

**Department of Agriculture, Meat and Poultry Inspection Program
Notice of Hearing on Proposed
Administrative Regulations, Statewide**

A public hearing will be conducted at 10:00 am on February 26, 2025, in the 1st floor meeting room 124 of the Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, to consider the adoption of the proposed regulations. The public hearing will be conducted in person and via video conferencing system. Members of the public who wish to attend the public hearing virtually must pre-register at <https://kansasag.zoom.us/j/85789934414?pwd=v8k2rJlBenFOyXZZ3P27yq3u6MPFqU.1>. After registering, you will receive a confirmation email containing information about joining the meeting.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments regarding the proposed regulations. All interested parties may submit written comments prior to the hearing by mail or email to Kansas Department of Agriculture, Attn: Ronda Hutton, 1320 Research Park Dr., Manhattan, Kansas 66502, or ronda.hutton@ks.gov. Comments may also be made via the Kansas Department of Agriculture's website at <https://www.agriculture.ks.gov/public-resources/public-comments>.

All interested parties will also be given a reasonable opportunity to orally present their views regarding the adoption of the proposed regulations during the hearing. To give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis.

A summary of each proposed regulation and their economic impact follows:

The Kansas Department of Agriculture (KDA) is proposing amendments to two existing regulations, K.A.R. 4-16-1a and K.A.R. 4-16-1c, and the revocation of one existing regulation, K.A.R. 4-16-129a, for the administration of the Kansas Meat and Poultry Inspection Act, K.S.A. 65-6a18, *et seq.* and amendments thereto. KDA's Meat and Poultry Inspection Program is required to adopt requirements at least equal to that of USDA's federal inspection program to receive federal funding. To accomplish this, KDA has numerous regulations that adopt federal regulations by reference. These proposed changes are to incorporate the currently adopted federal code sections into a single, complete document that will allow the state meat and poultry inspection program's regulatory scheme to remain at least equal to that of the federal inspection program. The federal code sections adopted in the amended regulation are those that are internally referenced within the newly published Kansas Meat and Poultry Inspection Code.

There will be no change in current economic costs or benefits because these proposed changes will adopt the Federal Code as our own State Code whereas before the Federal Code was incorporated by reference in K.A.R. 4-16-1c.

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The regulations adopt the document titled Kansas Meat and Poultry Inspection Code 2024, which is based primarily on the regulatory structure of the Federal Food Safety and Inspection Service. The federal regulations incorporated into the document that is adopted by reference are the standards that are adopted by other state meat and poultry inspection programs that participate in the FSIS program. Because USDA requires state meat and poultry programs to enact regulatory schemes at least equal to federal standards to receive funding, the proposed regulations employ a similar approach to those utilized by agencies of contiguous states.

KDA's Meat and Poultry Inspection Program is required to adopt requirements at least equal to that of USDA's federal inspection program to receive federal funding for the KDA Meat and Poultry Inspection Program. The proposed regulations do not exceed any requirements of the federal government.

The majority of the changes from the previously adopted standards apply to facility or registration types that Kansas does not currently have, such as large-scale swine processing facilities and young poultry processing facilities. The changes that apply to those facility types codify the flexibility that operations in neighboring states expect and should encourage those types of operations to seriously consider Kansas as a viable location for a new facility. As those changes mainly apply to larger scale operations, they also have the potential to encourage current registrants to expand their operations into new areas. Those changes that apply to facilities currently operating in Kansas are largely aimed at adopting standards that are already widely employed by the meat and poultry industry, so there will be negligible enhancement or restriction on current businesses with regard to those changes.

The economic effect of the proposed regulations on state-inspected meat and poultry processing operations will be negligible. Most of the updates to the Code of Federal Regulations that are incorporated into the Meat & Poultry Inspection Code 2024 and apply to current Kansas state-inspected facilities relate to changes in labeling requirements, and most, if not all, facilities already have the capability to design and print their labels in-house, which allows them to implement the updated requirements at minimal additional cost. Other businesses, sectors, public utility ratepayers, individuals, local governments, and the state economy will be largely unaffected by the proposed rules and regulations.

State inspected meat and poultry processing facilities will be the only businesses directly affected by the proposed regulations.

The incentive for new businesses to come to Kansas and the opportunity for efficient growth in existing operations outweighs the negligible costs that will be incurred in complying with the newly adopted regulations.

KDA was careful to consider the state standards in relation to the federal standards when crafting the Kansas Meat & Poultry Code and the regulations that adopt it. Adopting standards that are not more restrictive than federal standards, while still being sufficient to allow participation in the FSIS cooperative agreement keeps impacts on business and economic

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development as low as possible.

The vast majority of meat and poultry industry operators have already voluntarily adhered to many of the requirements contained in the proposed regulations, since it is in their best interest to operate using the most updated practices. Accordingly, even minimal costs that might have been associated with facilities implementing the proposed changes have already been absorbed prior to adoption of these regulations. Furthermore, because the proposed regulations do not substantially change the framework for inspection by the Meat & Poultry Inspection Program in Kansas, the implementation of these regulations will not impose any significant new costs.

The proposed regulations will not result in any change to aggregate state revenues, as they do not change the fees for participation in the state Meat and Poultry Inspection Program, which are already established in K.S.A. 65-6a34 and are merely referenced by the proposed regulations. However, the incentive for new businesses to participate in the Program has the potential to generate an increase in revenue through those annual licensing fees. With regard to expenditures, implementation of the proposed regulations should have no impact. The updated regulations can be implemented without creation of new government positions or additional expenditures for labor or other resources.

Though there are no economic impacts expected from implementation of the proposed regulations, existing Kansas facilities may pass any costs they do incur while complying with the updated requirements on to their customers through a small increase in processing fees or prices for goods. This number is difficult to estimate as the decision whether to pass costs on to customers will be up to the few individual facilities that may incur increased costs. The overall economic impact on individuals, small employers, and the public will be negligible.

The proposed regulations will not increase or decrease revenues of cities, counties or school districts, or impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability. On July 1, 2022, KDA sent letters to the League of Kansas Municipalities, Kansas Association of Counties, and the Kansas Association of School Boards requesting input as to the effect of the proposed rules and regulations on those entities. The letters contained a copy of the proposed regulations and stated that the entities could contact KDA if they wished to review the proposed Meat and Poultry Inspection Code in full. To date KDA has received no response from any of these entities.

KDA circulated information regarding the proposed updates to current regulations, along with a draft of the Meat & Poultry Inspection Code, to representatives from Kansas Farm Bureau, Kansas Livestock Association, Kansas Restaurant & Hospitality Association, and the Kansas Meat Packers Association, all of which serve a large number of stakeholders that would be affected by the updates. None of the organizations raised objections to the proposed regulations or the document that they adopt by reference. KDA also provided information on the proposed changes to all current licensees who have an email address on file with the agency.

Any individual with a disability may request accommodations to participate in the public

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hearing and may request the proposed regulations and their economic impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton, via telephone at (785) 564-6715 or via fax at (785) 564-6777. The entrance is located on the west side of the building at 1320 Research Park Dr., Manhattan, and is accessible to individuals with disabilities including handicapped parking.

Copies of the regulations and their economic impact statement may be obtained by contacting the Department via mail at Kansas Department of Agriculture, Attn: Ronda Hutton, 1320 Research Park Dr., Manhattan, KS 66502, via telephone at (785) 564-6715, or via the Department's website at agriculture.ks.gov.

Michael M. Beam
Secretary
Kansas Department of Agriculture

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4-16-1a. Definitions. Each of the following terms, as used in the act and in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c, shall have the meaning specified in this subsection:

(1) "The act," "act," and "federal meat inspection act" shall mean K.S.A. 65-6a18 et seq. and amendments thereto.

(2) "Administrator;" ~~except as used in 9 C.F.R. 303.1(d)(2)(iii)(b);~~ shall mean the secretary of the department of agriculture or the secretary's designee.

(3) ~~"Beef" shall mean the skeletal muscle of any cattle. Beef shall not include any of the following:~~

~~(A) The muscles of the tongue, heart, or esophagus;~~

~~(B) the muscles found in the lips, muzzle, or ears;~~

~~(C) any portions of bone, including hard bone, bone marrow, and related components; or~~

~~(D) any amount of brain trigeminal ganglia, spinal cord, or dorsal root ganglia (DRG).~~

~~(4) "Cheek meat" shall mean meat that is the trimmed cheeks of the carcass of cattle.~~

~~(5) "Commerce" shall mean intrastate commerce.~~

~~(6) "Egg products inspection act" shall mean the Kansas egg law, K.S.A. 2-2501 et seq. and amendments thereto.~~

~~(7) "Federal food, drug and cosmetic act" shall mean the Kansas food, drug and cosmetic act, K.S.A. 65-655 et seq. and amendments thereto.~~

~~(8) "Federal inspection" shall mean inspection by the Kansas department of agriculture.~~

~~(9) "Food locker plant" shall mean a "slaughter facility" or "processing facility," as defined in K.S.A. 65-6a18 and amendments thereto.~~

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(10) ~~"Form," either by number or by any other designation, shall mean a form supplied by the Kansas department of agriculture.~~

(11) ~~"Inspected for wholesomeness by U.S. department of agriculture" shall mean inspected and passed by the Kansas department of agriculture.~~

(12) ~~"Official establishment" and "establishment" shall mean any building or adjacent premises that are registered pursuant to this act, where livestock, as defined in K.S.A. 65-6a18 and amendments thereto, domestic rabbits, meat food products, poultry, or poultry products capable of use as human food are "prepared," as defined by K.S.A. 65-6a18 and amendments thereto.~~

(13) ~~"Program," "food safety and inspection service," "inspection service," "service," "department," and "FSIS" shall mean the meat and poultry inspection program of the Kansas department of agriculture.~~

(14) (3) ~~"Secretary," "national supervisor," "area supervisor," "inspection service supervisor," "inspection program supervisor," "circuit supervisor," and "station supervisor" shall mean the secretary of the department of agriculture or the secretary's designee.~~

(15) (4) ~~"U.S." and "the United States" shall mean Kansas or the state of Kansas, as appropriate.~~

(16) ~~"U.S. inspected" and "government inspected" shall mean inspected by the Kansas department of agriculture.~~

(17) (5) ~~"U.S.D.A." and "USDA" shall mean Kansas department of agriculture or KDA, as appropriate.~~

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(b) ~~The phrase "official review and copying" in 9 C.F.R. 417.5(f), as adopted by reference in K.A.R. 4-16-1e, shall mean review and copying by the secretary of the department of agriculture or the secretary's designee. (Authorized by K.S.A. 2011 Supp. 65-6a20, as amended by L. 2012, ch. 145, sec. 29, K.S.A. 65-6a25, K.S.A. 2011 Supp. 65-6a30, and K.S.A. 2011 Supp. 65-6a44; implementing K.S.A. 2011 Supp. 65-6a20, as amended by L. 2012, ch. 145, sec. 29, K.S.A. 65-6a21, K.S.A. 65-6a22, K.S.A. 65-6a23, K.S.A. 65-6a25, and K.S.A. 2011 Supp. 65-6a30; effective May 1, 1982; amended May 1, 1986; amended Jan. 1, 1989; amended Jan. 21, 1991; amended Jan. 25, 1993; amended Dec. 12, 1994; amended Sept. 5, 1997; amended Sept. 1, 2006; amended Dec. 5, 2008; amended May 10, 2013; amended P-_____.)~~

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4-16-1c. Adoption by reference. (a) The following portions of title 9 7 of the code of federal regulations, as revised on January 1, 2012 2022, except as otherwise specified, are hereby adopted by reference:

(1) part 65.300; and

(2) part 65.400.

(1) ~~Part 301, except the following terms and their definitions in section 301.2: "the act," "adulterated," "animal food manufacturer," "label," "labeling," "livestock," "meat broker," "meat food product," "misbranded," "official import inspection established," "person," "pesticide chemical, food additive, color additive, raw agricultural commodity," "prepared," and "territory";~~

(2) ~~part 302, except section 302.2;~~

(3) ~~part 303, except sections 303.1(d)(3) and 303.2;~~

(4)(A) ~~Sections 304.1 and 304.2; and~~

(B) ~~section 304.3, as amended by 77 fed. reg. 26936 (2012);~~

(5) ~~parts 305 and 306, except sections 306.1, 306.2, and 306.3;~~

(6)(A) ~~Sections 307.1 through 307.3;~~

(B) ~~section 307.4, as amended by 77 fed. reg. 59294 (2012); and~~

(C) ~~section 307.7;~~

(7) ~~part 309;~~

(8) ~~part 310;~~

(9) ~~part 311;~~

(10) ~~part 312, except section 312.8;~~

(11) ~~parts 313 through 316;~~

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(12) part 317, except sections 317.7 and 317.369;

(13) part 318, except section 318.8;

(14) part 319;

(15) part 320, except section 320.5(a);

(16) part 325, except section 325.3;

(17) part 329;

(18) part 352, except sections 352.1 (e), (f), (g), (j), (k), and (l), 352.4, 352.8, 352.10(a), 352.11(b), 352.17, and 352.18;

(19)(A) Section 354.1, except subparagraphs (a), (n), and (w);

(B) section 354.2;

(C) sections 354.10 through 354.14;

(D) sections 354.23 through 354.24;

(E) sections 354.26 through 354.30;

(F) sections 354.46 through 354.49;

(G) sections 354.53 through 354.92;

(H) sections 354.120 through 354.133; and

(I) sections 354.160 through 354.247;

(20)(A) Section 381.1, except the following terms and their definitions in subsection (b):

~~"act," "adulterated," "animal food manufacturer," "label," "labeling," "misbranded," "pesticide chemical, food additive, color additive, raw agricultural commodity," "poultry products broker," "territory," and "U.S. refused entry";~~

(B) sections 381.3 through 381.7, except 381.5;

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- ~~(C) sections 381.10 through 381.21;~~
- ~~(D) section 381.22, as amended by 77 fed. reg. 26936 (2012);~~
- ~~(E) sections 381.23 through 381.36;~~
- ~~(F) section 381.37, as amended by 77 fed. reg. 59294 (2012);~~
- ~~(G) sections 381.65 through 381.103, except 381.96;~~
- ~~(H) sections 381.108 through 381.182;~~
- ~~(I) sections 381.189 through 381.194;~~
- ~~(J) sections 381.210 through 381.217, except section 381.216; and~~
- ~~(K) sections 381.300 through 381.500, except section 381.469;~~
- ~~(21) part 416;~~
- ~~(22)(A) Sections 417.1 through 417.3;~~
- ~~(B) section 417.4, as amended by 77 fed. reg. 26936 (2012); and~~
- ~~(C) sections 417.5 through 417.8;~~
- ~~(23) part 418, as added in 77 fed. reg. 26936 (2012); and~~
- ~~(24) parts 424, 430, 439, 441, 442, and 500.~~

~~(b) The "food standards and labeling policy book," as published by the office of policy, program and employee development of the USDA food safety and inspection service and revised for web publication in August 2005, is hereby adopted by reference. This document shall apply to meat and poultry products.~~

(b) The following portions of title 9 of the code of federal regulations, as revised on January 1, 2022, except as otherwise specified, are hereby adopted by reference:

(1) part 71.10(b); and

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(2) part 71.19.

~~(c) Copies of the adopted material or the pertinent portions shall be available from the meat and poultry inspection program of the department of agriculture, Topeka, Kansas.~~

The following portions of title 21 of the code of federal regulations, as revised on April 1, 2022, except as otherwise specified, are hereby adopted by reference:

(1) part 172.5;

(2) part 172.510;

(3) part 172.620;

(4) part 172.623;

(5) part 172.626;

(6) part 172.695;

(7) part 172.854(a);

(8) part 172.892;

(9) part 173.310;

(10) part 178.1010;

(11) part 179.26(a);

(12) part 179.26(b);

(13) part 182.1217;

(14) part 182.1320;

(15) part 182.1748;

(16) part 182.3013;

(17) part 182.3041;

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(18) part 182.3731;

(19) part 184.1033;

(20) part 184.1277;

(21) part 184.1322;

(22) part 184.1343;

(23) part 184.1639;

(24) part 184.1721;

(25) part 184.1751;

(26) part 184.1754;

(27) part 184.1768;

(28) part 184.1835; and

(29) part 184.1979c.

(d) The document titled "Kansas meat and poultry inspection code," dated February 29, 2024, and published by the Kansas department of agriculture's meat and poultry inspection program, is hereby adopted by reference, except for the preface. (Authorized by K.S.A. 2011 Supp. 65-6a20, as amended by L. 2012, ch. 145, sec. 29, K.S.A. 65-6a25, K.S.A. 2011 Supp. 65-6a30, and K.S.A. 2011 Supp. 65-6a44, and K.S.A. 65-6a59; implementing K.S.A. 2011 Supp. 65-6a20, as amended by L. 2012, ch. 145, sec. 29, K.S.A. 65-6a21, K.S.A. 65-6a22, K.S.A. 65-6a23, K.S.A. 65-6a25, and K.S.A. 2011 Supp. 65-6a30, K.S.A. 65-6a32, K.S.A. 65-6a59, and K.S.A. 65-6a60; effective May 1, 1986; amended May 1, 1988; amended Jan. 1, 1989; amended Jan. 21, 1991; amended Jan. 25, 1993; amended Dec. 12, 1994; amended Sept. 5, 1997; amended

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Sept. 1, 2006; amended Dec. 5, 2008; amended May 10, 2013; amended P-

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K.A.R. 4-16-129a. (Authorized by K.S.A. 65-6a22, 65-6a23, 65-6a24, 65-6a31, 65-6a44;
effective May 1, 1975; revoked P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Department of Agriculture
Agency

Ronda Hutton
Agency Contact

785-564-6715
Contact Phone Number

K.A.R. 4-16-1a; K.A.R. 4-16-1c; K.A.R. 4-16-129a
K.A.R. Number(s)

☒ Permanent ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

☒ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

☐ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

☐ Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.

☐ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

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The Kansas Department of Agriculture ("KDA") is proposing amendments to two existing regulations, K.A.R. 4-16-1a and K.A.R. 4-16-1c, and the revocation of one existing regulation, K.A.R. 4-16-129a, for the administration of the Kansas Meat and Poultry Inspection Act, K.S.A. 65-6a18, *et seq.* and amendments thereto. KDA's Meat and Poultry Inspection Program is required to adopt requirements at least equal to that of USDA's federal inspection program in order to receive federal funding, and KDA's regulations currently adopt numerous federal regulations by reference to accomplish that. These changes are proposed in order to incorporate the currently-adopted federal code sections into a single, complete document that will allow the state meat and poultry inspection program's regulatory scheme to remain at least equal to that of the federal inspection program. The federal code sections adopted in the amended regulation are those that are internally referenced within the newly published Kansas Meat and Poultry Inspection Code.

There will be no change in current economic costs or benefits because these proposed changes will adopt the Federal Code as our own State Code whereas before the Federal Code was incorporated by reference in K.A.R. 4-16-1c.

The regulations adopt the document titled Kansas Meat and Poultry Inspection Code 2024, which is based primarily on the regulatory structure of the Federal Food Safety and Inspection Service. The federal regulations incorporated into the document that is adopted by reference are the standards that are adopted by other state meat and poultry inspection programs that participate in the FSIS program. Because USDA requires state meat and poultry programs to enact regulatory schemes at least equal to federal standards in order to receive funding, the proposed rules employ a similar approach to those utilized by agencies of contiguous states.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

KDA's Meat and Poultry Inspection Program is required to adopt requirements at least equal to that of USDA's federal inspection program in order to receive federal funding for the KDA Meat and Poultry Inspection Program. The proposed rules and regulations do not exceed any requirements of the federal government.

Section III

Agency analysis specifically addressing the following:

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- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The majority of the substantive changes from the previously adopted standards apply to facility or registration types that Kansas does not currently have, such as large-scale swine processing facilities and young poultry processing facilities. The changes that apply to those facility types codify the flexibility that operations in neighboring states expect and should encourage those types of operations to seriously consider Kansas as a viable location for a new facility. As those changes mainly apply to larger scale operations, they also have the potential to encourage current registrants to expand their operations into new areas. Those changes that do apply to facilities currently operating in Kansas are largely aimed at adopting standards that are already widely employed by the meat and poultry industry, so there will be negligible enhancement or restriction on current businesses with regard to those changes.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The economic effect of the proposed regulations on state-inspected meat and poultry processing operations will be negligible. Most of the updates to the Code of Federal Regulations that are incorporated into the Meat & Poultry Inspection Code 2024 and apply to current Kansas state-inspected facilities relate to changes in labeling requirements, and most, if not all, facilities already have the capability to design and print their labels in-house, which allows them to implement the updated requirements at minimal additional cost. Other businesses, sectors, public utility ratepayers, individuals, local governments, and the state economy, as a whole, will be largely unaffected by the proposed rules and regulations.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

State inspected meat and poultry processing facilities will be the only businesses directly affected by the proposed rules and regulations.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The incentive for new businesses to come to Kansas and the opportunity for efficient growth in existing operations outweighs the negligible costs that will be incurred in complying with the newly adopted rules and regulations.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

KDA was careful to consider the state standards in relation to the federal standards when crafting the Kansas Meat & Poultry Code and the regulations that adopt it. Adopting standards that are not more restrictive than federal standards, while still being sufficient to allow participation in the FSIS cooperative agreement keeps impacts on business and economic development as low as possible.

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F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

The vast majority of meat and poultry industry operators have already voluntarily adhered to many of the requirements contained in the proposed rules and regulations, since it is in their best interest to operate using the most updated practices. Accordingly, even minimal costs that might have been associated with facilities implementing the proposed changes have already been absorbed prior to adoption of these regulations. Furthermore, because the proposed rules and regulations do not substantially change the framework for inspection by the Meat & Poultry Inspection Program in Kansas, the implementation of these regulations will not impose any significant new costs.

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- ☐ No
- ☒ Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

The proposed rules and regulations will not result in any change to aggregate state revenues, as they do not change the fees for participation in the state Meat and Poultry Inspection Program, which are already established in K.S.A. 65-6a34 and are merely referenced by the proposed rules and regulations. However, the incentive for new businesses to participate in the Program has the potential to generate an increase in revenue through those annual licensing fees. With regard to expenditures, implementation of the proposed rules and regulations should have no impact. The updated rules and regulations can be implemented without creation of new government positions or additional expenditures for labor or other resources.

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Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

Though there are no economic impacts expected from implementation of the proposed rules and regulations, existing Kansas facilities may pass any costs they do incur while complying with the updated requirements on to their customers through a small increase in processing fees or prices for goods. This number is difficult to estimate as the decision whether to pass costs on to customers will be up to the few individual facilities that may incur increased costs. The overall economic impact on individuals, small employers, and the general public will be negligible.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The proposed rules and regulations will not increase or decrease revenues of cities, counties or school districts, or impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability. On July 1, 2022, KDA sent letters to the League of Kansas Municipalities, Kansas Association of Counties, and the Kansas Association of School Boards requesting input as to the effect of the proposed rules and regulations on those entities. The letters contained a copy of the proposed regulations and stated that the entities could contact KDA if they wished to review the proposed Meat and Poultry Inspection Code in full. To date KDA has received no response from any of these entities.

H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

KDA circulated information regarding the proposed updates to current rules and regulations, along with a draft of the Meat & Poultry Inspection Code, to representatives from Kansas Farm Bureau, Kansas Livestock Association, Kansas Restaurant & Hospitality Association, and the Kansas Meat Packers Association, all of which serve a large number of stakeholders that would be affected by the updates. None of the organizations raised objections to the proposed rules and regulations or the document that they adopt by reference. KDA also provided information on the proposed changes to all current licensees who have an email address on file with the agency.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

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- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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