

MINUTES OF THE SENATE AGRICULTURE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on February 26, 2008 in Room 423-S of the Capitol.

All members were present except:

Terry Bruce- excused
Steve Morris- excused

Committee staff present:

Emalene Correll, Kansas Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Matt Todd, Office of Revisor of Statutes
Judy Seitz, Committee Assistant

Conferees appearing before the Committee:

Dr. Micheal Brouck, Associate Professor/Extension Specialist, Dairy, Kansas State University
Carrol Campbell, Co-Chair, American Farmers for the Advancement and Conservation of Technology (AFACT) and Producer
Bob Seiler, Dairy Farmer, Seiler Dairy, Valley Center
Curtis Steenbock, Dairy Producer, Longford
Lynda Foster, Dairy Farmer, Fort Scott
Dana Peterson, Producer Policy Specialist, Kansas Association of Wheat Growers (KAWG)
Matt Deters, Dairy Farmer, Baileyville
Mark Hardison, Dairy Consultant
Duane Simpson, Chief Operating Officer, Kansas Grain and Feed Association (KGFA) and Kansas Agribusiness Retailers Association (KARA)

Others attending:

See attached list.

Hearings on **SB 595–Agriculture products; labeling requirements** were opened.

Dr. Micheal Brouck, Associate Professor/Extension Specialist, Dairy, Kansas State University, gave neutral testimony on **SB 595** (Attachment 1). He said that food labeling is important to consumers in making informed choices about the products they purchase. He also said that regulations concerning the nutrition facts panel and health claims are based on scientific testing. Dr. Brouck stated that studies have shown that consumers can utilize food label information in making informed purchase decisions.

Hearings on **SB 595** were deferred to discuss **SB 502–Farm equipment, warranty repair work, transportation expenses** which was heard on February 12.

Senator Lee moved that **SB 502** be moved out favorably. There was no second.

Carrol Campbell, Co-Chair, American Farmers for the Advancement and Conservation of Technology (AFACT) and Producer testified in favor of **SB 595** (Attachment 2). He stated that food retailers are using inaccurate and misleading labeling in an attempt to capture additional market share. AFACT does not advocate the loss of consumer choice or the consumers' right to know the contents of products. They want consumers to have a choice and that the choice is safe, high quality, wholesome, nutritious and delicious.

Chairman Taddiken requested that questions be held until all conferees have spoken.

Bob Seiler, Dairy Farmer, Seiler Dairy, Valley Center, spoke in support of **SB 595** (Attachment 3). Mr. Seiler said that milk from cows that are not treated with rBST is the same as milk from cows treated with rBST and no test can detect it; but companies continue to exploit the consumers feelings when labeling the milk as being better because the cows producing that milk have not been treated with a scientifically proven hormone. In his testimony he included the Kansas Dairy Association labeling issues information and fact sheets on milk. He also had cartons of milk for the Committee to compare labeling.

Curtis Steenbock, Dairy Producer, Longford presented testimony in favor of **SB 595** (Attachment 4). He said

CONTINUATION SHEET

MINUTES OF THE Senate Agriculture at 8:30 a.m. on February 26, 2008 in Room 423-S of the Capitol.

that one of the great benefit of rBST is that it is identical to the cows natural BST. He also said that his co-op will no longer ship his milk to a fluid plant because he refuses to sign an affidavit stating that he does not use rBST. A copy of the affidavit and agreement he was requested to sign was attached to his testimony.

Lynda Foster, Dairy Farmer, Fort Scott, spoke in favor of **SB 595** ([Attachment 5](#)). She said she has been using rBST on their dairy heard since the Food and Drug Administration (FDA) said it was safe and legal. She also said that consumers need to know that BST is a hormone that is naturally produced in cows. Ms. Foster stated that there is no know test that can differentiate milk from cows that have been given rBST and those that have not.

Dana Peterson, Producer Policy Specialist, Kansas Association of Wheat Growers (KAWG), appeared in support of the concept of **SB 595** ([Attachment 6](#)). She said that in recent years there have been many types of products that have tested labeling requirements as biotechnology is used in the production of our food. The KAWG requests language be added to the bill to protect the labeling of the emerging market for Kansas wheat and whole grains.

Matt Deters, Dairy Farmer, Baileyville, spoke in support of **SB 595** ([Attachment 7](#)). He said that he had to quit using rBST in order to stay in the dairy business. Mr. Deters said that rBST is a helpful tool in keeping cows in production longer and helped with feed efficiency.

Mark Hardison, Dairy Consultant, offered comments in favor of **SB 595** ([Attachment 8](#)). He said the technologies that are available should be able to be used in the industry without putting undue restrictions of law in labeling on any specific technology.

Duane Simpson, Chief Operating Officer, Kansas Grain and Feed Association (KGFA), and Kansas Agribusiness Retailers Association (KARA), testified in support of **SB 595** ([Attachment 9](#)). His association believes that consumers should be allowed to choose what they want to consume. Mr. Simpson stated that it is time for the government to start doing its job and protecting consumers. He also said the public would best be served by referring this matter to an interim legislative committee for further study.

Brad Harrelson, State Policy Director, Governmental Relations, Kansas Farm Bureau, provided written testimony in favor of **SB 595** ([Attachment 10](#)).

Conferees took questions from the Committee.

The hearing on **SB 595** will be continued tomorrow for opponents.

The meeting was adjourned.