at one experimental site where excessive rates of waste had been applied, the soil physical structure was significantly degraded by the action of excessive salts. At locations where appropriate rates had been used, soil physical condition was either not impacted or even improved by the application of livestock wastes.
5. A series of studies were conducted to better understand the phosphorus dynamics in soils amended with livestock wastes. Results from these studies show that:
 - Water-soluble P concentrations and losses in runoff were significantly increased by manure.
 - Total P lost, including P associated with sediment, was not significantly increased by manure, because manure application increased water infiltration and/or the water holding capacity of soils, thereby reducing soil losses in runoff.
 - Water-soluble P lost in runoff was correlated with soil test P levels.
6. Recycling livestock wastewater through subsurface drip irrigation proved to be a viable option that decreases odor and human contact, decreases the risk of runoff, and improves the ability to manage N and water for crop production. The smaller emitter sizes that are normally used with groundwater sources can be risky for use with lagoon wastewater due to the risk of clogging over long-term usage (>3 years).

For more information or for a complete copy of the report, visit our website at www.oznet.ksu.edu/kcare, or contact:

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House Agriculture Committee
February 25, 2002
Attachment 2

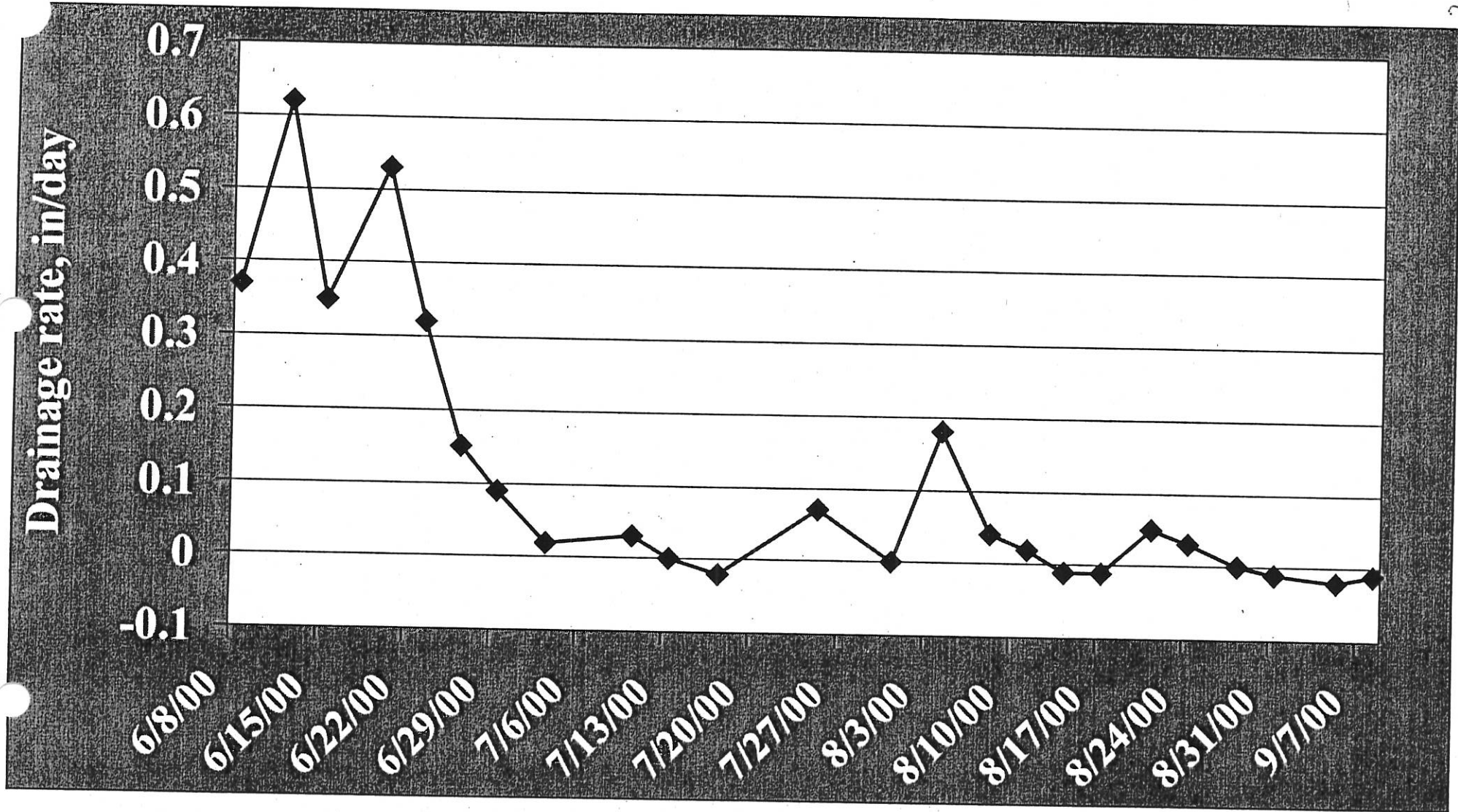


Figure 1. Average drainage of soil water past 5' depth from 8 June to 8 September 2000.

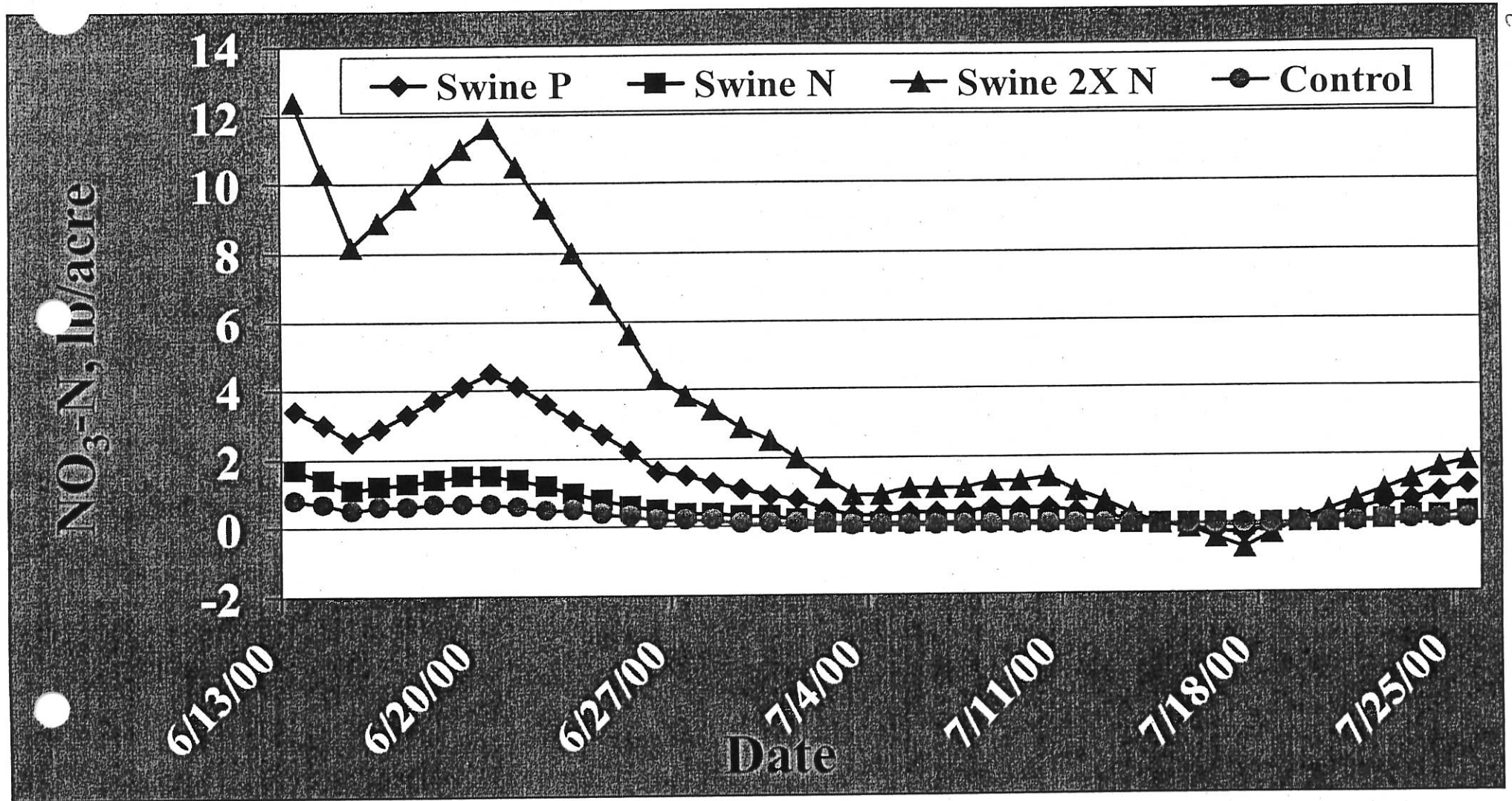


Figure 2. Estimated amount of nitrate-N moving past 5' soil depth as affected by application of 3 rates of effluent water from a swine lagoon compared to an untreated control.

UPDATE ON NUTRIENT MANAGEMENT PLANNING

- USDA/NRCS-KS State Office is developing guidelines to be used on a voluntary basis for all species; were developed starting with guidelines established by HB2950; NRCS engaged KDA, K-State, KPPC, and other private sector groups in developing them; training is being conducted
- KPPC/NPPC is conducting a pilot study with several swine farms (on a voluntary basis) to develop and evaluate comprehensive nutrient management plans; collaborative with K-State, KDA, NRCS, and a variety of other private sector groups
- Purdue University and NRCS are developing and testing a unified, computer-based nutrient management planning tool; will be tested in KS with collaboration by K-State, NRCS, and KPPC
- The National Livestock Environmental Stewardship Curriculum (funded by EPA) has been developed and is being disseminated to states as a training tool; training in KC next month will be attended by K-State, NRCS, KDA, KDHE, SCC, KFB, KLA, and KPPC

**Testimony to the House of Representatives Agriculture Committee
Kansas Center for Sustainable Agriculture and Alternative Crops**

The Center began the year by defining outcomes that will enable the center and the activities it facilitated to meet the objectives of Senate Bill 534.

We identified faculty with interest in emphasizing research and outreach towards sustainable agriculture and alternative crops. This resource group is working to identify and implement research needs for small farm research. There is much research already underway at K-State that is of value to the family farm and ranch. We have located projects that focus on organic production, building soil health and reducing erosion through crop residue and cover crops, specialty crops, value added processing, grazing systems, and sustainable production practices. The center is working with researchers to make sure this information is delivered to the public.

I think of the role of the center as that of a catalyst – a catalyst is a compound that when in the presence of two or more substances causes a reaction where the substances combine into something new and better. By facilitation or catalyzation, the center has created an environment for more sustainable research, outreach, marketing, and education to occur in Kansas.

Producers and those who serve producers such as extension or Small Business Development Center's are finding answers to questions at the center. They have questions about marketing, lower cost production practices for new and existing enterprises, and extending the grazing season to reduce feed costs. It has been rewarding for me to hear these clients of the center express their appreciation on locating access to many resources and specialists with one phone call.

The law required the center to develop a guide of state services that are available to family farmers and ranchers. The Kansas Family Farmer and Rancher Resources and Services Guide is complete and distribution is currently underway. The guide will assist producers and the professionals who assist them locate the resources and information they need to produce and promote Kansas products. Feedback about the Guide has been overwhelmingly positive.

Kansas producers are looking for opportunities for production and marketing that will allow them to increase farm gate receipts, to increase their share of the food system dollar. The center has catalyzed collaborative projects that aim at increasing demand for direct marketed farm products through education and training of both the consumer and producer. The center has facilitated grant submittals that if funded, will provide the kind of information Kansas producers need to plant high-margin crops, capitalize on value added opportunities and market their products.

The professional development grant has allowed us to train extension and other professionals that serve the producer on the production of alternative or new crops, marketing, grazing systems, and other topics that pertain to the sustainability of the family farm.

K-State has production research on specialty crops. A barrier to producers raising specialty crops is the lack of economic research in the area of specialty crops. The Specialty Crop Production grant focuses on defining the economics of specialty crop production in Kansas. The Guided Exploration grant will train producers how to more effectively direct market their products. The Reconnecting the Village grant focuses on reducing the barriers that exist for producers trying to market Kansas products to restaurants, schools, and other institutions.

I have given a highlight of the direct and more measurable impacts of the center. There are other impacts that are indirect and more difficult to quantify. For example, the group of SE Kansas producers that contacted the center for research information on prairie hay quality. They believe they have a product that will appeal to the urban horse owner because the hay is raised using all natural methods, and as a result contains more native legumes and other desirable prairie plants. This group has obtained a grant to assist them create a market presence for their hay in urban areas. Clare lives in Georgia, and wants to return home to the family ranch in Langdon, Kansas. Her father's health is failing, and tenants are overgrazing their land. The center is assisting Clare research the feasibility of a dairy goatherd, and will direct her towards range management training so that future tenants grazing activities will not reduce the sustainability and value of the land. Sean, from SW Kansas, a farmer who sold out during the dairy buyout and has worked for fertilizer and feed dealers ever since. Sean is using the center to pursue his dream of starting a small dairy that direct markets milk into the local area. Nancy lives in Marshall County. Nancy currently direct markets organic beef products and has asked the center for assistance with expanding her product line to include a pig in a blanket product. Producers like these are being able to stay on or return to the family farm or ranch and contribute to their local communities with local economic stimulus.

So direct and indirect, this is the impact the center is having on Kansas agriculture. I respectfully submit this testimony to the chairman as the annual report concerning the research and funding facilitated by the center and the progress of center programs.

Respectfully Submitted,
Jana Beckman, KCSAAC Coordinator

February 25, 2002

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Accomplishments of the Kansas Center for Sustainable Agriculture and Alternative Crops 2001

1. With input from two public meetings, extension personnel, the KCSAAC Advisory Committee, and the KCSAAC Executive Committee the **following outcomes have been identified:**

Long Term

- Kansas agriculture will be more diversified in support of the three concepts of sustainability (economical profitability, environmental stewardship and social responsibility).

Intermediate

- Producers will diversify crops and livestock systems, develop value-added and marketing strategies, and use business, whole farm, and environmental planning tools to practice a more sustainable agricultural system.
- Kansas consumers will participate in local/regional food systems.
- Research and Extension faculty will involve producers, communities, organizations and agencies in interdisciplinary agriculture and local food system projects that support the concepts of sustainability.

Short Term

- Farmers will have information on: complimentary and alternative enterprises, direct marketing, value-added marketing and processing, diversified crop and livestock management techniques and water quality improvement practices that support a more sustainable agriculture.
- Research and extension, organizations and agencies will know KCSAAC's role is to catalyze and facilitate sustainable agriculture and local food system projects.
- Research and extension, organizations and agencies will know where to obtain information about sustainable systems and how to incorporate these resources into projects and activities.
- Consumers will know the benefits of local/regional foods and know the availability of local/regional foods.

2. **Established a Sustainability Resources Group** consisting of 53 faculty from 10 disciplines, 5 agency partners, and 3 private organization partners.

3. **Responded to 130 requests for assistance** from farmers, ranchers, and extension, non-profit, agency and private organizations. Majority of requests are for:

- Production information on alternative enterprises
- Assistance with starting a new enterprise including business planning, marketing, and resources
- Assistance with production practices to increase sustainability

4. **Researched and developed the Kansas Family Farmer and Rancher Resources and Services Guide** that includes entries from over 80 agencies and organizations with helpful information on topics such as conservation; direct marketing, value added, and business development; financing; and production.

5. **Produced two fact sheets**; one each on the attributes of canola and cotton as alternative crops.

6. Facilitated and assisted with the development of **grant proposals** for additional funding.

Funded

- *Sustainable Agriculture Professional Development Grant* funded by USDA/SARE for \$19,000 to fund training and educational efforts directed at sustainable agricultural professionals such as extension, NRCS and state agency employees.

Pending

- *Specialty Crop Production in the Kansas River Valley and Other Kansas Regions* grant funded by a special USDA Block Grant through the Kansas Department of Agriculture. The grant request is for \$308,000 and will fund enterprise analysis and other economic research on horticultural crops in support of production research already ongoing at KSU.

- *Guided Exploration of Value Added Enterprises Project* grant request submitted to USDA SARE for \$95,500. The project will guide interested farmers, and groups of farmers through the various stages of product development and testing, production, business formation, marketing, and other issues ancillary to running a small business.

- *Reconnecting the Village, Recreating a Food Systems Approach to Promoting Local and Regional Cuisine that Supports Local Farms* grant request submitted to USDA SARE for \$85,405. The project proposes to improve the diet and diversity of foods available to local citizens by bringing farmers/growers and food establishments together in partnerships and new business relationships.

Not funded

- *Commercializing Canola in the Southern Great Plains* grant request to USDA IFAFS for \$800,000. The grant proposed to develop and expand the canola industry throughout the winter wheat belt of the southern Great Plains. The principal investigators are currently looking for grant programs to submit the canola project.

- *River Friendly Farms - Evaluation of an Ecolabel in an Urban/Suburban Market* proposal was also submitted to the EPA for \$396,000 and then to USDA SARE for \$396,000 to study the feasibility of marketing agricultural products with an ecolabel to provide an economically feasible means of providing market based incentives for agricultural producers to adopt water quality best management practices without regulation..



**Testimony before the House Agriculture Committee
February 25, 2002
Sericea Lespedeza Management and Control Project
Kansas State University**

Sericea lespedeza has been in Kansas since the 1930s but was not recognized as a problem until the mid 1980s. It was declared a county option noxious weed in 1988 and a statewide noxious weed July 1, 2000. The Kansas Department of Agriculture estimated that 463,000 acres were infested with sericea lespedeza in 2000. Research on sericea lespedeza control began in the mid 1980s with small grant funding. State funding began on July 1, 1998 and funding through the Kansas Department of Agriculture began in FY 2000.

Efforts through K-State Research and Extension have focused on a rancher survey, applied and basic research, and an education component.

Rancher Survey

A questionnaire was developed and given to 45 land managers representing 23 counties in eastern Kansas during 2000. The survey consisted of an interview with questions on the types of grazing management, pasture history and characteristics, and vegetation management. Those surveyed have sericea lespedeza on native rangeland, tall fescue, smooth brome, and CRP acres. Some important responses: 86% of infested areas were previously farmed; 33% said sericea lespedeza present for ≥ 20 years but 46% discovered sericea lespedeza in the last 10 years; 85% were applying herbicides by ground rigs; 44% rated control with herbicides as good 1 year after treatment but only 16% rated control as good 2 years after treatment.

Research Program

Basic Research

Three locations with moderate to high densities of sericea lespedeza were sampled to determine the size of the seed bank in the soil, the level of seed dormancy, and germination percentage. Sericea lespedeza is a hard-seeded legume. Un-scarified germination ranged from 2 to 16%. Mechanical scarification increased germination to $\geq 70\%$. The amount of sericea lespedeza in the seed bank ranged from 15 to 47 million seeds per acre.

The absorption and translocation of ^{14}C -labeled herbicides has been studied in two seedling stages of sericea lespedeza. Absorption of Remedy (triclopyr) tends to be greater and faster than absorption of Ally/Escort (metsulfuron) and Tordon 22K (picloram). However, translocation within the plant is greater with Ally/Escort and Tordon 22K than with Remedy. These results suggest that spray coverage is critical when using Remedy for sericea lespedeza control. Greater translocation of Tordon 22K in seedlings 4 to 6 inches tall suggests that this herbicide may provide some control.

Applied Research

Sericea lespedeza is susceptible to Remedy applied at 1 to 1.5 pints/acre during the
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vegetative or early bloom stages. Ally/Escort applied at ≥ 0.4 oz/acre during full bloom also provides control. A single mowing or late-spring burn generally increases stem density of sericea lespedeza. Application of Remedy at 0.5 pints/acre or Ally/Escort at 0.2 oz/acre 4-6 weeks after burning or mowing provides control of sericea lespedeza equivalent to higher rates of the herbicides used alone. Application of these herbicides needs to be repeated 2-4 years after initial treatment as sericea lespedeza stands recover, primarily from a seed bank in the soil. Dry weather as experienced in 1999 and 2000 greatly reduces the effectiveness of herbicides applied for sericea lespedeza control.

Greenhouse studies have shown that Tordon 22K and Remedy cause greater damage than Ally/Escort on two stages of sericea lespedeza seedlings. Tordon 22K applied at 0.125 lb/acre on seedlings < 6 inches tall may provide more economical control than currently labeled herbicides. Ongoing or planned studies:

- late-spring burning effects on seedling germination and establishment
- influence of spray volume on sericea control
- effect of late fall herbicide application on seed viability
- absorption and translocation of herbicides applied during the flowering stage
- herbicide screening for seedling control
- ecological impact of sericea on associated species composition and forage production
- effect of combination grazing of goats and cattle on use of sericea and sericea seed production

Education Program

A concentrated effort continues in southeast Kansas headed by Gary Kilgore, Southeast Area Extension Crops and Soils Specialist, and Jeff Davidson, County Extension Agent, Agriculture, in Greenwood county. Demonstrations, tours, and meetings are conducted to draw attention to the problem and to help producers identify sericea lespedeza and to understand the impacts on grazing lands.

Sericea lespedeza is not just a problem in eastern Kansas. Over 70 counties in Kansas now report this noxious weed. Statewide, education efforts are part of ongoing and special Extension programs, headed by Paul Ohlenbusch, State Specialist in Range and Pasture Management. Counties are being encouraged to develop a program to define the problem and develop an education program to fit their situation. Multi-county programs are encouraged whenever possible.

In 2000, two symposia, *Sericea Lespedeza and the Future of Invasive Species: A Symposium With a Look to the Future*, were held. A proceedings was developed and distributed through Extension and other outlets. Other publications released in 2001 included *Sericea Lespedeza: History, Characteristics, and Identification* and *Sericea Lespedeza & Herbicides: Cost effective controls*.

Cooperative Efforts

Kansas State University, in cooperation with the Kansas Department of Agriculture, other

state and federal agencies, and producer and environmental groups, organized the Multi-State Sericea Lespedeza Work Group in July, 2000. The Work Group includes similar groups in Missouri, Nebraska, and Oklahoma to coordinate research and educational efforts. The Work Group continues to seek funding for a Director to coordinate the research and extension efforts and assist each state in developing an integrated management and control program.

The publication, *Sericea Lespedeza: History, Characteristics, and Identification* is also being used in Missouri and Nebraska. Two posters were developed for use in the region: Multi-state sericea lespedeza work group: a team approach, and Sericea Lespedeza (*Lespedeza cuneata*): A Noxious Weed.

Significant Publications/Presentations (1998-2002):

- Davidson, J., W.H. Fick, G. Kilgore, and P.D. Ohlenbusch. 1999. Sericea lespedeza: history, characteristics, and identification. MF-2408. Kansas State Univ. Agr. Exp. Sta. and Coop. Ext. Ser.
- Dudley, D.M, and W.H. Fick. 1998. Sericea lespedeza control in eastern Kansas rangelands. Abstracts, Soc. Range Manage. Annu. Meeting, Guadalajara, Mexico, Feb. 8-12, 51:62.
- Fechter, R.H., R. Jones, and G. Kilgore. 2002. Abstracts, Soc. Range Manage. Annu. Meeting, Kansas City, MO, Feb. 13-19, Vol. 55:14.
- Fick, W.H. 2000. Alternative herbicides and mowing for sericea lespedeza control. Abstracts, Soc. Range Manage. Annual Meeting, Boise, ID, Feb. 13-18, Vol. 53:65.
- Fick, W.H. 2000. Integrated control of sericea lespedeza in Kansas. p. 15-16, In: 2000 Cattlemen's Day. Rep. of Prog. No. 850. Kansas State Univ. Agr. Exp. Sta. and Coop. Ext. Serv., Manhattan.
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Kansas Bureau of Investigation

Larry Welch
Director

Carla J. Stovall
Attorney General

January 11, 2002

Senator Derek Schmidt, Chairman
Members of the Special Committee on Agriculture

RE: Biological Threats to Kansas Agriculture

Dear Chairman Schmidt and Members of the Committee:

Having testified before your committee on December 12, 2001, I thought you would be interested in receiving an advance copy of a feature story written for the professional journals of Kansas law enforcement on *Biological Threats to Kansas Agriculture*. The article addresses some of the questions and issues on this topic, focusing on the role of Kansas law enforcement in helping our agriculture industry.

As you may be aware, town meetings and training sessions are being held around the state on this critical subject. Mr. George Teagarden, Kansas Livestock Commissioner, has been very effective in alerting livestock producers and feedlot operators about the threats posed by foreign animal diseases.

If you have any questions about the KBI's role in this regard, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in black ink that reads "Terry Knowles". The signature is written in a cursive, flowing style.

Terry Knowles
Deputy Director

enclosure

House Agriculture Committee
February 25, 2002

Law Enforcement's Role in Defending Against Bio-Terrorism Threats to Kansas Agriculture

by
Terry Knowles
KBI Deputy Director

With the attacks of September 11, there is heightened concern about the vulnerability of other targets, in particular economic targets such as Kansas agriculture. For law enforcement, this translates into a number of questions: *What could be the primary threat? What is the role of Kansas law enforcement? How can we help prevent any harm to Kansas agriculture? And, what is the economic impact of an attack on Kansas agriculture?*

Kansas ranks second in the nation (behind Texas) in terms of livestock production with an estimated **6.9 million cattle** in our state at any one time, according to David Ranek from the Kansas Agriculture Statistics Service in Topeka. Of the 6.9 million cattle, some 2.7 million are located in feedlots and an additional 4.3 million are on privately-owned farms. Presently, there are 225 feedlots in Kansas, each with a capacity to handle in excess of 1,000 cattle. According to Dr. Barry Flinchbaugh, agriculture economist from Kansas State University, the total gross value of agriculture production in Kansas is **\$8 billion per year** --- \$5 billion in livestock and \$3 billion in crops. There are several animal pathogens (such as BSE or Mad Cow Disease and Foot-and-Mouth Disease) and several plant pathogens (such as Wheat Stem Rust and Karnal Bunt) that pose a serious threat to Kansas' agriculture economy.

What is the threat? There is general agreement among agriculture experts in Kansas that the greatest biological threat to our state's agriculture economy is *Foot-and-Mouth Disease* (FMD). This highly-contagious viral disease attacks cloven-hoofed domesticated animals (cattle, swine, and sheep), as well as wildlife such as deer and elk.

An outbreak of FMD, either by intentional introduction of a virus or by accident, would bring our state's economy to a virtual standstill.

Dr. Jerry Jaax, KSU veterinarian who has extensive experience in biowarfare defense, and Mr. George Teagarden, Kansas Livestock Commissioner, have both presented compelling testimony to the Kansas Legislature of the potential disaster that FMD poses to our livestock industry. *"In terms of an economic impact, it would be devastating. Any outbreak of FMD could mean the destruction of thousands of animals and severe financial losses in only a matter of days or weeks,"* Dr. Jaax stated.

Mr. Teagarden outlined the emergency response procedures already in place by the Kansas Animal Health Department. He explained that all movement of livestock would immediately be halted, and that affected areas (including farms and surrounding land within a six-mile radius, feedlots, and processing plants) would be isolated and fully quarantined. He emphasized the impact of a quarantine --- no animal movement from the affected area; no movement or very limited movement of personnel from the affected area; and no movement of equipment or vehicles from the affected area. Teagarden further explained that a full quarantine is necessary because the FMD virus can be carried or transmitted in several ways --- on a person's clothes, shoes, or boots, and on tires of equipment, trucks, and other vehicles. Further, if FMD were found anywhere in the United States, the state of Kansas would close its borders to the movement of livestock in order to prevent the introduction of FMD into Kansas from another state.

Dr. Jaax and Mr. Teagarden both cited the sweeping impact of the FMD outbreak in the United Kingdom during this past year. In England, FMD was originally detected at a hog farm in February, and quickly spread. Virtually all export of products related to sheep, swine, and cattle in England has been stopped since that time (February, 2001), and will not resume for sometime in the future.

What is Foot-and-Mouth Disease? FMD is a serious animal health problem in several countries of the world. This viral disease is caused when livestock inhale or

otherwise come in contact with the virus. It is usually contracted through the respiratory system, and is explosively contagious from animal to animal. It causes severe blisters, called *vesicles*, in the mouths and hooves of the infected animals, and FMD severely cripples animals, thus limiting their mobility, and curtailing their ability to consume feed. Although painful to animals, FMD is **not** infectious to humans.

During recent months, Mr. Teagarden has been conducting a series of educational meetings throughout the state in an effort to alert livestock producers and feedlot operators about the threat of FMD to Kansas agriculture. Mr. Teagarden is joined by Dr. Kevin Varner, USDA veterinarian, and Dr. George Kennedy, K-State veterinarian and animal pathologist, in presenting helpful information, primarily surrounding the serious threat of FMD to our livestock industry. Dr. Kennedy was one of the U.S. veterinarians sent to England to help contain their 2001 outbreak of FMD.

These presentations focus on the following: (1) the need for each livestock producer and feedlot operator to develop a bio-security plan as a preventive measure against FMD; (2) early warning signs of FMD in cattle, hogs, and sheep; and (3) emergency plans to be implemented by the USDA and the Kansas Animal Health Department in the event of an outbreak of FMD or any other foreign animal disease.

As a means to prevent this type of threat to our economic infrastructure, these countermeasures are recommended:

(1) **Intelligence**. Develop a keen awareness of potential threats, and implement an information-sharing system concerning suspects and suspicious activity.

(2) **Surveillance**. Local livestock producers and veterinarians are the first line of defense, and need to develop a bio-security plan. Everyone in the livestock industry needs to be aware of the risks and symptoms associated with infectious diseases.

(3) **Rapid diagnostic capabilities**. Immediate laboratory tests can be conducted at Kansas State University, with confirmatory tests conducted at the USDA Laboratory in Plumb Island, New York.

(4) **Rapid incident response.** All agencies will provide support in the event of a declared state of emergency in compliance with K.S.A. 47-611. The Kansas Livestock Commissioner would be directly responsible for managing emergency operations during an outbreak of any foreign animal disease, including FMD.

(5) **Training.** Provide all members of the livestock industry with a continuing form of training and timely updates concerning possible biological threats.

What is the legislative authority? During last year's legislative session, House Bill No. 2468 was passed and signed into law, establishing clear and specific responsibilities for agencies responding to a state of emergency caused by animal diseases. This bill, amending K.S.A. 47-611, defined criminal conduct relative to animal health issues, and made it a criminal act (level 4, nonperson felony) to expose any animal in this state to foot-and-mouth disease. It states further that "*.....the governor will utilize all available resources of the state government to cope with the disaster.*"

What is law enforcement's role in helping prevent harm to Kansas agriculture? As part of a *coordinated* response to a biological attack on agriculture, Kansas law enforcement would play any number of roles, including:

- (1) providing security and roadblocks for the affected/quarantined areas;
- (2) assisting in the conduct of criminal investigations;
- (3) providing assistance as requested by other law enforcement agencies;
- (4) providing assistance requested by federal agencies, such as the USDA; and
- (5) providing assistance requested by state agriculture agencies.

A more critical role for Kansas law enforcement would occur *before* an act of bio-terrorism by gathering intelligence that would hopefully prevent an outbreak of some *intentionally-introduced* foreign animal disease. For example, Kansas' livestock industry consists of four primary groups: (1) livestock producers; (2) feedlot operators; (3) livestock marketers; and (4) veterinarians. In recent town meetings throughout the state, USDA officials and the Kansas Livestock Commissioner have asked members of the

livestock industry to report to law enforcement authorities any suspicious activities in the proximity of a livestock operation. This type of information and pro-active intelligence would be essential in helping prevent an outbreak of an *intentionally-introduced* foreign animal disease, rather than having to respond to a disaster **after** the fact.

Within federal regulations (28 CFR part 23), the KBI is expanding its existing criminal intelligence database to help identify any potential threat to Kansas agriculture. The purpose of this database, known as the Kansas Law Enforcement Intelligence Network (KsLEIN), is to track suspicious activity and individuals reported to Kansas law enforcement and to the KBI. This computerized network will also serve as the repository for complaints and information from citizens concerning suspicious activity and possible threats to Kansas' agriculture industry. The network is already in place, and will be modified to add an intelligence component related to bio-terrorism threats to Kansas agriculture. Currently, there are **345** state and local law enforcement agencies participating in the KsLEIN.

Since the attacks of September 11, the public has been more vigilant concerning suspicious activity and more willing to contact law enforcement with their concerns. For example, the KBI has received 238 terrorist-related calls or contacts since the attacks. Of the 238, a total of 98 were deemed appropriate for referral to the FBI. In response to early concerns about the possibility of a biological attack through the use of "cropdusters," the KBI identified all agriculture aircraft and pilots believed to be operating in our state --- a total of **180** aircraft owned and/or operated by **130** licensed pilots in Kansas.

Biological threats to agriculture represent a new challenge for Kansas law enforcement, and it is important that we understand potential threats, vulnerabilities, available resources, and likely scenarios in this field. To help with this understanding, several training opportunities are being initiated. In February, the Ford County Sheriff's Department hosted a regional seminar in Dodge City involving law enforcement officers,

livestock producers, and feedlot operators in the west region. Officers were able to learn firsthand of the potential threats and the impact of a bio-terrorism attack on livestock. Likewise, there was a mutual understanding by livestock producers of the capabilities and resource limitations of law enforcement agencies.

Other training opportunities in this field are being scheduled, such as the Koch Crime Institute planned Midwest Conference on Agriculture Bio-Terrorism in Manhattan on March 25-26, 2002. This conference will feature a wide range of experts on the subject of biological threats to Kansas agriculture, including scientists and veterinarians from Kansas State, as well as officials from the U.S. Department Agriculture and the Kansas Animal Health Department. The emergency response plan, including quarantine procedures, for the state of Kansas will be discussed at this training conference.

CONCLUSION: Calculating the economic impact of a bio-terrorism attack on Kansas agriculture can be summed up in four words --- *it would be devastating!* Kansas Senator Pat Roberts has expressed great concern over the possible threats of terrorism against America's agriculture industry. Appearing before a farm group this past October, Senator Roberts stated, *"Our nation's crops and livestock are now at very high risk. The United States has the safest and most abundant food supply in the world, and we must ensure that crop and livestock diseases do not find their way into our fields and feedlots, either accidentally or as a result of terrorism."* Senator Roberts has introduced a comprehensive counter-agroterrorism bill (S.1546), designed to help protect America's agriculture industry by providing substantial funding for research, training, and facilities. Upon introduction of this bill, Senator Roberts stated: *"Frankly, I am very worried. Scientists in several countries, including the former Soviet Union, produced mass quantities of pathogens targeted at the North American food supply. The loss of markets resulting from the introduction of these pathogens would be staggering to our nation's economy."*

Since the attacks of September 11, the "awareness focus" has primarily been on increased safety of commercial airlines. That same level of heightened attention must be expanded to include other industries critical to the nation's economy. It is essential that any bio-terrorism threat to Kansas agriculture be identified and stopped **before the fact**, rather than belated suffering the consequences of an undetected attack. Simply stated, three key elements --- seeing, hearing, and reporting --- are critical for keeping our fields and livestock free from harm.

STATE OF KANSAS

BILL GRAVES, GOVERNOR

Jamie Clover Adams, Secretary of Agriculture
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KANSAS DEPARTMENT OF AGRICULTURE

House Agriculture Committee

February 25, 2002

Testimony Regarding SB 395

Greg Foley, Assistant Secretary of Agriculture

Chairman Johnson and members of the committee, I am Greg Foley, Kansas Assistant Secretary of Agriculture. I appear today in support of Senate Bill 395 as amended.

The Kansas Department of Agriculture supports this bill as amended. We had submitted a balloon amendment to the original bill, and it appears the Senate Agriculture Committee graciously amended the bill to incorporate our suggestions.

Background

At the November 2001 meeting of the interim Special Committee on Agriculture, Secretary Adams discussed the vulnerability of our plant disease infrastructure in Kansas. Experts on bioterrorism tell us that a terrorist's goal is not always to kill but to create domestic dislocation or economic havoc. An intentional introduction of a plant disease in Kansas would be devastating to our economy. Overall, Kansas agriculture industry sales impact the Kansas economy by \$34 billion, with the value of the wheat industry alone calculated at \$1 billion.

As a way to safeguard Kansas plant resources, the KDA Plant Protection and Weed Control program works closely with APHIS-PPQ. The program has 11 employees, eight of whom work regularly in the field. These men and women ensure that Kansas' agricultural commodities can be exported around the globe.

As relayed to the special committee, the department reviewed materials on emerging bioterrorist threats from a hearing two years ago before Senator Roberts' emerging threats subcommittee. The experts pointed out that the Russians worked on wheat rust as a weapon of the cold war. We learned that wheat rust, or something like it, would be as devastating to our wheat industry as foot-and-mouth disease would be to our beef industry.

House Agriculture Committee
February 25, 2002
Attachment 6

Senate Bill 395

After analyzing many scenarios, and taking a closer look at the language in this bill, we believe that new section 1 (a)(4) should be amended to include "or contaminant," as well as infectious disease, to cover a wider range of potential threats to agricultural commodities and feed or food stuffs.

In K.S.A. 2-2113 (a), plant pests are defined to include any state of development of any insect, nematode, arachnid, or any other invertebrate animal, or any bacteria, fungus, virus, weed, or any other parasitic plant or microorganism, which can injure plants or plant products. We request another amendment to include in Section 4 (b)(2) one additional statutory cite, K.S.A. 2-2114, which establishes the Secretary of Agriculture's duties in response to a plant pest.

Further, the Secretary of Agriculture supports including plant disease on the list of issues for which the Governor may declare a state of disaster emergency. Should any situation of this severity occur, all resources of state government will be needed.

Thank you for the opportunity to discuss Senate Bill 395. Tom Sim, manager of our Plant Protection and Weed Control program, is here with me today, and we will gladly answer any questions the committee has.

STATE of KANSAS

KANSAS ANIMAL HEALTH DEPARTMENT

George Teagarden, Livestock Commissioner
708 S. Jackson, Topeka, Kansas 66603-3714
Phone 785/296/2326 Fax 785/296/1765
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web site – www.ink.org/public/kahd

February 25, 2002

Chairman Johnson and members of the House Agriculture Committee:

The Kansas Animal Health Department stands in support of SB 395 as amended but believe that it needs some clarity. The bill in its current form exempts plant research from this statute by referencing KSA 2-2112. We have research facilities that work with livestock disease that often challenge animals in the process of vaccine research and development. In some cases, they might add something to feed or commodities that would trigger a disease challenge or the test bacteria might be transported through feed stuffs.

I believe that an exemption, much like that in new section 1, (a), (3) for plants, should be made for research facilities that would come under new section 1, (a), (2) and (4). The intent of this legislation is to get the bad guys; I think that we should be sure that we protect the good guys.

USDA does approve laboratories for animal research under Part 9, Code of Federal Regulations, chapter 1, subchapter E. We have research facilities at several of our universities that are not approved by USDA but should be exempt and therefore protected against unintentional consequences of this legislation.

Another issue might be the length and breath of this legislation. Contagious or infectious disease covers all disease. Do we want to bulk endemic diseases such as shipping fever with a foreign animal disease such as hog cholera or foot and mouth disease. It might be prudent, in this legislation directed at terrorism, to limit the scope to foreign animal disease, defined as a disease that presently does not exist in the United States. The introduction of a foreign animal disease would cause problems for our state and country, many contagious and/or infectious diseases are endemic and present as we speak.

Thank you for your consideration of my thoughts. Are there any questions?

House Agriculture Committee
February 25, 2002
Attachment 7



Kansas Farm Bureau

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PUBLIC POLICY STATEMENT

HOUSE COMMITTEE ON AGRICULTURE

RE: SB 395 – An act concerning plant and animal diseases.

**February 25, 2002
Topeka, Kansas**

**Presented by:
Janet McPherson, Assistant Director
Public Policy Division
Kansas Farm Bureau**

Chairman Johnson and members of the House Agriculture Committee, thank you for the opportunity to appear today on behalf of the farmer and rancher members of Kansas Farm Bureau. We welcome the opportunity to convey support for the intent of Senate Bill 395 as amended, which would expand existing penalties for agriterroristic activities.

Kansas Farm Bureau members have devoted time and energy over the past year to deliberate biosecurity and bioterrorism vulnerabilities within production agriculture. Concerns about Hoof and Mouth Disease, Karnal bunt, and a myriad of zoonotic diseases, which can affect both animals and humans, have prompted considerable changes in how agricultural producers think about the safety of their enterprises. It is a belief within the American Farm Bureau that individual freedom and opportunity must not be sacrificed in a quest for guaranteed "security." However, members are also keenly aware that there are potential threats that could jeopardize their freedoms and ability to produce food and fiber for the nation and world.

House Agriculture Committee
February 25, 2002
Attachment 8

Farm Bureau members enacted new policy language during their 83rd annual meeting in November to relating to biosecurity concerns:

Food Safety and Biosecurity

AG-12

Kansas Farm Bureau encourages federal, state and local units of government, research institutions and the agricultural industry to make every reasonable effort to protect livestock and crop production in Kansas from the threat of bioterrorism or from introduction through accidental infestation by animal and plant pests or diseases. Crop and livestock producers are encouraged to develop voluntary biosecurity protocols to address unique needs of their operations.

We strongly support the greatest penalty provisions provided by law be applied to those individuals convicted of bioterrorist or ecoterrorist activities.

The Kansas Farm Bureau Board of Directors has initiated a pilot program to help Farm Bureau Members avoid becoming victims of crimes, including those that may be accomplished through breaches in biosecurity or agriterrorism.

In January of this year, delegates at the American Farm Bureau Annual Meeting adopted language in a unanimous fashion to convey the importance of this issue. The following new section has been added to the American Farm Bureau policy book:

Bioterrorism

13

Protecting our nation's food and water supply should be a top priority.

We condemn acts of terrorism and support the protection of our people, resources and industry.

We pledge wholehearted support to our national leaders in efforts to punish those who carry out acts of terrorism, including those who train, support and harbor terrorists.

We encourage the U.S. government to strengthen existing capabilities to prevent and respond to acts of bioterrorism. We support emergency spending for food and agricultural security.

We support stringent enforcement of laws pertaining to bioterrorism.

We support:

- (1) *State and federal legislation to strengthen civil and criminal penalties for persons or organizations that engage in acts of biological terrorism, including but not*

- limited to the introduction of biological agents or contaminants harmful to agricultural products;*
- (2) *Federal legislation to establish an indemnity program and contract relief when acts of terrorism result in production losses or the loss of marketability of agricultural products.*

We recommend necessary USDA funding to focus on the protection of our food and water supplies.

We recommend that all farmers recognize the importance of adopting biosecurity measures.

American Farm Bureau membership is comprised of producers of all sizes who are engaged in raising all varieties of commodities and farm products. The overwhelming support for this bioterrorism policy, from such a diverse membership, representing every state and Puerto Rico, speaks to the importance of this issue to the entire agricultural industry.

The amendments proposed today through Senate Bill 395 will help ensure the Governor of Kansas has the authority to take action to address a disease outbreak that could jeopardize the agricultural sector. Additionally, SB 395 will help ensure that those who would knowingly commit a crime against agricultural operators and their enterprises will be subject to appropriate remedies. As noted above, our members support stronger penalties for those convicted of agriterroristic activity. The intent of SB 395 is consistent with our policy. As such, we respectfully request the committee look favorably on this piece of legislation. The components embodied in this legislation may prove critical to protecting agricultural producers as well as our food supply.

Thank you.

Kansas Farm Bureau represents grassroots agriculture. Established in 1919, this non-profit advocacy organization supports farm families who earn their living in a changing industry.



STATEMENT OF THE
KANSAS GRAIN & FEED ASSOCIATION
AND THE
KANSAS AGRIBUSINESS RETAILERS ASSOCIATION
SUBMITTED TO THE
HOUSE AGRICULTURE COMMITTEE
REGARDING S.B. 395
REPRESENTATIVE DAN JOHNSON, CHAIR
FEBRUARY 25, 2002

KGFA & KARA MEMBERS ADVOCATE PUBLIC POLICIES THAT ADVANCE A SOUND ECONOMIC CLIMATE FOR AGRIBUSINESS TO GROW AND PROSPER SO THEY MAY CONTINUE THEIR INTEGRAL ROLE IN PROVIDING KANSANS AND THE WORLD THE SAFEST, MOST ABUNDANT FOOD SUPPLY.

816 SW Tyler, Topeka KS 66612 - 785-234-0461

House Agriculture Committee
February 25, 2002
Attachment 9

Chairman Johnson and members of the committee, I am Doug Wareham appearing today on behalf of both the Kansas Grain and Feed Association (KGFA) and the Kansas Agribusiness Retailers Association (KARA). KGFA is comprised of more than 1100 member firms including country elevators -- both independent and cooperative -- terminal elevators, grain merchandisers, feed manufacturers and associated businesses. KGFA's membership represents 98% of the over 860 million bushels of commercially licensed grain storage space in the state of Kansas. KARA's over 550 members are primarily retail agribusiness operations that provide fertilizer, crop protection chemicals, seed, fuel and propane products and services to Kansas producers. In addition to serving the interests of retail agribusiness, KARA also represents crop input distribution firms, ag chemical manufacturing firms, application equipment manufacturers and other businesses related to the crop production industry.

I want to express our support for Senate Bill 395, which will make it unlawful for any person to knowingly bring into this state a plant that is infected with a contagious or infectious disease or to expose plants grown in Kansas to contagious or infectious diseases. Kansas and other agricultural states that collectively provide the safest and most abundant food supply in the world must take steps to protect and deter criminal acts against our food production and distribution system. Last year, the Kansas Legislature adopted Substitute for Senate Bill 36, which prescribed tougher penalties for criminals that physically damage or destroy crop production research test plots. The legislation you are considering today will further strengthen Kansas laws by deterring enemies, both foreign and domestic, that might consider exposing crops grown in Kansas to a contagious or infectious disease.

The criminal acts described in Senate Bill 395 are simply "Acts of Terrorism", and while we tend to look abroad when we hear the word terrorism, history has proven that we face a much greater risk of this type of activity being carried out by special interest extremists presently operating in the United States. Attached with my testimony, is a listing of terrorist acts, many of which are agricultural-related, which were carried out in the U.S. and Great Britain during the past few years. While the events of September 11th have given us a new sense of awareness concerning our adversaries abroad, it is somewhat troubling that terrorist acts performed by organizations such as the Animal Liberation Front, the Environmental Liberation Front, the Bioengineering Action Network and Reclaim the Seeds often go virtually unnoticed by the general public. Senate Bill 395 will give notice to all terrorist organizations that the price for knowingly harming crops in Kansas through the introduction of infectious or contagious diseases will be very high.

In conclusion, I simply want to restate our support for this measure and on behalf of KGFA and KARA I ask that you look favorably upon this bill. Thank you for the opportunity to testify and I would be happy to respond to any questions you might have.

Animal Rights & Eco-Terrorism : The Price We Pay

Sept. 20, 2001: Arson at primate facility
The Coulston Foundation, a research facility in New Mexico, is burned down. Damage is put at over \$1 million. Animal Liberation Front (ALF) claims guilt.

Sept. 8, 2001: McDonald's torched in Arizona
A McDonald's franchise in Tucson is set ablaze, causing \$500,000 in damage. ALF claims guilt.

Aug. 23, 2001: Mink farm raided
Netherlands: 16,800 mink are released from a farm near Eindhoven. Hundreds are squashed on roads.

Aug. 21, 2001: Vandalism at New York lab
Nassau County facility of Cold Spring Harbor Laboratory trashed. Damage: \$15,000. Earth Liberation Front (ELF) wrongly believes lab does genetic engineering.

June 11-12, 2001: Arizona luxury homes set ablaze
Four homes outside Tucson, worth a combined \$5 million, are torched because they were being built near mountain preserves.

June 1, 2001: Oregon logging camp torched
A logging site and trucks belonging to Ray A. Schoppert Logging Inc. are set ablaze near Mount Hood. Total damage is put at \$150,000.

May 21, 2001: Arsons in Oregon, Washington
Jefferson Poplar Farm, near Clatskanie, and Univ. of Washington's Center for Urban Horticulture burned. Facilities collaborated in research. Farm damage: \$500,000; university damage: \$2.5 million.

Apr. 22, 2001: Mink farm burned down
Germany: Living quarters, feed houses, mink sheds destroyed at farm near Dresden. Spiked roads stop fire trucks arriving in time.

Apr. 20, 2001: Washington mink farm raided
300 mink released in Snohomish County, mostly pregnant. Breeding cards destroyed. Damage: \$35,000.

Apr. 15, 2001: Oregon arsonists burn 3 trucks
Cement trucks of Ross Island Sand & Gravel, Portland, burned. Damage: \$210,000. ELF claims guilt.

Mar. 30, 2001: Arson at Oregon truck store
Chevrolet dealership in Eugene burned. Damage: \$1 million. Guilt claimed by anonymous group in statement released by ELF.

Mar. 25, 2001: Slaughterhouse torched
Netherlands: Slaughterhouse near Eindhoven burned down. Damage is put at \$4 million. ALF claims guilt.

Mar. 17, 2001: Research trees killed in Oregon
More than 700 poplars are cut down by vandals apparently targeting genetically engineered trees.

Early March, 2001: Trees spiked in Virginia
Steel spikes driven into trees on Westmoreland timber tract. Lumber company says it will spend \$30,000 on safety precautions when running timber through mill.

ELF claims guilt.

Feb. 23, 2001: Animal research chief brutalized
UK: Huntingdon Life Sciences chief attacked by masked thugs with axe handles.

Feb. 21, 2001: Arrests follow bomb campaign
UK: Arrests made in connection with 11 letter bombs sent to businesses with ties to animal use since December. Five explode, injuring two adults and a child.

Jan. 2, 2001: Oregon lumber company torched
Damage of \$400,000 caused to offices of Superior Lumber in Glendale. ELF claims guilt.

Dec. 9-29, 2000: Arsonists attack NY homes
Three waves of attacks cause \$410,000 damage to four luxury homes, one condo on Long Island. ELF claims guilt.

Dec. 11, 2000: Vancouver meat truck wrecked
Canada: Incendiary device wrecks \$60,000 truck at a meat market. ALF claims guilt.

Dec. 7, 2000: McDonald's NY offices trashed
Windows smashed, anti-meat slogans painted at McDonald's offices in Long Island. ALF claims guilt.

Nov. 27, 2000: Mansion torched in Colorado
Arson causes \$500,000 in damage to a Longmont mansion. ELF claims guilt.

Oct. 18, 2000: Logging gear trashed in Indiana
Vandals cause \$55,000 in damage to logging equipment in Martin County. ELF claims guilt.

Sept. 25-26, 2000: Three mink farms raided
Denmark: 12,000 mink are released from three farms near Copenhagen. ALF claims guilt.

Sept. 9, 2000: Republican Party HQ torched
Fire at HQ of Monroe County Republican Party Committee in Bloomington, IN. ELF claims guilt.

Sept. 7, 2000: Iowa mink farm raided
14,000 mink released in New Hampton, largest animal release ever in US. Most die on roads, from dog attacks, etc. ALF claims guilt.

July 2, 2000: Arson at Indiana chicken farm
Arson at Rose Acre farm in North Vernon causes \$100,000 in damage. ALF claims guilt.

June 4, 2000: Oregon seed research vandalized
\$300-500,000 damage caused to plots at Pure-Seed Testing. Anarchist Golfing Association claims guilt.

May 21, 2000: Firebomb at meat processor
UK: Nine incendiary devices defused at Oxfordshire meat plant. A tenth destroys an £80,000 truck.



May 7, 2000: Washington timber company torched
Fire guts Holbrook Inc., near Olympia. Damage: \$150,000. Revenge of the Trees claims guilt.

Apr. 30, 2000: Construction site sabotaged
Vandals cause \$500,000 in damage at highway site near Indianapolis. ELF claims guilt.

Jan. 3, 2000: Arson in California
Incendiary devices at Rancho Veal cause \$250,000 in damage. ALF claims guilt.

Dec. 31, 1999: Arson at Michigan State University
Fire causes \$900,000 in damage to research on genetically engineered plants. ELF claims guilt.

Dec. 25, 1999: Forestry company torched
Fire guts office of Boise Cascade in Oregon. Damage put at \$1 million. ELF claims guilt.

Nov. 14, 1999: Arson at feed supplier Netherlands: 9 trucks destroyed at Voedercentrale Milheeze, a slaughterhouse supplying feed to fur farms.

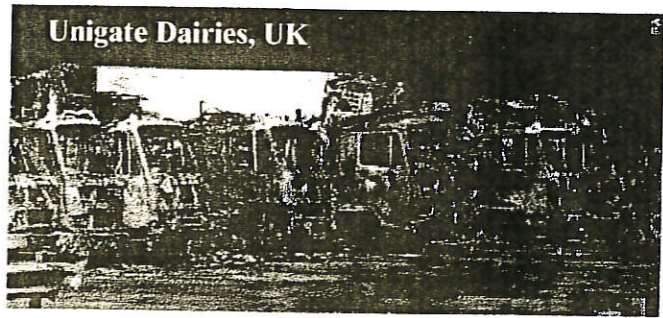
Oct.-Nov. 1999: Washington University vandalized
Research labs at Western Washington University struck twice. Offices and experiments destroyed, animals removed.

Oct. 1999: Dangerous mail
Letters containing razor blades, threat of violence from ALF's "Justice Department" sent to 80 primate researchers.

Aug. 12, 1999: McDonald's torched in Antwerp Belgium: Arsonists burn McDonald's outlet, causing \$1 million damages. Letters "ALF" painted at scene.



Aug. 9, 1999: Wisconsin feed supplier torched
United Feeds, supplier of feed to fur farms, burned. Damage: \$1.5 million.



Aug. 1, 1999: Arson attack at dairy UK: Incendiary devices cause £500,000 to £1 million in damage at Unigate Dairies in Oxford.

Apr. 5, 1999: Minnesota University labs vandalized
Vandals cause \$2 million in damage, destroying research on cancer vaccine, neurological diseases. ALF claims guilt.

Dec. 26, 1998: US Forest Industries torched
ELF claims guilt for attack on US Forest Industries in Oregon, causing over \$500,000 in damage.

Oct. 18, 1998: Arsonists strike ski resort
ELF claims guilt for fires at Vail ski resort, CO, which cause \$12 million in damage.

July 21, 1997: Slaughter plant firebombed
Cavel West Horse Slaughter Plant in Oregon torched, causing \$1 million in damage. ALF claims guilt.

May 30, 1997: 3,000 Mink die in Oregon
10,000 mink released of which more than 4,000 die. Cost: \$750,000.

Mar. 11, 1997: Feed plant bombed in Utah
Five pipe bombs at Fur Breeders Agricultural Coop cause \$1 million in damage.

Nov. 12, 1996: Minnesota fur store torched
Firebomb at Alaskan Furs in Bloomington causes \$2.75 million in damage.

Feb. 2, 1992: Arson at research facility
Facility conducting research on mink at Michigan State University torched. Property damage: \$100,000. ALFer Rodney Coronado serves 57 months in prison.

This flyer can be downloaded from: www.furcommission.com/resource/Resources/Terror.pdf

WEB CHRONOLOGIES OF ANIMAL RIGHTS AND ENVIRONMENTAL TERRORISM

Fur Commission USA chronology of animal rights extremist / ecoterror crimes: www.furcommission.com/attack/index.html; **Center for the Defense of Free Enterprise**, major crimes claimed by the Earth Liberation Front: www.cdfef.org/earth.htm; **National Animal Interest Alliance** chronology of animal rights and environmental terrorism: www.naiaonline.org/body/articles/archives/arterror.htm; **The Oregonian**: Earth Liberation Front attacks in the US since 1996: www.oregonlive.com/news/oregonian/index.ssf?news/oregonian/01/01/lc_52timeline11.frame; **Animal Liberation Front World Wide Diary of Actions**: www.animalliberation.net/doa

Produced by Farmers for Safe Farms. If you want our farms to be safe again, contact: Farmers for Safe Farms, c/o Fur Commission USA, PMB 506, 826 Orange Avenue, Coronado, CA 92118-2698 USA. Tel: (619) 575-0139; Fax: (619) 575-5578; furfarmers@aol.com; www.furcommission.com

TO THE HOUSE AGRICULTURE COMMITTEE

REP. DAN JOHNSON, CHAIR

REGARDING S.B. 395

FEBRUARY 25, 2002

Mr. Chairman and Members of the Committee, I am Chris Wilson, appearing today on behalf of Kansas Agricultural Aviation Association, Kansas Dairy Association, and Kansas Seed Industry Association. All three of these associations support S.B. 395, which establishes the crime of knowingly endangering the food supply. We are all well aware of the importance of food safety and the protection of our food supply. We also recognize that there are threats to the safety of our food supply.

We would support an amendment to clarify that research activities are exempt, both for crops and livestock diseases.

Thank you for your consideration of S.B. 395.