

MINUTES OF THE SENATE AGRICULTURE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on March 14, 2006 in Room 423-S of the Capitol.

All members were present except:  
Derek Schmidt- excused

Committee staff present:  
Raney Gilliland, Kansas Legislative Research  
Lisa Montgomery, Office of Revisor of Statutes  
Judy Seitz, Committee Secretary

Conferees appearing before the committee:  
Constantine Cotsoradis, Kansas Department of Agriculture  
George Teagarden, Kansas Animal Health Department  
Pete Sherlock, Kansas Pork Association

Others attending:  
See attached list.

Chairman Taddiken noted that the Committee has two sets of minutes (March 7 & 8) to review and action to be taken at the end of the meeting.

The hearing on **HB 2836--Revisions to the Kansas egg law** was opened.

Constantine Cotsoradis appeared in support of **HB 2836** (Attachment 1). The new law would require licensing of those selling eggs and expands record keeping requirements for license holders. It would exempt producers selling eggs from their own flock, but add some size, handling and temperature requirements. The new law would also clarify labeling requirements, limit repackaging of eggs by retailers and provide civil penalty authority.

Mr. Cotsoradis stood for questions.

Mr. Gilliland reviewed the changes in the bill. There are new definitions for eggs, handling, food purveyor, graded eggs, identity, last handler, pack date, packer, producer and repackaging eggs. He also said another change would make it unlawful to sell or distribute eggs without a license. Failure to comply with this act would be a violation. The inspection fee would only apply once. He also reviewed the license requirements and fees. He said other changes are the requirements for egg handling, packaging and storage temperature.

Mr. Gilliland took questions from the Committee.

Irma Lightner, ACAP/KDA, responded to questions from the Committee.

Hearings on **HB 2836** were closed.

Hearings on **HB 2899--Penalties related to certain actions involving feral swine** were opened.

George Teagarden offered testimony in support of **HB 2899** (Attachment 2). He said the main concern of the Kansas Animal Health Department is that if feral swine infects the domestic herd, the state loses its free status and domestic producers would be required to increase testing for sales of their production. Currently the feral swine can be hunted but they cannot be imported. He also had information on the population of feral swine (Attachment 3).

Mr. Teagarden stood for questions.

Pete Sherlock spoke in support of **HB 2899** (Attachment 4). He said that wild pigs are carriers of external parasites and diseases which could be very damaging to the Kansas pork industry.

CONTINUATION SHEET

MINUTES OF THE Senate Agriculture at 8:30 a.m. on March 14, 2006 in Room 423-S of the Capitol.

Dr. Sherlock took questions from the Committee.

Chairman Taddiken said hearings on **HB 2899** will be continued until Tuesday, March 21

A motion to approve the Committee meeting minutes for March 7 and March 8 was made by Senator Huelskamp. Seconded by Senator Pine. Motion passed.

Discussion was opened on **HB 2432-- Liability of property owners of land adjacent to recreational trails.** Senator Bruce made a motion to change the effective date from “publication in the statute book” to “publication in the *Kansas Register*.” Motion seconded by Senator Huelskamp. Motion passed.

Senator Huelskamp is in support of this bill and has amendments to the bill. No copies of the amendments were available. Chairman Taddiken said the discussions on this bill will be held later when copies of the amendments are available.

The meeting was adjourned at 9:30 a.m.

Dr. Barry Flinchbaugh will give a presentation at the next Committee meeting on March 15, 2006.





# KANSAS

DEPARTMENT OF AGRICULTURE  
ADRIAN J. POLANSKY, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on House Bill 2836  
to  
the Senate Agriculture Committee**

**by  
Constantine V. Cotsoradis  
Assistant Secretary**

**March 14, 2006**

Thank you, Mr. Chairman and members of the committee. I am here to testify in support of HB 2836.

The Kansas Department of Agriculture's agricultural commodities assurance program regulates the handling and sale of eggs. Fees paid by egg sellers and distributors are used to fund the program.

The law, as it is currently written, is confusing about who pays inspection fees, and we are asking to amend the statute to clarify who is responsible. This change is fiscally neutral and is intended only to make the requirements more clear, both for our employees and for egg sellers and distributors.

We also learned there is some confusion about provisions in the egg law that affect small, direct marketers, like those at farmers' markets. These were brought to our attention by stakeholder groups we convened based on recommendations made to us by members of the Governor's Rural Life Task Force.

This bill includes changes that clarify rules for persons selling eggs from their own small flocks (50 hens or less and 250 hens or less) directly to the consumer. It also adds other kinds of eggs and egg products that are being sold more frequently as Kansas' ethnic populations grow and change. It also is updated to allow us to better track egg sales for security and food safety reasons.

*Senate Agriculture Committee  
3-14-06  
Attachment 1*

The new law:

- Adds balut (fertilized eggs) to allow us to regulate their labeling and handling.
- Requires retailers and food purveyors to be licensed, but exempts them from the licensing fee. The intent is to license everyone in the egg handling chain for food safety purposes, but without imposing additional fees.
- Expands record keeping requirements for license holders.
- Maintains the exemption for producers selling from their own flock, but adds some size, handling and temperature requirements to clarify direct marketing rules.
- Clarifies labeling requirements.
- Limits repackaging of eggs by retailers.
- Provides civil penalty authority.

We discussed these proposed changes at our stakeholder meetings, and the response, while limited, has been positive.

I will stand for questions at the appropriate time.

STATE OF KANSAS  
**Kansas Animal Health Department**

**George Teagarden, Livestock Commissioner**  
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March 14, 2006

Agriculture Committee  
Kansas Senate

Chairman Taddiken and Members of the Committee,

I am George Teagarden, Livestock Commissioner, Kansas Animal Health Department. I'm here today in support of HB 2899, a bill relating to feral swine.

The original feral swine legislation was approved in 1995. The original penalties were increased to a maximum of \$5,000 per violation in 2000. Since the original legislation, the feral swine population has increased in Kansas. House Bill 2899 improves the definition of "feral swine" and adds language regarding importation and possession of feral swine and makes it illegal to release any swine for the purposes of hunting on public or private land. It also makes it illegal to assist or profit from any hunting activity whether for sport, pleasure, amusement or production of a trophy.

Under current law, it is not illegal to hunt feral swine. We have found that by allowing hunting, we have promoted illegal activity. The populations of feral swine have grown over the last several years. In other states where control of feral swine has been lacking, the populations have grown considerably. In many populations throughout the country, feral swine are infected with swine brucellosis and pseudorabies, two diseases that Kansas is free of in our domestic herd. Our main concern within the realm animal health is that if feral swine infect our domestic herd, the state loses its free status and domestic producers would be required to increase testing for sales of their production.

The House Ag Committee amended the bill in section 1 (b) to clarify that it is illegal to transport or possess live feral swine. They also, in section 1 (k), added a provision to make it legal for land owners to destroy feral swine when found on their premises or when destroying property. Within that section "or persons designated by such owners or legal occupants" may open the door to illegal activity. The intent is clear that land owners should be able to take action against these pests; the language may need to be adjusted.

*Senate Agriculture  
Committee*

*3-14-06*

*Attachment 2*

Feral swine are a threat to the disease status of our domestic herd. They are also very destructive to riparian areas along streams and to crops and pasture land. They are a pest and need to be controlled and eradicated. HB 2899 will assist in this effort. I encourage your favorable action.

The Kansas Animal Health Department supports the bill as amended by the House Agriculture Committee but does suggest that the language in Sec 1 (k) be considered.

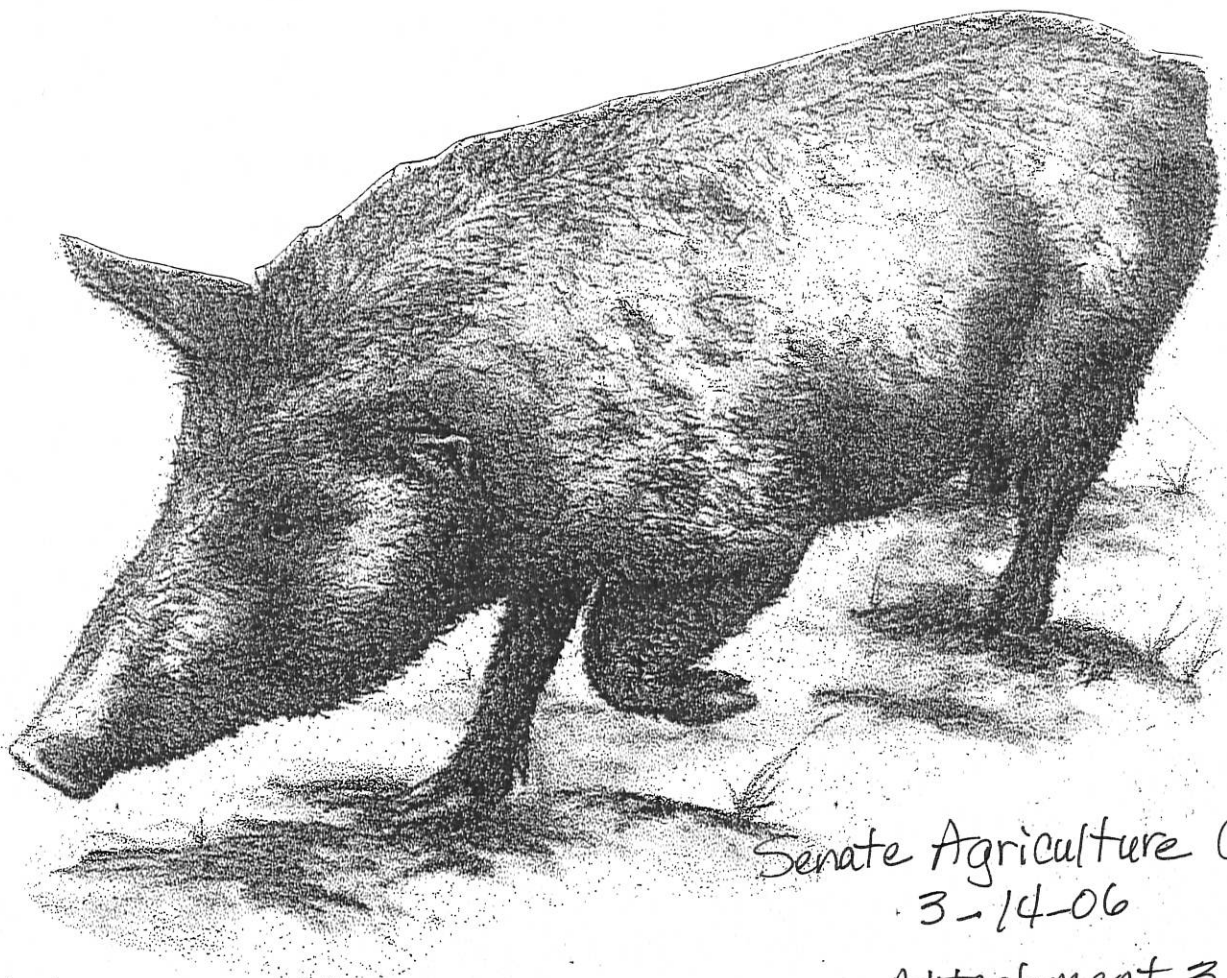
I have additional information provided by USDA Wildlife Services.

I will stand for questions.

# Kansas Feral Swine

Concerns with expanding populations in  
Kansas, Oklahoma and Missouri.

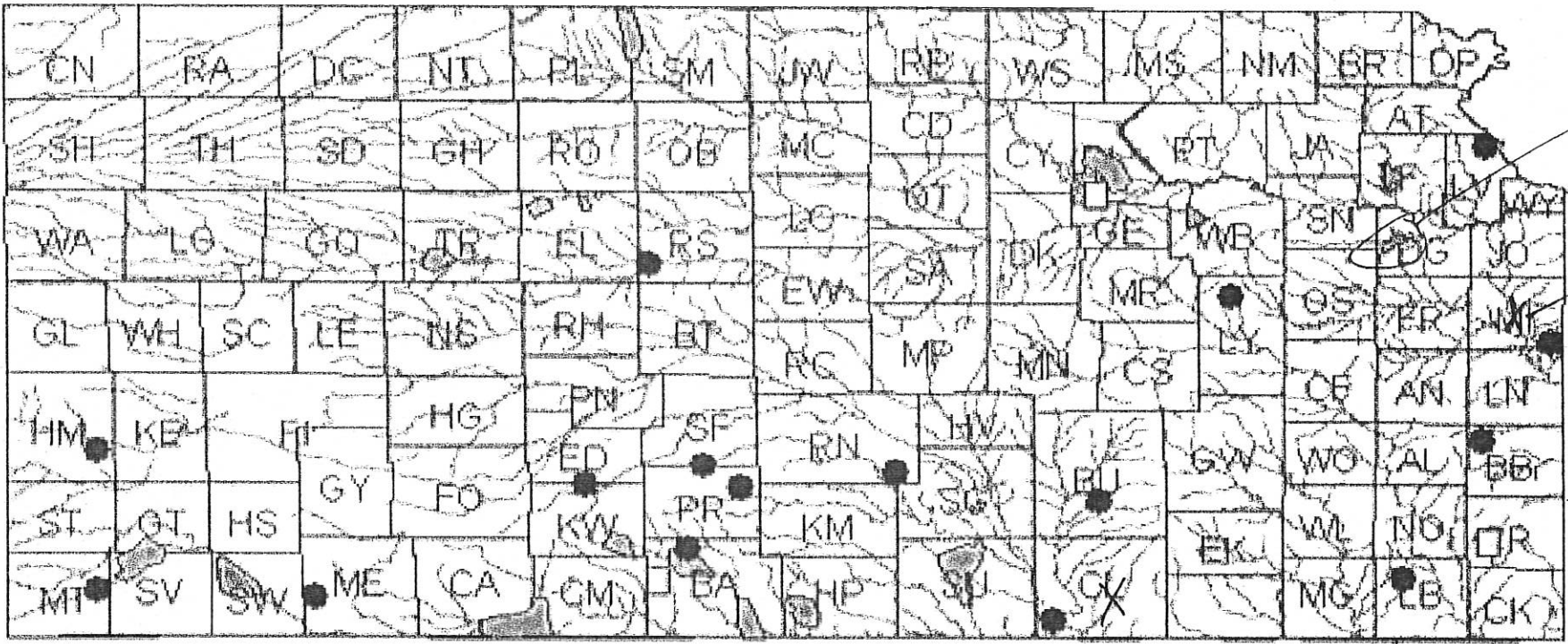
Information compiled by USDA APHIS Wildlife Services and the Kansas Animal Health  
Department.



Senate Agriculture Committee  
3-14-06  
Attachment 3



# Wild Hog Distribution



Gipson et. al 1998

- Sightings but not confirmed
- Verified populations
- ▲ Extirpated Population

Current Populations, 6/2004

Recent sighting in Cowley Co.

Clinton Reservoir

sighting at Mt. Co. State Fish Lake

# Oklahoma Feral Swine Survey



**Legend**

**Feral Swine 1993**

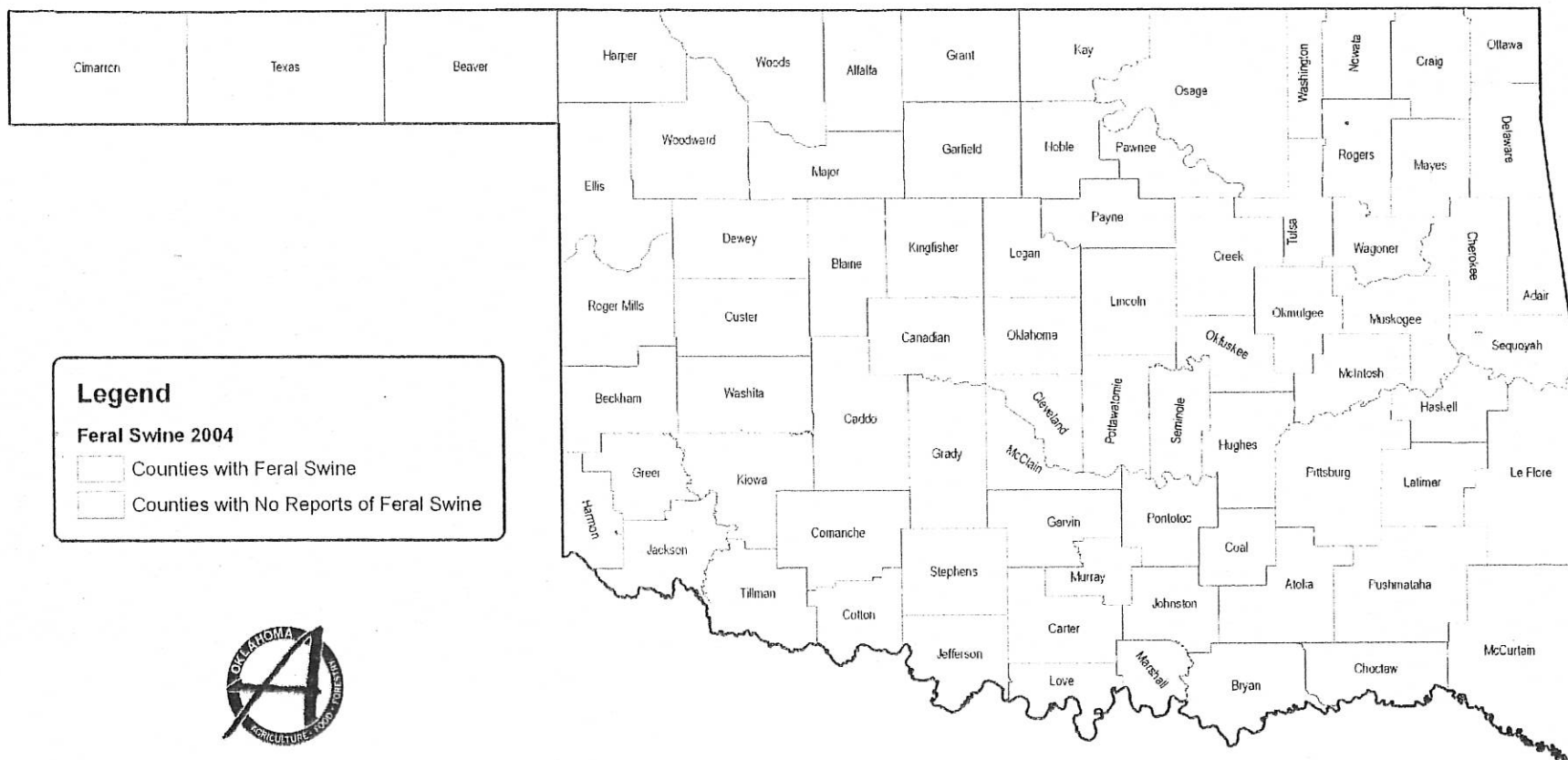
- Counties with Feral Swine
- Counties with No Reports of Feral Swine



Produced by the State of Oklahoma  
Department of Agriculture, Food and Forestry  
Geographic Information System



# Oklahoma Feral Swine Survey



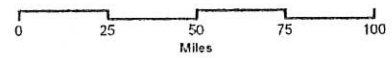
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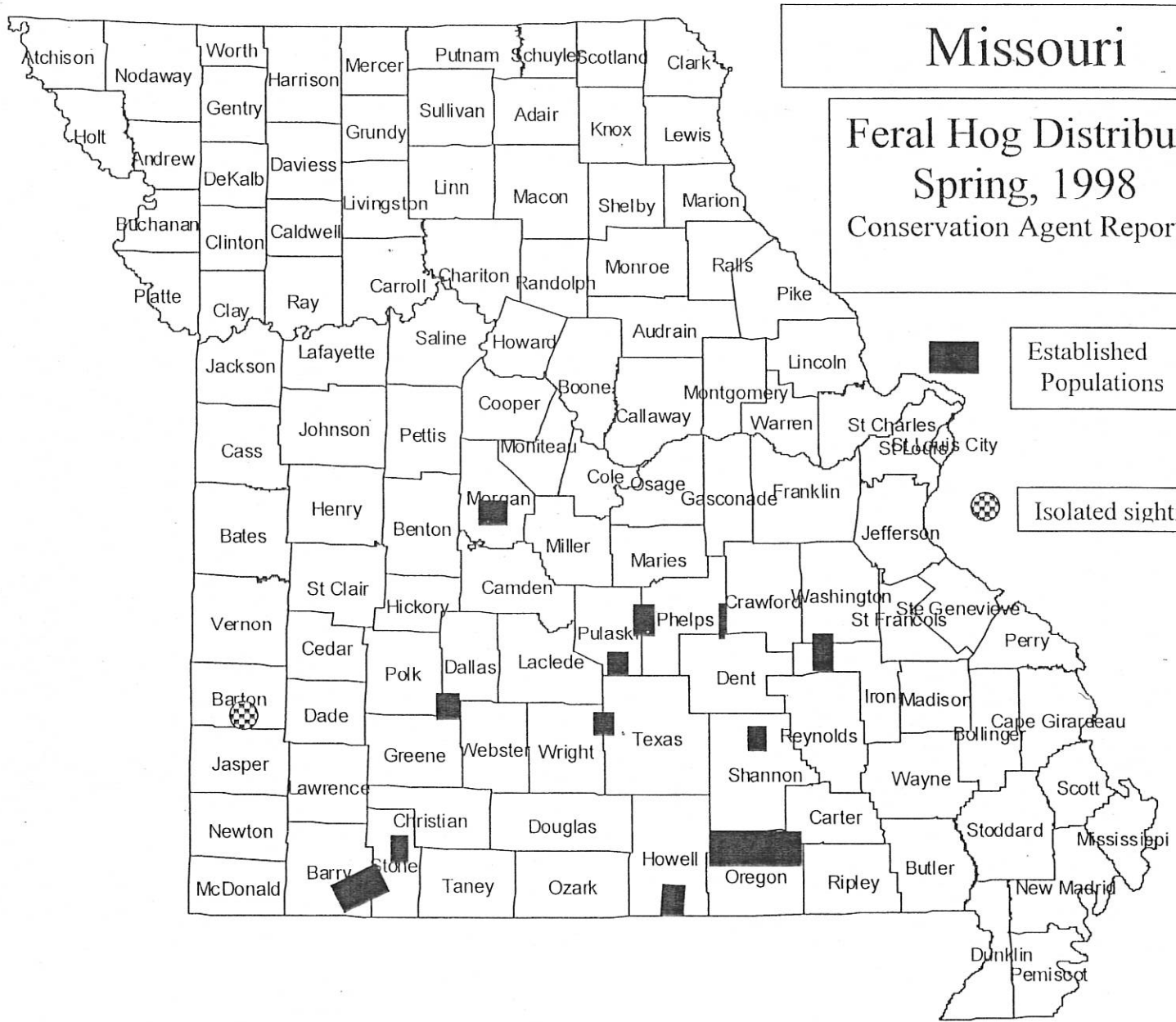
**Feral Swine 2004**

- Counties with Feral Swine
- Counties with No Reports of Feral Swine



Produced by the State of Oklahoma  
Department of Agriculture, Food and Forestry  
Geographic Information System





# Missouri

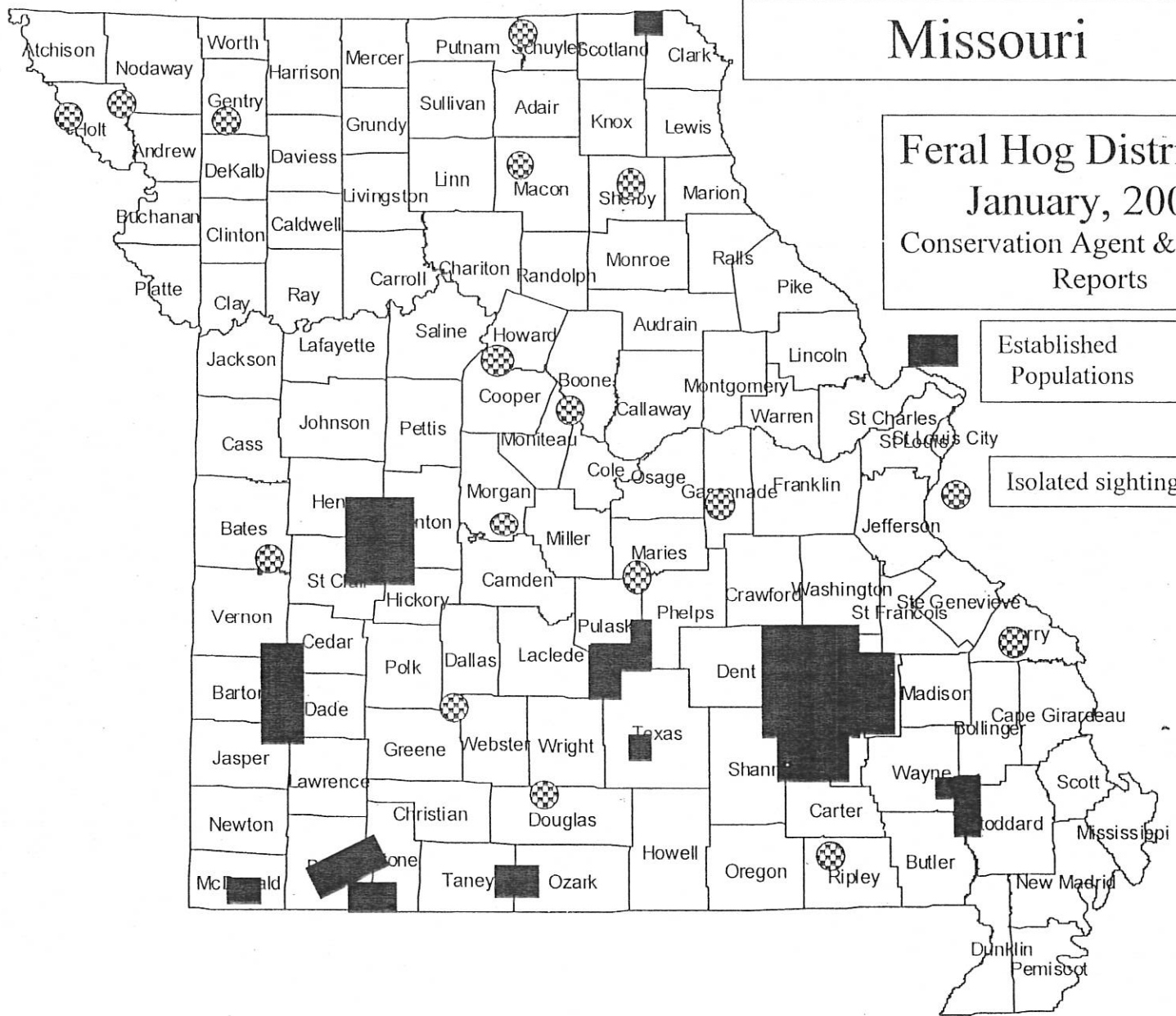
## Feral Hog Distribution Spring, 1998 Conservation Agent Reports

Established Populations

Isolated sighting

# Missouri

## Feral Hog Distribution January, 2006 Conservation Agent & General Reports



Established Populations

Isolated sighting

Testimony on House Bill 2899



Presented on behalf of the Kansas Pork Association

By Pete Sherlock, DVM  
Washington, Kansas  
KPA Executive Board Member

March 14, 2006

Mr. Chairman, members of the Committee, I am Pete Sherlock, a veterinarian from Washington, Kansas. As a part of our practice, I am also involved in the management of several pork production facilities in the region.

Up to this point, feral swine have not been a large issue for Kansas pork producers as there were very few populations within the state. However, it has become evident that the populations are growing in some of our border states especially Oklahoma and Missouri. Without natural boundaries to protect our state, it is only a matter of time before significant groups of feral swine find their way into Kansas.

Wild pigs are carriers of external parasites and diseases important to the pork industry. Wild pigs may carry brucellosis, pseudorabies (PRV), porcine reproduction and respiratory syndrome (PRSS), swine influenza virus and leptospirosis. They may also be carriers of foreign animal diseases such as classical swine fever, foot-and-mouth disease and African swine fever.

According to USDA data in 2005, feral pig populations that are serologically-positive to brucellosis have been found in 14 states. Pseudorabies has been confirmed in feral pig populations in at least 11 states. In 2003, feral pigs sampled in South Carolina were found serologically positive to the H1 subtype of the swine influenza virus and serologically positive to PRRS. An outbreak of any one of these diseases could be very damaging to the Kansas pork industry.

Pork producers may be able to protect their herds from contact with wild pigs though strict biosecurity methods including perimeter fencing. However, flies, birds and rodents may carry infection between feral pigs and production animals. Pigs produced outdoors are especially vulnerable to the threat of feral pigs.

The members of the Kansas Pork Association support the additional oversight provided by House Bill 2899 and ask for your favorable consideration.

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*Senate Agriculture Committee*  
*3-14-06*  
*Attachment 4*

# Kansas Pork Industry Facts



## 50th Anniversary

In 1956, a small group of pork producers held the first meeting of the Kansas Swine Improvement Association. Their purpose was to work together to make their businesses more profitable while keeping the swine industry healthy and flourishing statewide. Fifty years later, the Kansas Pork Association is working everyday to achieve this same goal.

## Kansas pork producers help feed the world

There are 1,500 hog farms in Kansas. Of these operations, 310 produce 95% of the state's pork.

Kansas is the number 9 state in hog and pig inventory producing about 2.7 percent of the nation's total.

In 2005, Kansas producers sold 3,047,022 market hogs, feeder pigs and seedstock with a gross market value of \$402,596,058. These hogs produced over 450,000,000 pounds of **Pork The Other White Meat®** which helped feed nearly 10 million people.



## Pork industry important to Kansas economy

Kansas pork operations consume over 34 million bushels of grain. Primarily, these operations utilize Kansas-grown milo, but they also feed significant amounts of corn and soybean products.

The Kansas swine industry annually spends about:

- \$145 million for feed grains
- \$35 million in construction
- \$30 million in labor costs
- 20 million in supplies
- \$10 million for utilities (gas, propane & electric)
- \$10 million for trucking (hog marketing only, no grain)
- \$8 million in interest

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