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Executive Board Member

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Madam Chairman and Committee:

First of all I want to sincerely thank you for allowing me to make this presentation. I am humbled not only to be reporting to the House Committee on agriculture and natural resources but to have been chosen by the Governor to chair the Food to Farm Task Force. Also I want to thank the committee which Rep. Adam Lusker has already mentioned and all of the agencies and organizations such as the Kansas Rural Center Farm Bureau and many others a special thanks to the Kansas Department of Agriculture and the Kansas Legislative Research Center for organizing the meetings and material and for putting together this report you are seeing today.

The Task Force had a statutory directive to prepare a Local Food and Farm Plan containing policy and funding recommendations for expanding and supporting local food systems and for assessing and overcoming obstacles necessary to increase locally grown food production.

My wife, Beverly and I have been in the direct marketing food business for 14 years. Our primary farmers market is in Ft. Scott. I have twice served as president of the Kansas Vegetable Growers Association and am closely associated with KSRE Horticulture Dept. and Dr. Cary Rivard. Also I have served 32 years on my local conservation district board and past president and current board member at the Kansas Association at Conservation Districts, and currently serving on the Executive Board of the natural Assn. of Cons District and am chair at the Stewardship and education committee. I have served on the Marais des Cygnes Basin Advisory Committee as a member and chairman for several years. I am also chairman of the See-Kan RC&D in Chanute, President of Southwest States RC&D and on the board of director for the National Assc. Of RC&D councils and represent KACD & RC&D on the Kansas State Technical Committee.

There are about 2 million farms in the U.S. About 80% are small farms and a large percentage is family owned. More and more of these farmers are now selling their products directly to the public. They do this via CSA programs, Farmers Markets, Food Coops, U Picks, farm stands and other direct marketing channels. I understand that there are now more farmers markets than Walmart stores. Quite an accomplishment.

The vast majority of Kansans do not eat healthy, existing programs are crucial but alone not enough. Today a vast majority of food consumed within Kansas is imported from out of state while the lion's share of Kansas Ag. Products are exported. Of the \$7.2 billion Kansans spent on food in 2012 90% went to food produced out of state. That same year Kansas ranked 7th in Ag exports totaling \$4.9 billion.

Increasing production of fruits and vegetables for local markets would help diversify and thereby strengthen Kansas Agriculture and the Kansas economy. With the current downturn in the farm economy it could also help prop up the income of some farmers and ranchers. Can we justify growing specialty crops? According to Kansas State U. 2007 data net income from corn was \$137 per acre, soybeans \$138 p/a wheat \$108 p/a, veg. \$2631 pla.

Senate Agriculture Committee
Date:
Attachment #

Between 2007-2012 82 of the 213 supermarkets with a population of less than 2500 closed their doors in Kansas. Distribution trucks full of food drive by when rural grocers do not have enough volume to meet mandatory minimum orders. Thus food becomes more expensive by requiring people to drive longer distances to stores farther away affecting primarily the lower income population.

Meanwhile nutrient poor and calorie dense, highly processed foods are amply channeled to Kansas through vending machines, fast food chains, convenience stores and gas stations. In some locations these are the only nearby food outlets. Those areas have become known as food deserts.

As a producer of direct market food over the years I have seen a gradual change in the conception of farmers markets. We are now at a point that locally grown is a national by word and eating healthy is first and foremost with many families. This is perfect timing for this task force to ride the wave.

Kansas Veg. Production Acres

	2012	1982	1954	1920
Potatoes	5178	827	1267	47,246
Sweet Potatoes	23	122	931	4,366
Veg.	—	4808	5330	11,173
Total	7118	5757	7528	62,785

Although this Task Force had a sunset of Dec. 31, 2015 after we listened to the many presentations we decided there were so many things that needed more attention we would ask that the Task Force be extended and that is a work in progress.



LOCAL FOOD AND FARM TASK FORCE LEGISLATIVE REPORT

CHAIRPERSON: Ron Brown (Ft. Scott)

OTHER MEMBERS: Senator Dan Kerschen (Garden Plain), Representative Adam Lusker (Frontenac), David Coltrain (Garden City), Cary L. Rivard (Olathe), Loren Swenson (Concordia), Annarose White (Wellington), and ex officio member Senator Tom Hawk (Manhattan).

STATUTORY DIRECTIVE: The Local Food and Farm Task Force shall prepare a Local Food and Farm Plan containing policy and funding recommendations for expanding and supporting local food systems and for assessing and overcoming obstacles necessary to increase locally grown food production.

DECEMBER 2015

LOCAL FOOD AND FARM TASK FORCE PRESENTERS:

Cultivate KC	Kansas Farm Bureau
Dillons	Kansas Farmers Union
Farm Service Agency	Kansas Resource Conservation and Development
Frontier Farm Credit	Kansas Rural Center
Good Natured Family Farms	Kansas State University College of Agriculture
Good Food Good Futures	Kansas State University Research and Extension
High Plains Food COOP	South Hutchinson Food Policy Council
Kansas Department of Agriculture	USDA Farm Service Agency
Kansas Department of Education	

TASK FORCE GUESTS:

The task force acknowledges and thanks the following guests for attending the Local Food and Farm Task Force meetings and providing feedback:

Leon Atwell, <i>Advancing Rural Prosperity, Inc.</i>	Ashley Jones-Wisner, <i>KC Healthy Kids</i>
Janet Barrows, <i>Frontier Farm Credit</i>	Katherine Kelly, <i>Cultivate KC</i>
Todd Barrows, <i>USDA FSA</i>	Phyll Klima, <i>Kitchen 4 Hire</i>
Jessica Bowser, <i>USDA Rural Development</i>	Dana Knott, <i>Dillons</i>
Nancy Brown, <i>Kansas Farm Bureau</i>	Barbara LaClair, <i>Kansas Health Institute</i>
Renee Bryant, <i>Johnson County Department of Health and Environment</i>	Missty Lechner, <i>American Heart Association</i>
Brittany Chaplin, <i>Jefferson County Economic Development</i>	Michael Leitch, <i>Frontier Farm Credit</i>
Cole Cottin, <i>Kansas Rural Center</i>	Dr. Chuck Marr, <i>K-State Research and Extension</i>
Kathy Damron, <i>Strategic Communications of Kansas</i>	Kelly Maydew, <i>Kansas Farm Bureau</i>
Barb Depew, <i>Kansas Department of Education</i>	Julie Mettenburg, <i>Kansas Rural Center</i>
Ryan Flickner, <i>Kansas Farm Bureau</i>	Jordan Olsen, <i>Frontier Farm Credit</i>
Natalie Fullerton, <i>Kansas Rural Center</i>	Leslie Queen, <i>KC Healthy Kids</i>
Mary Fund, <i>Kansas Rural Center</i>	Mandy Roe, <i>Strategic Communications of Kansas</i>
Barb Goode, <i>Saline County Local Food Task Force</i>	Rachel Savage, <i>Organic Crop Inspector/CSA Manager</i>
Sarah Green	Chris Schmidt, <i>High Plains Food COOP</i>
Brenda Gutierrez, <i>Salina Area United Way</i>	Helen Schnoes, <i>Douglas County</i>
Jamie Hamock	Lea Ann Seiler, <i>Hodgeman County Economic Development</i>
Lee Hartford, <i>USDA FSA</i>	Steve Smith, <i>Brown County Healthy Foods Coalition</i>
Rosemary Helms, <i>Community Health Ministries</i>	Chris Sramek, <i>High Plains Food COOP</i>
Eileen Horn, <i>Douglas County</i>	Elizabeth Stewart, <i>Sunflower Foundation</i>
Misty Jimerson, <i>Thomas County Health Department</i>	Donn Teske, <i>Kansas Farmers Union</i>
	Norm Winter
	Janette Womack, <i>USDA</i>

TASK FORCE SUPPORT:

Heather O'Hara, *Kansas Legislative Research Department*
Julie Roller, *Kansas Department of Agriculture*
Kerry Wefald, *Kansas Department of Agriculture*

Local Food and Farm Task Force Recommendations

EXECUTIVE SUMMARY

The task force was charged with recommendations relevant to the four directives outlined below. However, several recommendations were identified as providing functions related to more than one specific directive, including:

- **Kansas Department of Agriculture Local Food Systems Coordinator**
Create a position within the Kansas Department of Agriculture focused on supporting current specialty crop growers, as well as growing the industry and local food production systems in Kansas.
- **Determine the current abilities, impacts and needs of local food system businesses in Kansas**
Develop detailed production and economic data relevant to local food systems, including specialty crop, honey and livestock operations in order to leverage resources and develop the growing industry.
- **Continue Local Food and Farm Task Force in 2016**
Recognizing the complexity of local food systems, the task force recommends continuing the task force so that it may continue exploring opportunities to enhance local food production systems in Kansas.

CONCLUSIONS AND RECOMMENDATIONS:

The task force makes the following conclusions and recommendations based on the four directives listed in statute.

- 1) **Identification of financial opportunities, technical support and training necessary for local and specialty crop production;**
 - a) **Kansas Department of Agriculture Local Food Systems Coordinator**
Create a position within the Kansas Department of Agriculture focused on supporting current specialty crop growers, as well as growing the industry and local food production systems in Kansas.
 - b) **Promote Educational Efforts for New Specialty Crop Farm Businesses**
 - i) Support and promote established specialty crop educational offerings at Community and/or Technical Colleges including, but not limited to: Highland Community College Viticulture and Enology Program, Johnson County Community College's agriculture and plant science program and Seward County vegetables and fruits programs.
 - ii) Work with partners to aggregate resources about financial incentives, technical support and training to help educate specialty crop producers and enhance local food

production systems.

c) Create K-State Research and Extension Positions Focused on Specialty Crop Production

Continue budget support for K-State Research and Extension to fund specialty crop positions and related research as outlined in the Kansas Rural Center's Feeding Kansas report:

- i) A statewide Fruit and Vegetable Agricultural Economist position should be created through K-State Research and Extension, with support from public funds.
- ii) Multiple (4-6) Fruit and Vegetable Regional Extension Specialist positions should be created through K-State Research and Extension Horticulture Program, with support from county and state public funds to provide advanced, locally-relevant technical support to farmers.
- iii) Kansas State University Horticultural Research stations should receive stable, public funding in order to support the commercial fruit and vegetable industry.

d) Support training to help farmers increase capacity and scale-up production

- i) Proactively promote and educate producers about Good Agriculture Practices (GAP) and Food Safety Modernization Act (FSMA).
- ii) Continue to support KDA's trainings and workshops for farmer's market managers and vendors as a way to promote economic development in rural areas.
- iii) Provide support for existing programs within KSRE that train farmers including, but not limited to Growing Growers, the Great Plains Grocers Conference and the Central Kansas Market Vegetable Growers Workshop.

e) Implement a model program in the state of Kansas to be used for enhanced research and marketing of local wine similar to other state programs in Indiana, Missouri, Iowa, Illinois and Michigan.

2) Identification of strategies and funding needs to make fresh and affordable locally grown foods more accessible;

a) Continue task force

Recognizing the complexity of local food systems, the task force recommends the continuation of the task force so that it may continue exploring opportunities to enhance local food production systems in Kansas.

b) Support Kansas Department of Agriculture Marketing funding enhancement

Support KDA's Agriculture Marketing funding enhancement, which will provide additional business development and marketing support for the specialty crop industry and local food production systems including: Good Agriculture Practices (GAP) Cost Share, Organic Certification Cost Share, Farm to School, Central Registration of Farmers' Markets and *From the Land of Kansas* programs.

c) Utilize Specialty Crop Survey to better understand current production capabilities and marketing needs in order to grow the specialty crop industry in Kansas

d) Lower state food sales tax to 5.3 percent*

*Currently, food is not taxed at a rate different than any other non-exempt sales tax item. In 2008, the sales tax rate was 5.3%, which has increased since that time to 6.5%. There has been legislation introduced and considered regarding lowering sales tax on food, but none of this legislation has passed to-date.

Tax Rate on Food Current as of 12/18/15	
State	Tax Rate on Food
Kansas	6.500%
Colorado	0.000%
Nebraska	0.000%
Missouri	1.225%
Oklahoma	4.500%

e) Encourage community gardens

Identify opportunities and models to support and create community gardens including municipal support for water, land and other local level resources in unserved and underserved areas (food deserts).

3) Identification of existing local food infrastructures for processing, storing and distributing food and recommendations for potential expansion; and

a) Feasibility study

Conduct a feasibility study to evaluate opportunities to enhance local food systems, including cold storage facilities in Kansas.

b) Economics and growth potential of specialty crops in the state

Complete specialty crop survey and identify potential areas for growth.

c) Expand on existing federal specialty crop block grant, include a state cost-share

Utilize completed specialty crop survey to advocate for additional USDA Specialty Crop Block Grant funds to support specialty crop research, business development and marketing.

d) New technology

Utilize online platforms (including USDA New Farmers website) to communicate information and opportunities to enhance local food systems with producers, consumers, institutions and others.

e) Aggregation

i) Food hubs

Identify existing food hubs and opportunities for expansion and creation of new food hubs and cold storage facilities.

ii) Produce auctions

Identify opportunities and models for produce auctions.

f.) Mobile processing

Explore opportunities and barriers of mobile processing units for both livestock and produce.

g.) Commercial/incubator kitchens

Support and promote the use of commercial kitchens by multiple entrepreneurs to create value added products as a way to develop new businesses and economic development in rural areas.

4) Strategies for encouragement of farmers' markets, roadside markets and local grocery stores in unserved and underserved areas.

a) Explore opportunities and solutions to overcome barriers within cottage food laws and processing plant regulations

b) Explore opportunities and solutions to overcome barriers for mobile food hubs, farmers' markets, and aggregate sellers in unserved and underserved areas

c) Lower food sales tax to 5.3 percent

*Currently, food is not taxed at a rate different than any other non-exempt sales tax item. In 2008, the sales tax rate was 5.3%, which has increased since that time to 6.5%. There has been legislation introduced and considered regarding lowering sales tax on food, but none of this legislation has passed to-date.

d) Encourage municipalities to adopt policies providing public spaces to host farmers' markets in order to support economic and community development in rural areas of the state

e) Encourage investment in infrastructure and/or buildings to support farmers' markets that extend the seasonal availability of use beyond outdoor areas

f) Promote the Kansas State University Center for Engagement and Community Development's (CECD) national Rural Grocery Initiative

BACKGROUND

SB 286 was passed by the 2014 Legislature. As a result, the Local Food and Farm Task Force prepares a local food and farm containing policy and funding recommendations for expanding and supporting local food systems. Assessing and overcoming obstacles necessary to increase locally grown food production is an objective for the task force. The task force chairperson submits a plan to the senate and house committees on agriculture and natural resources at the beginning of the 2016 regular session of the legislature. The plan includes:

- Identification of financial opportunities, technical support and training necessary for local and specialty crop production;
- Identification of strategies and funding needs to make fresh and affordable locally grown foods more accessible;

- Identification of existing local food infrastructures for processing, storing and distributing food and recommendations for potential expansion; and
- Strategies for encouragement of farmers' markets, roadside markets and local grocery stores in unserved and underserved areas;
- The task force expired on December 31, 2015.

PROPOSED LEGISLATION

2016

16rs2547

HOUSE BILL NO. ____

AN ACT concerning the local food and farm task force; extending the expiration date; amending K.S.A. 2015 Supp. 2-3805 and repealing the existing section.

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

Section 1. K.S.A. 2015 Supp. 2-3805 is hereby amended to read as follows: 2-3805

(a) There is hereby established the local food and farm task force. The local food and farm task force shall be comprised of seven members, as follows:

(1) Three members appointed by the governor, including the chairperson of the task force;

(2) one member representing the Kansas department of agriculture appointed by the secretary of agriculture;

(3) one member representing the Kansas state university extension systems and agriculture research programs appointed by the dean of the college of agriculture of Kansas state university; and

(4) one member of the house committee on agriculture and natural resources appointed by the chairperson of the house committee on agriculture and natural resources and one member of the senate committee on agriculture appointed by the chairperson of the senate committee on agriculture. The legislative members shall be from different political parties.

(b) Members shall be appointed to the task force on or before August 1, 2016. The first

meeting of the task force shall be called by the chairperson on or before September 1, 2016, or as soon as appointments are made. Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(c) (1) The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be four members. All actions of the task force shall be by motion adopted by a majority of those members present when there is a quorum.

(2) The staff of the Kansas department of agriculture and the legislative research department shall provide such assistance as may be requested by the task force. To facilitate the organization and start-up of such plan and structure, the Kansas department of agriculture shall provide administrative assistance.

(3) Members of the task force attending regular or special meetings or subcommittee meetings authorized by the task force shall be paid amounts for mileage as provided by K.S.A. 75-3223(c), and amendments thereto.

(d) The local food and farm task force shall prepare a local food and farm plan containing policy and funding recommendations for expanding and supporting local food systems and for assessing and overcoming obstacles necessary to increase locally grown food production. The task force chairperson shall submit such plan to the senate committee on agriculture and the house committee on agriculture and natural resources at the beginning of the 2017 regular session of the legislature. The plan shall include:

(1) Identification of financial opportunities, technical support and training necessary for local and specialty crop production;

(2) identification of strategies and funding needs to make fresh and affordable locally grown foods more accessible;

(3) identification of existing local food infrastructures for processing, storing and distributing food and recommendations for potential expansion; and

(4) strategies for encouragement of farmers' markets, roadside markets and local grocery stores in unserved and underserved areas.

(e) This section shall expire on July 1, 2017.

Sec. 2. K.S.A. 2015 Supp. 2-3805 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

COMMITTEE ACTIVITIES

The task force initially met in November 14, 2014 and met regularly until December 11, 2015. The Kansas Department of Agriculture provided administrative support services to the Task Force. All approved minutes are available on the Kansas Department of Agriculture's Local Food and Farm Task Force page: <http://agriculture.ks.gov/divisions-programs/agricultural-marketing-advocacy-and-outreach-team/local-food-and-farm-task-force>.

November 2014

The Local Food and Farm Task Force met for the first time on November 14, 2014 at the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan. The task force members provided overall remarks and described barriers and opportunities from their perspectives. Secretary of Agriculture, Jackie McClaskey expressed the agency's commitment to local foods and growing all forms of agriculture. Secretary McClaskey said KDA is committed to helping the Local Food and Farm Task Force.

Julie Mettenburg, Kansas Rural Center, shared information about the Kansas Rural Center and their "Feeding Kansas" report. The KRC partnered with the Kansas Health Foundation on the report. She outlined seven recommendations from the report:

- i. Local food policy councils and food and farm task forces across Kansas should be supported by state and local government policies and programs.
- ii. A high-level, independent statewide farm-to-fork food system organizer position should be created.
- iii. Procurement policies should prioritize Kansas grown fruit and vegetable purchasing at state and local government agencies in public institutions.
- iv. A statewide Fruit and Vegetable Agricultural Economist position should be created through K-State Research and Extension, with support from county and state public funds.

- v. Multiple Regional Fruit and Vegetable Extension Specialist positions should be created through K-State Research and Extension Horticulture Program, with support from county and state public funds.
- vi. Kansas's horticulture research stations should receive stable, public funding.
- vii. An herbicide injury (spray "drift") task force should be created to gather and share data and information on herbicide injury to sensitive crops in Kansas.

The task force also outlined their plan for future meetings and proposed presenters.

December 2014

The Local Food and Farm Task Force met on December 12, 2014 at the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan.

Joanna Wochner, Research Analyst for the Kansas Legislative Research Department provided an overview of what the task force's report should include and services provided by Legislative Research.

Nancy Brown, Kansas Farm Bureau, shared KFB's policy on Local Food Systems (adopted December 2014):

We support local food systems that:

1. Encourage healthy eating habits and choices;
2. Have availability and access of locally grown food;
3. Educate consumers how food gets from producer to plate;
4. Increase economic development in communities;
5. Continue stewardship of agricultural land;
6. Connect all facets of the food system.

We oppose:

1. Systems that leverage restrictions on private or government land use;
2. Systems that enforce production quotas on unwilling producers;
3. Any program or subsidy that gives local foods unfair advantage over traditional food production.

**Explanation: This policy reflects the increased popularity of "local" agriculture and food.*

Julie Mettenburg and Cole Cottin, Kansas Rural Center, provided an update to the task force about the "Feeding Kansas" report.

Josh Roe, Kansas Department of Agriculture, shared more research needs to be done about what specialty crops are available in Kansas. KDA administers the USDA Specialty Crop Block Grant program. Through grant funding, KDA is working with K-State Research and Extension to develop and administer a specialty crop survey.

Chris Sramek, Vice President of Consumers for High Plains Food Coop (HPFC), shared information on their northwest Kansas/eastern Colorado food hub. Chris Schmidt, coop member and owner of Schmidt's Premium Meats, said more than 800 products are offered on their website each month. In 2014, the HPFC included 88 members, 383 consumer members and a

total of 475 total members. He added that northwest Kansas has 55 members (11% of the total membership) with half being producers. In 2014, HPFC had \$180,000 in annual sales. He noted sales barriers include: lack of federally inspected meat processing facilities and uniformity and clarity with meat and egg regulations. Leon Atwell, community and business coach through Advancing Rural Prosperity, helped start the HPFC and said with HPFC assistance, some vegetable producers were able to increase their revenue by 75-85%.

January 2015

The Local Food and Farm Task Force met on January 23, 2015 at the Landon State Office Building, 900 SW Jackson, Topeka.

Todd Barrows, agriculture program specialist, Kansas State Farm Service Agency, shared information about the Noninsured Crop Disaster Assistance Program (NAP), reauthorized by the 2014 Farm Bill and administered by the U.S. Department of Agriculture (USDA) Farm Service Agency (FSA), which provides financial assistance to producers of noninsurable crops to protect against natural disasters that result in lower yields, crop losses or prevent crop planting.

According to Barrows, eligible crops must be commercially produced agricultural commodities for which crop insurance is not available. For example, NAP provides coverages for specialty crops including honey, maple sap, sweet sorghum, turf grass sod and Christmas trees. The service fees for NAP are \$250 per crop, not to exceed \$750 per producer per administrative county. Beginning, limited resource and socially disadvantaged farmers are eligible for a waiver of the service fee and a 50% premium reduction.

Lee Hartford, state deputy director for FSA, shared information about FSA's Direct Operating Microloan (ML) of up to \$50,000. The ML program is to purchase livestock, poultry, equipment, feed, seed, farm chemicals and supplies. The best way to learn about the program is to contact county FSA loan officers.

Dr. Chuck Marr, Kansas State Research and Extension *emeritus*, shared the growth potential for specialty crops in Kansas. According to Dr. Marr, compared to other commodities, there are many opportunities to get into the marketplace with vegetables. There is a close link between producers and market and producers have to know where they will sell because they cannot wait for the market to open up.

According to Dr. Marr, at one time Kansas was a major producer of vegetables and the Kansas River Valley was one of the major producing areas of the United States.

Dr. Marr said that in his opinion, the greatest potential for specialty crops is the local market because it is an inexpensive way to get into the market. Producers can take produce directly to consumers at a farmers' market and retain 100% of the profits and there is not a large investment of land.

Dr. Marr highlighted the following areas of growth potential:

- Fall decorative vegetables – Kansas grows pumpkins, squash, and decorative corn. Because of our central location, we have the ability to easily ship to the east coast than those grown in California.

- Watermelons and muskmelons – Kansas grows quality watermelon and muskmelons and can compete with anyone in the country. These are also low water-consuming crops.
- Sweet corn – Kansas can grow corn, but with a few modifications, we can grow sweet corn with half of the water. Sweet corn does need cooling, so producers need some type of cooling system. Fortunately, Kansas has trucks and knowledge of refrigeration systems in the meat industry in southwest Kansas.
- Sweet potatoes – Kansas is the most northern state where sweet potatoes grow and there is an increase in consumer demand. It also does not require fancy equipment or packaging. Sweet potatoes require little water and are the easiest to grow.
- Ethnic crops – The demand and popularity for these foods are growing, particularly in southwest Kansas.

Dr. Marr said more can be done with funding, but technical support is key. Someone to formulate and disseminate the information to growers would be helpful. He also shared there are types of equipment available to make harvesting some specialty crops less labor intensive.

February 2015

The Local Food and Farm Task Force met on February 20, 2015 at the Kansas State Capitol, 300 SW 10th St, Topeka.

Diana Endicott and Tony Schwager, Good Natured Family Farms, shared Good Natured Family Farms works with 150 small family farms in Kansas and Missouri and to collect food from them and get it into stores. Good Natured Family currently has an aggregation facility at Balls Foods and distributes to 29 stores. They also supply all of the beef for Balls Foods. Good Natured Family Farms sells \$4.5 million worth of local foods, but their margins are very small.

According to Endicott, there is market for berries, especially small berries. She said cash flow and inventory are the biggest obstacles and at any time they may have \$500,000-\$700,000 of unpaid inventory in their system.

Endicott also shared some stores will not buy from producers who are not Good Agricultural Practices (GAP) certified. Good Natured Family Farms was the first in the United States to be group GAP certified.

Schwager shared the following takeaways and suggestions for how the task force can help:

1. Assist with patient, results-driven funding with less emphasis on studies and more on aggregation and distribution.
2. Facilitate effective ways that small farmers can work together to leverage their power with group buying and mentoring opportunities.
3. Examine regulatory and financing obstacles in getting store-ready products to market, as well as legal assistance.
4. Create “local” signs and labels that have meaning to consumers.
5. Make local food more affordable and accessible to lower income families.

6. Recognize a plan for differences between traditional family farms and produce/specialty crop farms.

Schwager also added that an acre of blackberries could yield \$10,000-\$25,000.

Janet Barrows, Frontier Farm Credit, shared their association has six locations serving Kansas with more than 11,000 customers and 22,000 loans. Michael Leitch, regional vice president Frontier Farm Credit, said they can assist with new or expanding specialty crop operations. Leitch said they need to see assets and liabilities and want to work with people on a month-to-month cash flow projection and if your crop is seasonal, your payday is also seasonal.

Jordan Olsen, crop insurance specialist, Frontier Farm Credit, said they are often asked about why drift coverage is not an option. Olsen said it is the same type of situation as your neighbor's cow getting out and eating your soybeans – it is the owner's liability, just like fireworks in a wheat field.

March 2015

The Local Food and Farm Task Force met on March 13, 2015 at the Kansas State Capitol, 300 SW 10th St, Topeka.

The task force discussed barriers and opportunities shared by presenters and outlined future meeting topics.

April 2015

The Local Food and Farm Task Force met on April 17, 2015 at the Dillon's Headquarters, 2700 East 4th Street, Hutchinson.

The task force participated in a tour of the Dillon's Distribution facility.

Kerry Wefald, Kansas Department of Agriculture, shared an overview of the Farm to School Grant. The goal of the Farm to School program is to expand the prevalence of fresh, local foods in school cafeterias and bolster agriculture and nutrition education. In 2014, eight schools received grants for \$12,500 each to start or enhance their programs.

Natalie Fullerton, Kansas Rural Center, shared letters from communities who are actively working towards addressing their local food systems.

Each task force member shared their opinions of obstacles that would hinder the enhancement of the specialty crop industry and local food systems in Kansas.

May 2015

The Local Food and Farm Task Force met on May 8, 2015 at the Kansas State Capitol, 300 SW 10th St, Topeka.

Katherine Kelly, co-founder and executive director of Cultivate KC, shared its certified organic vegetable farm grosses \$130,000 per year. The farm has a full-time farm manager and year-round crew members. She said 40% of crewmembers eventually own their own farms.

Cultivate KC operates Juniper Gardens and partners with Catholic Charities to help refugees. According to Kelly, metro farms and food systems work and Cultivate KC's goal is to have a small farm in every neighborhood in Kansas City.

Cultivate KC also partners with Beans and Greens to assist Supplemental Nutrition Assistance Program (SNAP) shoppers. Shoppers using SNAP cards are matched up to \$25 by local philanthropic charitable money. According to Kelly, the program has helped place \$1.3 million in federal and matched dollars into the pockets of farms in the last five years.

Kelly recommended incentivizing on-the-farm training programs by creating entry-level farm jobs and expanding the capacity of K-State Research and Extension.

Barb Depew, child nutrition consultant, Kansas Department of Education, shared information about promoting local products in school. She works with 40-45 school districts and focuses on farm to school.

Depew said processing fruits and vegetables is also important, but challenging.

Donn Teske, Kansas Farmers Union, shared KFU's Beginning Farmer Institute, which collaborates with many other organizations, including the Kansas Rural Center to teach people how to work with value added agriculture.

Dr. Cary Rivard, K-State Research and Extension, shared information about the Leopold Center for Sustainable Agriculture at Iowa State University. According to Rivard, the Iowa legislature charged the Leopold Center with creating a report about local foods. Dr. Rivard shared the 1987 Groundwater Protection Act allocates funding from the nitrogen tax to fund the Leopold Center. A small portion of the pesticide registration fee also provides funding. The Leopold Center then grants money to Iowa education and non-profit organizations, mainly ISU faculty and students, but also farmers and extension agents.

Don Stottlemire, Lake Region Resource Conservation and Development (RC&D), shared in the past RC&D worked with water and soil conservation, but with the focus on food hubs coming to the forefront, he hopes RC&D Councils will be able to assist. He said one resource available to help entrepreneurs is Slow Money, which is invested in agriculture produce companies and small individual farmers. Rosanna Baumann in southeast Kansas received funding from Slow Money.

Sarah Key, South Hutchinson Food Policy Council, said the council received a grant from the Kansas Health Foundation and is working to establish itself and figure out direction. For the last five years, the council has worked to establish a grower store in South Hutchinson where the median household income is \$25,000 and the population is low. She advised the task force not only to look at growing more food, but also improving access to food because it is a challenge in many parts of the state.

August 2015

The Local Food and Farm Task Force met on August 31, 2015 at the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan.

Steve Moris, Food Safety and Lodging Program Manager, Kansas Department of Agriculture, shared information about Cottage Food Rules and Regulations. Moris said current law allows for the sale of fresh, whole fruits and vegetables from roadside stands. In addition, KDA has a policy in place that allows for the sale of certain foods at farmers' markets. He said one of the food safety program's goals is to create fair and understandable regulations for these foods. Moris shared KDA defines cottage foods as foods that do not require specialized processing or time and

temperature control. According to Moris, farmers' market vendors can sell directly to the end consumer. They cannot sell to a restaurant or food storage/processor without a license.

Moris also explained licensing requirements on canned foods, which are required to be produced in a commercial kitchen by a licensed food processor. He also explained food safety licensing requirements.

Dean John Floros, Kansas State University College of Agriculture, shared information about K-State Research Extension. He said KSRE works with everything pertaining to food – agriculture or the well-being of citizens, health, water, etc. He explained KSRE's funding and shared K-State allocates funding internally to coincide with its strategic plan and what is most important to the state's economy. Floros said K-State makes a significant investment in animal agriculture, particularly beef and dairy. He said K-State has attempted to allocate more resources for local food, organic food and urban agriculture, but it is also dependent on the faculty's areas of expertise, strength and ability to secure grants.

Dean Floros provided the task force with an example from his previous position at Purdue to show how small changes can make a big difference. During his time at Purdue in the late 1980s-early 1990s, Indiana had little viticulture or wine production, so a group met to discuss ways to ramp up production. Within a few months, they asked the legislature to place a \$0.05 tax on every bottle of wine consumed in Indiana. The \$0.05 tax produced more than \$500,000. They allocated half of the funding to investment in viticulture to hire faculty in the horticulture department, and the other half was allocated towards food scientists/enologists and investing in marketing wine. Five years later, Indiana had 72 wineries and all were active and doing well.

Dean Floros said when looking at priorities, K-State has a mission to accomplish and how activities fit into bigger goals of helping citizens of the state improve their lives. He said when looking at resources, there are many competing objectives, so something has to give for something else. Floros said when looking at priorities, local food is not at the top because it is a very small component of what contributes to the state's economy. Animal agriculture, dairy and water are all big priorities.

Nancy Brown, Kansas Farm Bureau, provided the task force with a policy update. KFB is currently conducting listening posts in Kansas to hear from members about policy recommendations. She said she has sent information to the members about the task force, but any policy changes must come from their membership.

Dr. Cary Rivard shared information about cold storage facilities and how they fit in the local food system. He said a cooling infrastructure is an important component in assessing whole markets and it is essential for certain crops. He said if coolers were strategically placed around the state in accordance with distribution stops for Sysco, Balls Foods and others, it would help growers because they would have a place to take their crops.

Ashley Jones-Wisner, KC Healthy Kids, shared information on their food sales tax study.

Missty Lechner, American Heart Association, added she works with communities and Kansas has nine food policy councils with more in the works.

October 2015

The Local Food and Farm Task Force met in work session on October 15, 2015, at the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan.

The task force members discussed priorities for inclusion in their plan to the legislature.

November 2015

The Local Food and Farm Task Force met in work session on November 19, 2015, at the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan.

The task force members discussed priorities for inclusion in their plan to the legislature.

December 2015

The Local Food and Farm Task Force met in work session on December 11, 2015, at the Kansas State Capitol, 300 SW 10th St, Topeka.

The task force reviewed the draft legislative report.

Kansas Farm Bureau also provided an update on its Local Food Systems policy, which was adopted at the December 2015 Annual Meeting.

Local Food Systems

AG-22

We support all producers having the right to choose their production system. We support food systems, based on sound science, that:

- 1) Encourage healthy eating habits and choices;
- 2) Have availability and access of locally grown food;
- 3) Educate consumers how food gets from producer to plate;
- 4) Increase economic development in communities;
- 5) Continue stewardship of agricultural land;
- 6) Connect all facets of the food system.

We oppose:

- 1) Systems that leverage restrictions on private or government land use;
- 2) Systems that enforce production quotas on unwilling producers;
- 3) Programs that give one food system an unfair advantage over another.

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SENATE BILL No. 286

AN ACT concerning agriculture; relating to the Kansas department of agriculture, extending sunset date on certain fees; national day of the cowboy; establishing the local food and farm task force; amending K.S.A. 2013 Supp. 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-706a, 82a-706b, 82a-709c, 82a-714 and 82a-727 and repealing the existing sections.

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

Section 1. K.S.A. 2013 Supp. 2-2440 is hereby amended to read as follows: 2-2440. (a) Subject to the provisions of subsection (d), it is unlawful for any pesticide business which has not been issued a pesticide business license to:

(1) Advertise, offer for sale, sell or perform any service for the control of a pest on the property of another or apply a pesticide to the property of another within this state; or

(2) perform any service for the control of a pest or apply any pesticide on or at the premises of another person under any commission, division of receipts or subcontracting arrangement with a licensed pesticide business.

Nothing in this subsection shall be construed to require the licensing of any person applying restricted use pesticides to the property of another as a certified private applicator or under the supervision of a certified private applicator.

(b) Application for a pesticide business license or renewal shall be made on a form obtained from the secretary and shall be accompanied by an application fee per category in which the licensee applies, and an additional fee for each uncertified individual employed by the applicant to apply pesticides. The application fee per category shall be \$140 per category in which the licensee applies, except that on and after July 1, 2015-2018, the application fee per category shall be \$112 per category in which the licensee applies. An additional fee of \$15 shall be paid for each uncertified individual employed by the applicant to apply pesticides, except that on and after July 1, 2015-2018, an additional fee of \$10 shall be paid for each uncertified individual employed by the applicant to apply pesticides. The application fee per category and the additional fee for each uncertified employee in effect on the day preceding the effective date of this act shall continue in effect until the secretary adopts rules and regulations fixing a different fee under this subsection. Any uncertified individual employed for a period of more than 10 days in a 30-day period or for five consecutive days by a licensee to apply pesticides subsequent to such application shall be reported to the secretary within 30 days of such employee's hiring and the fee shall be paid at that time. Each application shall also include the following:

(1) The business name of the person applying for such license or renewal;

(2) if the applicant is an individual, receiver, trustee, representative, agent, firm, partnership, association, corporation or other organized group of persons, whether or not incorporated, the full name of each owner of the firm or partnership or the names of the officers of the association, corporation or group;

(3) the principal business address of the applicant in the state and elsewhere; and

(4) any other information the secretary, by rules and regulations, deems necessary for the administration of this act.

(c) The secretary may issue a pesticide business license to apply pesticides in categories for which an applicant has applied if the applicant files the bond, insurance, letter of credit or proof of an escrow account as required under K.S.A. 2-2448, and amendments thereto, satisfies the requirements of subsection (b), and pays the required fees. Such license shall expire at the end of the calendar year for which it is issued unless it has been revoked or suspended prior thereto. If a license is not issued as applied for, the secretary shall inform the applicant in writing of the reasons therefor.

(d) The following persons shall be exempted from the licensing requirements of this act:

(1) State or federal personnel using pesticides or pest control services while engaged in pesticide use research;

(2) veterinarians or physicians using pesticides as a part of their professional services; and

(d) Except for works constructed to appropriate water for domestic use, each notification to the chief engineer under subsection (a) shall be accompanied by a field inspection fee of \$400, or on and after July 1, ~~2015-2018~~, a fee of \$200, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200. Failure to pay the field inspection fee, after reasonable notice by the chief engineer of such failure, shall result in the permit to appropriate water being revoked, forfeiture of the priority date and revocation of any appropriation right that may exist.

(e) A request for an extension of time to: (1) Complete the diversion works; or (2) perfect the water right, shall be accompanied by a fee of \$50, or commencing July 1, 2002, and ending June 30, ~~2015-2018~~, a fee of \$100.

(f) A request to reinstate a water right or a permit to appropriate water which has been dismissed shall be filed with the chief engineer within 60 days of the date dismissed and shall be accompanied by a fee of \$100, or commencing July 1, 2002, and ending June 30, ~~2015-2018~~, a fee of \$200.

(g) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

Sec. 13. K.S.A. 2013 Supp. 82a-727 is hereby amended to read as follows: 82a-727. (a) Subject to existing water rights and the principle of beneficial use, the chief engineer may grant upon application made therefor temporary permits and extensions thereof to appropriate water in any case where the public interest in such water will not be unreasonably or prejudicially affected, except that the chief engineer shall not grant any such permit to appropriate fresh water in any case where other waters are available for the proposed use and the use thereof is technologically and economically feasible. No such temporary permit or any extension thereof shall be granted for a period of time in excess of six months. Each application submitted for a temporary permit or extension thereof shall be accompanied by an application fee of \$200, or on and after July 1, ~~2015-2018~~, a fee of \$100.

(b) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

(c) Nothing in this section shall be deemed to vest in the holder of any permit granted pursuant to provisions of this section any permanent right to appropriate water except as is provided by such permit.

(d) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

New Sec. 14. (a) The last Saturday in July of each year is hereby designated as national day of the cowboy in the state of Kansas.

(b) The governor of this state is hereby authorized and directed to issue annually a proclamation calling upon our state officials to display the United States flag on all state buildings on the last Friday of July of each year, declaring the last Saturday in July to be the national day of the cowboy and inviting people of the state to observe the day with appropriate ceremonies.

(c) The governor of this state is hereby authorized and directed to display the national day of the cowboy flag on the grounds of the state capitol building on the last Friday of July of each year.

(d) The Kansas department of agriculture shall provide education and outreach concerning the national day of the cowboy to the public.

New Sec. 15. (a) There is hereby established the local food and farm task force. The local food and farm task force shall be comprised of seven members, as follows:

(1) Three members appointed by the governor, including the chairperson of the task force;

(2) one member representing the Kansas department of agriculture appointed by the secretary of agriculture;

(3) one member representing the Kansas state university extension systems and agriculture research programs appointed by the dean of the college of agriculture of Kansas state university; and

(4) one member of the house committee on agriculture and natural

resources appointed by the chairperson of the house committee on agriculture and natural resources and one member of the senate committee on agriculture appointed by the chairperson of the senate committee on agriculture. The legislative members shall be from different political parties.

(b) Members shall be appointed to the task force on or before August 1, 2014. The first meeting of the task force shall be called by the chairperson on or before September 1, 2014. Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(c) (1) The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be four members. All actions of the task force shall be by motion adopted by a majority of those members present when there is a quorum.

(2) The staff of the Kansas department of agriculture and the legislative research department shall provide such assistance as may be requested by the task force. To facilitate the organization and start-up of such plan and structure, the Kansas department of agriculture shall provide administrative assistance.

(d) The local food and farm task force shall prepare a local food and farm plan containing policy and funding recommendations for expanding and supporting local food systems and for assessing and overcoming obstacles necessary to increase locally grown food production. The task force chairperson shall submit such plan to the senate committee on agriculture and the house committee on agriculture and natural resources at the beginning of the 2016 regular session of the legislature. The plan shall include:

(1) Identification of financial opportunities, technical support and training necessary for local and specialty crop production;

(2) identification of strategies and funding needs to make fresh and affordable locally grown foods more accessible;

(3) identification of existing local food infrastructures for processing, storing and distributing food and recommendations for potential expansion; and

(4) strategies for encouragement of farmers' markets, roadside markets and local grocery stores in unserved and underserved areas.

(e) The task force shall cease to exist on December 31, 2015.

Sec. 16. K.S.A. 2013 Supp. 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 are hereby repealed.

Sec. 17. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.

65-689. Same; license requirements, fees, inspections, denial, hearing, display. (a) It shall be unlawful for any person to engage in the business of conducting a food establishment or food processing plant unless such person shall have in effect a valid license therefor issued by the secretary.

(b) Applications for such licenses shall be made on forms prescribed by the secretary, and each such application shall be accompanied by an application fee and by a license fee. Prior to the issuance of any such license, the secretary shall inspect or cause to be inspected the food establishment or food processing plant designated in the application, to determine that it complies with rules and regulations adopted pursuant to the food, drug and cosmetic act, and amendments thereto. If the food establishment or food processing plant is found to be in compliance, and the completed application and accompanying fees have been submitted, the secretary shall issue the license. If the food establishment or food processing plant is found not to be in compliance, the secretary shall deny the application for a license after providing notice and opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(c) Every license issued hereunder shall be displayed conspicuously in the food establishment or food processing plant for which it is issued, and no such license shall be transferable to any other person or location. Whenever any such license is lost, destroyed or mutilated, a duplicate license shall be issued to any otherwise qualified licensee upon application therefor and the payment of a fee in the amount of \$5.

(d) A license shall not be required by:

(1) A plant or facility registered or licensed by the department of agriculture pursuant to article 7 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or licensed or registered by the department of agriculture pursuant to article 6a of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall not be required to obtain a separate license pursuant to this section if the inspections conducted under the respective acts encompass all operations of the facility.

(2) Registered nonprofit organization that provides food without charge solely to people who are food insecure, including, but not limited to, soup kitchens and food pantries.

(3) A location where prepackaged individual meals are distributed to persons eligible under the federal older Americans act.

(4) A person who produces food for distribution directly to the end consumer, if such food does not require time and temperature control for safety or specialized processing, as determined by the secretary.

(5) A person who serves food exclusively on interstate conveyances or common carriers.

(6) A person operating a food establishment for less than seven days in any calendar year.

(7) A person who prepares, serves or sells food for the sole purpose of soliciting funds to be used for community or humanitarian purposes or educational or youth activities.

(8) A person operating a food vending machine, if the food vending machine company:

(A) Is licensed as a food establishment, or if located in another state, licensed according to the laws of such state;

(B) maintains, and makes available to the secretary, a current record of the location of each food vending machine it operates or services; and

(C) conspicuously displays the company name, phone number and any additional information the secretary may require on each such vending machine.

(9) A person providing only complimentary coffee to its patrons whose primary business is unrelated to operating a food establishment or food processing plant.

(10) A person operating a farm winery, as defined in K.S.A. 41-102, and amendments thereto, who does not produce or offer any food products other than wine produced at such farm winery.

(11) A retailer, as defined in K.S.A. 41-102, and amendments thereto, that sells only alcoholic liquors and cereal malt beverages.

(12) A food establishment that sells or offers for sale only packaged foods that are non-hazardous and are received directly from a licensed food production facility in packaged form, if such food establishment contains less than 200 cubic feet as measured pursuant to subsection (e) of K.S.A. 65-688, and amendments thereto.

(13) A person who provides food samples, without charge, to promote, advertise or compliment the sale of food or associated food preparation equipment.

(14) A guest house, as defined in K.S.A. 36-501, and amendments thereto.

(e) The exemption provided to those entities provided in subsection

(d) shall not be exempt from inspection or regulation when a violation is observed or reported to the secretary.

(f) A food establishment operated in connection with any premises licensed, registered or permitted by the secretary of health and environment, the secretary of social and rehabilitation services, the secretary of corrections or the secretary of aging, which is inspected and regulated pursuant to the respective law or rule and regulation of such secretary, shall not require a license, and the secretary of agriculture shall not be authorized to inspect or cause such premises to be inspected. This subsection shall not apply to a food establishment whose primary function is not in connection with any premises licensed, registered or permitted pursuant to the respective law or rule and regulation of such secretary.

History: L. 2008, ch. 48, § 7, July 1; L. 2012, ch. 145, sec. 24; July 1.

65-690. Same; temporary suspension of license. (a) If the secretary finds that the public health or safety is endangered by the continued operation of a food processing plant or food establishment, the secretary may

K.S.A. 2011 Supp. 65-688, as amended by 2012 Sen. Sub. for HB 2730, sec. 23; effective, T-4-6-28-12, July 1, 2012; effective Oct. 26, 2012.)

K.A.R. 4-28-32. Vehicles used in transportation. Each vehicle used in the transportation of food shall be kept in a condition by which food cannot become adulterated. During transport, the food shall be protected from physical, chemical, and microbial contamination and degradation by the use of the following:

- (a) Clean and sanitary transportation vehicles and containers; and
- (b) temperature-control measures meeting the department's requirements. (Authorized by K.S.A. 2011 Supp. 65-688, as amended by L. 2012, ch. 145, sec. 23; implementing K.S.A. 2011 Supp. 65-688, as amended by L. 2012, ch. 145, sec. 23, and K.S.A. 2011 Supp. 74-581; effective Feb. 8, 2013.)

K.A.R. 4-28-33. Sanitation and hygiene requirements for exempt food establishments. Each food establishment exempted from licensure in K.S.A. 65-689, and amendments thereto, shall meet the following requirements: (a) Food preparation areas shall be protected from environmental contamination, including rain, dust, and pests.

(b) Food contact surfaces, including cutting boards, utensils, and dishes, shall be cleaned, rinsed, and sanitized before food-handling activities begin and also as necessary. Hot, potable water and a dishwashing detergent shall be used for cleaning operations. Clean, hot, potable water shall be used for rinsing. Sanitizing shall be accomplished by immersing each item in a chlorine bleach solution of 50 to 100 parts per million for 10 seconds and allowing the item to air-dry. A sanitizer labeled for use on food contact surfaces may be used instead of chlorine bleach. Warewashing activities shall be conducted in easily cleanable sinks or food-grade tubs large enough to accommodate immersion of the largest items.

- (c) Animals shall not be permitted in food preparation areas.
- (d) Food and utensils shall be protected from contamination.
- (e) A potable water supply shall be provided. Commercially bottled water or water from a private system may be used.

(1) If water is supplied from a private system, including a well or spring, the private system shall meet the local water system test requirements. If local requirements do not exist, the water shall meet the following standards, with testing obtained by the operator of the food establishment at least annually:

- (A) Nitrates shall be less than 20 milligrams per kilogram.
- (B) Total coliforms shall be zero colony-forming units.
- (C) Fecal coliforms shall be zero colony-forming units.

The current copy of the testing shall be made available upon request.

(2) Each mobile or portable establishment shall ensure that the water is maintained in a potable state by use of appropriate containers, hoses, or other water-handling systems.

(f) Adequate sewage disposal shall be provided. Each septic system shall be approved by the Kansas department of health and environment or the county sanitarian. The current copy of the approval shall be made available upon request. Each mobile or portable establishment shall have adequate on-site sewage storage and shall dispose of sewage in a sanitary sewer or septic system.

(g) Bare-hand contact shall not be permitted with ready-to-eat foods.

(h) Each person working with food shall wash that person's hands before working with food or food contact surfaces and after the hands are contaminated, or could have become contaminated, including after handling raw eggs, raw meat, or raw poultry or after touching the face or hair. The following procedure shall be used:

- (1) Wet hands using warm, running potable water;
- (2) apply soap and rub hands together vigorously for at least 10 seconds;
- (3) rinse hands; and
- (4) dry hands with a clean paper towel.

(i) No person with any of the following symptoms or conditions shall work with food:

- (1) Vomiting;
- (2) diarrhea;
- (3) jaundice;
- (4) sore throat with fever;

(5) any lesion, boil, or infected wound that contains pus, is open or draining, and is located on any of the following:

(A) The hands or wrists, unless an impermeable cover that may include a finger cot or stall protects the affected site and a single-use glove is worn over the impermeable cover;

(B) exposed portions of the arms, unless the affected site is protected by an impermeable cover; or

(C) other parts of the body, unless the affected site is covered by a dry, durable, tight-fitting bandage; or

(6) an illness due to any of the following:

- (A) Norovirus;
- (B) hepatitis A virus;
- (C) shigella;
- (D) enterohemorrhagic or shiga toxin-producing *Escherichia coli*; or

(E) salmonella typhi. (Authorized by K.S.A. 2012 Supp. 65-688; implementing K.S.A. 2012 Supp. 65-688 and 65-689; effective May 31, 2013.)

K.A.R. 4-28-34. Exemption from licensure; definitions. (a) Each person who is exempt under K.S.A. 65-689(d)(7), and amendments thereto, from licensure for operating a food establishment shall post at the point of sale a placard or sign that states, in letters at least one-quarter inch high and in contrasting color to the background, that the food establishment is not subject to routine inspection by the Kansas department of agriculture.

(b) As used in K.S.A. 65-689(d)(7) and amendments thereto, each of the following terms shall have the meaning specified in this subsection:

(1) "Community or humanitarian purposes" shall mean purposes for the common good, including building or refurbishing playgrounds or parks, preserving historic public buildings, religious organization fundraising, promoting human welfare including disaster relief, providing food to the food-insecure, providing shelter for humans, and similar activities.

(2) "Educational or youth activities" shall mean activities associated with an early childhood, elementary, secondary, or postsecondary school or activities for persons less than 21 years of age that engage these persons in recreational, educational, or social activities, including sports teams, summer camps, music programs, arts programs, and similar activities.

(c) Funds raised in food establishments exempt from licensure under K.S.A. 65-689(d)(7), and amendments thereto, shall not be used for wages or other compensation of volunteers or employees, except for providing complimentary food to volunteer staff.

(d) Nothing in this regulation shall prohibit a person who is exempt from licensure for operating a food establishment from applying for a food establishment license from the secretary. Upon the secretary's review of the application, a license may be issued by the secretary pursuant to K.S.A. 65-689(b), and amendments thereto. (Authorized by K.S.A. 2012 Supp. 65-688; implementing K.S.A. 2012 Supp. 65-688 and 65-689; effective May 31, 2013.)

Food, Drugs and Cosmetics

K.A.R. 28-21-2. (Authorized by K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966; revoked Feb. 8, 2013.)

K.A.R. 28-21-4. (Authorized by K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966; revoked Feb. 8, 2013.)

K.A.R. 28-21-5. (Authorized by K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966; revoked Feb. 8, 2013.)

Drugs and Therapeutic Devices

K.A.R. 28-21-200. Drugs; name. (a) The name by which a drug is designated shall be clearly distinguishing and differentiating from any name recognized in an official compendium unless such drug complies in identity with the identity prescribed in an official compendium under such recognized name.

(b) The term "drug defined in an official compendium" means a drug having the identity prescribed for a drug in an official compendium.

(c) A statement that a drug defined in an official compendium differs in strength, quality, or purity from the standard of strength, quality, or purity set forth for such drug in an official compendium shall show all the respects in which such drug so differs, and the extent of each such difference. (Authorized by K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966.)

K.A.R. 28-21-201. Drugs and devices; labeling, misbranding. (a) Among representations in the labeling of a drug or device which render such drug or device misbranded is a false or misleading representation with respect to another drug or device or a food or cosmetic.

(b) The labeling of a drug which contains two or more ingredients may be misleading by reason (among other reasons) of the designation of such drug in such labeling by a name which includes or suggests the name of one or more but not all such ingredients, even though the names of all such ingredients are stated elsewhere in the labeling. (Authorized by K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966.)

K.A.R. 28-21-202. Drugs and devices; labeling requirements. (a) If a drug or device is not manufactured by the person whose name appears on the label, the name shall be qualified by a phrase which reveals the connection such person has with such drug or device, such as "manufactured for and packed by _____," "distributed by _____," or other similar phrase which expresses the facts.

K.A.R. 4-28-35. Exempt food sold directly to the end consumer. (a)(1) “Exempt food” shall mean food that does not require specialized processing or time and temperature control for safety that is produced and distributed pursuant to K.S.A. 65-689(d)(4). Exempt foods include but are not limited to cookies, breads, cakes, cinnamon rolls, and fruit pies; cereals and granola; popcorn and popcorn balls; cotton candy; roasted coffee beans; candy; whole fresh or dried fruits and vegetables; herbs; nuts; honey; dried mixes from a licensed processor that are repackaged; jams, jellies, and fruit butters; and bottled flavored vinegars.

(2) “Specialized processing” shall mean methods of preparing foods that require a high level of technical competency to ensure safe products. Specialized processing methods are listed in Section 3-502.11 of the Kansas Food Code as adopted in K.A.R. 4-28-8.

(b) The following information must be provided in print form upon request of the consumer:

- (1) The common name of the product;
- (2) the net contents of the item by weight or volume;
- (3) a list of ingredients by predominance of weight, if the product is made from more than one ingredient;
- (4) the name and street address of the seller; and
- (5) the common name of the food source for each major food allergen contained in the product, which shall be specified in the ingredient list or in a separate allergen declaration statement. Major food allergens shall include the following:

- (A) Milk;
- (B) egg;
- (C) the specific type of each fish, which may include anchovy or tuna;

(D) the specific type of crustacean shellfish, which may include crab or lobster;

(E) peanuts;

(F) the specific type of each tree nut, which may include walnut or pecan;

(G) wheat; and

(H) soybeans;

(6) a statement that the product is prepared in a home kitchen or facility not subject to routine inspection by the Kansas department of agriculture and the product is not for resale

(c) Exempt food shall be prepared only in a licensed food establishment outside of the licensed food establishment's normal operating hours, or in a home kitchen or similar facility that meets the requirements of K.A.R. 4-28-33.

(d)(1) Exempt food prepared in a licensed food establishment outside of the licensed food establishment's normal operating hours, or in a home kitchen or similar facility, shall be sold directly to the end consumer only in the following manner:

(A) at the residence or facility where the exempt food is prepared;

(B) at farmers' markets or roadside stands;

(C) at community or social events, including county fairs, city celebrations, church bake sales, and service club bazaars;

(D) on the internet;

(E) by mail order; or

(F) from any establishment not required to be licensed pursuant to K.S.A. 65-688 et. seq.

(2) Exempt food shall not be sold or otherwise provided to a food establishment or food processing plant for sale or distribution of the exempt food.

(e) Food establishments and food processing plants required to be licensed are not eligible to claim an exemption under K.S.A. 65-689(d)(4) to produce and distribute exempt food.

(f) A person offering food from a building operated for the purpose of offering exempt food is not eligible to claim an exemption under K.S.A. 65-689(d)(4) to produce and distribute exempt food. (Authorized by K.S.A. 2012 Supp. 65-688; implementing K.S.A. 2012 Supp. 65-688 and 65-689; effective P-_____.)

STATE SALES TAX RATES AND FOOD & DRUG EXEMPTIONS

(As of January 1, 2015)

STATE	Tax Rate (percentage)	EXEMPTIONS		
		Food (1)	Prescription Drugs	Nonprescription Drugs
ALABAMA	4		*	
ALASKA	none			
ARIZONA	5.6	*	*	
ARKANSAS	6.5	1.5% (4)	*	
CALIFORNIA (3)	7.5	*	*	
COLORADO	2.9	*	*	
CONNECTICUT	6.35	*	*	
DELAWARE	none			
FLORIDA	6	*	*	*
GEORGIA	4	* (4)	*	
HAWAII	4		*	
IDAHO	6		*	
ILLINOIS	6.25	1%	1%	1%
INDIANA	7	*	*	
IOWA	6	*	*	
KANSAS	6.15		*	
KENTUCKY	6	*	*	
LOUISIANA	4	* (4)	*	
MAINE	5.5	*	*	
MARYLAND	6	*	*	*
MASSACHUSETTS	6.25	*	*	
MICHIGAN	6	*	*	
MINNESOTA	6.875	*	*	*
MISSISSIPPI	7		*	
MISSOURI	4.225	1.225%	*	
MONTANA	none		*	
NEBRASKA	5.5	*	*	
NEVADA (6)	6.85 (6)	*	*	
NEW HAMPSHIRE	none			
NEW JERSEY	7	*	*	*
NEW MEXICO	5.125	*	*	
NEW YORK	4	*	*	*
NORTH CAROLINA	4.75	* (4)	*	
NORTH DAKOTA	5	*	*	
OHIO	5.75	*	*	
OKLAHOMA	4.5		*	
OREGON	none			
PENNSYLVANIA	6	*	*	*
RHODE ISLAND	7	*	*	
SOUTH CAROLINA	6	*	*	
SOUTH DAKOTA	4		*	
TENNESSEE	7	5.0%	*	
TEXAS	6.25	*	*	*
UTAH	5.95 (5)	1.75% (4)	*	
VERMONT	6	*	*	*
VIRGINIA	5.3 (2)	2.5% (2)	*	*
WASHINGTON	6.5	*	*	
WEST VIRGINIA	6	*	*	
WISCONSIN	5	*	*	
WYOMING	4	*	*	
DIST. OF COLUMBIA	5.75	*	*	*

* -- indicates exempt from tax, blank indicates subject to general sales tax rate.

Source: Compiled by FTA from various sources.

(1) Some state tax food, but allow a rebate or income tax credit to compensate poor households. They are: HI, ID, KS, OK, and SD.

(2) Includes statewide 1.0% tax levied by local governments in Virginia.

(3) Tax rate may be adjusted annually according to a formula based on balances in the unappropriated general fund and the school foundation fund.

(4) Food sales subject to local taxes.

(5) Includes a statewide 1.25% tax levied by local governments in Utah.

(6) Nevada sales tax rate scheduled to decrease to 6.5% on July 1, 2015.

NOTICE 15-02

RECENT LEGISLATION INCREASES THE KANSAS STATE SALES AND USE TAX RATE FROM 6.15% TO 6.5% EFFECTIVE JULY 1, 2015

June 22, 2015

The Kansas state sales and use tax rate will increase from 6.15% to 6.5% on July 1, 2015. This Notice explains how the rate increase affects the collection and reporting of sales and use tax by Kansas retailers. The department will issue a separate notice that explains other changes to Kansas tax laws made this session. Please review our website periodically for these updates.

The new law contains a transition provision for binding written construction contracts entered into before May 1, 2015. When applied for and properly documented before July 10, 2015, the transition provision allows the 6.15% rate to apply to material purchases and labor service charges for a qualifying construction contract made after the July rate increase.

Notice 15-03 explains adjustments that certain retailers will need to make to correctly report taxable retail sales billed to customers at the 6.15% rate that are being reported on their July return (due date August 25, 2015).

When this Notice indicates the 6.15% or 6.5% state tax rate applies, retailers are required to charge customers a combined tax rate that equals the sum of the appropriate state rate *plus* all applicable local tax rates. When used in this notice, "goods" means "tangible personal property" as defined in K.S.A. 79-3602(pp). "Services" means services that are taxable under K.S.A. 79-3603. *K.S.A. 79-3602(nn)*.

The following guidelines apply to retail sales of goods:

- **Tangible personal property ordered before July 1, 2015 but delivered on or after July 1, 2015** - For Kansas sales tax purposes, a sale of goods is presumed to take place when and where possession of the goods sold are delivered to the buyer. When goods are ordered before July 2015 but possession is transferred to the buyer on or after July 1, the 6.5% state rate applies. This rule applies even when partial or full payment is made before July 1, 2015.
- **Leases of tangible personal property that require recurring periodic installment payments** - Kansas sales tax is imposed on leases of tangible personal property. Each lease installment is treated as a separate sale. A sales tax rate change applies to a lease installment without regard to when the lease agreement is entered into or when installment payments are made. For periodic monthly installments, the new 6.5% rate applies to the first installment period starting on or after July 1, 2015. *K.S.A. 79-3678*. The customer billing for the last installment period that starts in June and ends on or after July 1, 2015 is subject to the 6.15% state rate. This treatment also applies to leased property that is relocated to Kansas for use here.

This treatment does not apply to financing leases, which are credit arrangements that finance purchases of goods. Under such financing arrangements, sales tax is payable up front at the time of sale on the full selling price of the goods rather than on the stream of installment payments made to pay down the loan balance.

- **Rentals** - For rentals of tangible personal of 30-days or less, the date the customer first takes possession of the rental property fixes the state sales tax rate. The 6.5% state rate applies when a customer takes possession of rental property on or after July 1, 2015. When a customer takes possession before July 1, 2015, the rental charge for the last billing period that starts in June and ends on or after July 1, 2015 is subject to the 6.15% state rate. *K.S.A. 79-3678*. If the rental agreement is extended, renewed, or modified on or after July 1, 2015, the 6.5% state rate applies from that time forward.
- **Vending machines and coin-operated amusement devices** - Sales made from vending machines, amusement devices, and similar devices that accept payment for goods or services are treated as occurring when the money is removed from the machine or device. Money removed on or after July 1, 2015 is subject to the 6.5% state rate. Fees and charges, including those for placing the device at a retail location, may not be deducted from the cash receipts before sales tax is figured.

The following guidelines apply to retail charges for taxable services:

- **Admission tickets** to events in Kansas are subject to the tax rate in effect on the date the tickets are sold, regardless of when the event is held.
- **Dry cleaning** - When a dry cleaner or laundry accepts a customer's property for cleaning before July 1, 2015 and returns it on or after July 1, 2015, the charges are subject to the new 6.5% state rate.
- **Installation, application, maintenance and repair services** - Kansas sales tax is imposed on charges for installation, application, maintenance, and repair services, as well on charges for "servicing" property. *K.S.A. 79-3603(p) & (q)*. Charges for labor services are sourced in the same way as sales of goods. *K.S.A. 79-3669; K.S.A. 79-3670*.

When a mechanic, body shop, electronics shop, or other service provider accepts a customer's vehicle or other property for service or repair before July 1, 2015, and returns it to the customer on or after July 1st, all of the charges for parts and service are subject to the 6.5% state rate. Charges for parts and labor services are taxed when the vehicle or other property is returned to the customer or when the completed service work is otherwise available for use by the customer, such as when repairs are completed to a dishwasher or refrigerator in a residence. These rules apply without regard to when the service is contracted for, when payment is made, or when the labor services are performed.

This is the same treatment that is accorded to retail sales of oil, antifreeze, repair parts, replacement parts, and similar items. It applies regardless of whether the invoice separately lists the charges for tangible personal property and services.

- **Meals or catering-service contracts** - Charges are subject to the tax rate in effect on the date of the catered event.
- **Membership dues** - Kansas sales tax is imposed on the payments of dues to country clubs and other organizations by members that allow them to use the organization's facilities for recreation or entertainment. Dues covering any period that begins before July 1, 2015 are taxed to members at the prior rate, regardless of the date of the bill. Dues

that cover periods that begin on or after July 1st are taxed at the new rate, regardless of the date the bill is issued to or payment is made by the member. *K.S.A. 79-3678*.

- **Periodic charges for taxable water, gas, heat, and electricity utility service and for telecommunications, cable, direct satellite TV, and similar service** - Sales of natural gas, electricity, heat and water delivered through lines or pipes are exempt from state sales tax if they are purchased for: (1) noncommercial use at a residence; (2) agricultural use; (3) use in the severing of oil; or (4) use in buildings and property that are exempt from property tax under *K.S.A. 79-201b Second through Sixth*. However, local sales tax continues to apply to sales of natural gas, electricity, and heat delivered through lines or pipes for: (1) noncommercial use at a residence; or (2) agricultural use. The law continues to exempt utilities that are consumed in agricultural production from both state and local sales tax. See *KS-1550, Sales and Use Tax for the Agricultural Industry; K.S.A. 79-3606(n)*. Water provided through pipes for residential or agricultural use has not been subject to state or local sales tax since January 1, 2006. *K.S.A. 12-189a*. Charges for commercial use of gas, electricity, heat, and water are subject to state and local sales tax unless the use qualifies as consumed in production. See *K.S.A. 79-3602(dd)*.

For monthly periodic billing, the new 6.5% state tax rate applies to the first customer billing period that starts on or after July 1, 2015. For the last billing period that starts in June and ends on or after July 1, 2015, the customer's invoice is subject to the 6.15% state rate. *K.S.A. 79-3678*. For the last billing period that starts in June and ends on or after July 1, 2015, a service provider may elect to charge the 6.5% rate for services billed as line-item charges on or after July 1, 2015, such as long-distance calls and pay-per-view television.

- **Room Occupancy** - Hotels and accommodation brokers should charge sales tax on single-day room charges for June 30th and the morning of July 1st at the lower 6.15% state rate. All taxable occupancy charges billed thereafter should be taxed at the 6.5% state rate.

For purposes of a rate change, room rentals billed on a weekly or monthly basis are treated as day-to-day rentals if either party has the unconditional right to terminate the room rental agreement. For rental periods other than daily rentals, the overall charge can be prorated and taxed based on the length of stay before and after the rate change.

The following guidelines apply to construction contracts:

- **Construction contracts entered into before May 1, 2015 that qualify for the transition provision in the new law** - The 2015 rate increase contains a transition provision for certain binding written construction contracts that a general contractor and property owner signed before May 1, 2015. See *K.S.A. 79-3695*. It allows the 6.15% state rate to apply to charges for purchases of construction materials and the performance of taxable labor services made on or after July 1, 2015.

To be entitled to the 6.15% state rate, the general contractor must complete an electronic application form and submit the required documentation to the department on or before July 10, 2015. The electronic application form can be found on the department's website: www.ksrevenue.org/15ratechange.html. It can also be accessed from the link entitled "2015 State Sales and Use Tax Rate Increase" listed under "Popular Items" on the department's home page.

General contractors with a KsWebTax account can access and complete the electronic application form through the link "Submit Request for Contractor Exemption Certificate," and then the link "State Rate Increase Exemption Certificate for Contractors." General contractors that do not have a KsWebTax account should access the link that allows them to open a KsWebTax account. Once the account is opened, the contractor can access and complete the "Application for State Rate Increase Exemption Certificate."

The application form allows an electronic copy of the construction contract or a KDOT contract-award notice to be attached to it. The contract must show that it was completed by the parties before May 1, 2015. In lieu of attaching an electronic copy, the contractor may mail a copy of the contract addressed to: Office of Policy & Research, Kansas Department of Revenue, 915 SW Harrison Street, Topeka, KS 66625. The application and supporting material must be received by the department by July 10, 2015.

The department will notify the general contractor by e-mail once the application is approved or denied. The e-mail will contain a link that takes the contractor back to our web site to allow the contractor to print the exemption certificate or denial letter, which will explain the contractor's appeal rights.

When an application is approved, the department issues a numbered form PR-74c, *State Rate Increase Exemption Certificate* for the qualifying contract that the general contractor should download and print. The general contractor should copy the PR-74c and distribute copies to subcontractors on the project.

The general contractor and subcontractors should fill out a separate PR-74c certificate for each of its vendor and subcontractor that bill them for materials or taxable labor services. The numbered certificate instructs the vendors and subcontractors to charge the 6.15% state rate on construction materials and labor services that are purchased for or performed on the qualifying project on or after July 1, 2015. Vendors, subcontractors, and the general contractor are required to maintain a copy of each certificate they issue or honor as part of their sales tax records.

If a vendor or subcontractor refuses to charge the 6.15% state rate instead of the 6.5% state rate, the contractor or subcontractor is required to pay the 6.5% state tax being charged and complete and submit an ST-21 refund form to request a refund of the tax that is overcharged. Contractors and subcontractors should not strike tax that is charged at the 6.5% state rate and pay tax at the reduced 6.15% state rate.

- **Other construction contracts entered into before July 1, 2015** - Taxable services billed under a construction contract are subject to the tax rate in place when the services are performed. Contractors that perform a construction contract with taxable labor services are required to remit sales tax at the 6.5% state rate on jobs billed on or after July 1, 2015 unless the contractor can establish a reasonable allocation of services between the two rates that is clearly supported by its records and worksheets.
- **Building Materials** - State sales tax applies to building materials at the rate in place when the materials are delivered to the contractor, not when the purchase is agreed to or payment is made, unless the general contractor secured a PR-74c for the contract.
- **Progress payments** - A progress payment is a payment made to a contractor as work progresses on a construction project. Progress-payment clauses in a construction contract allow the contractor to bill the property owner at intervals, which may be based on the costs incurred by the contractor, the percentage of work completed, the stage of work completed, a payment schedule, or some other basis. Progress payments help reimburse the contractor for the costs it incurs in each progress-payment interval, such as paying

subcontractor charges and employee wages and buying building permits, construction materials, supplies, and insurance.

When a construction contract calls for billing progress payments to the property owner that include charges for taxable labor services, the contractor is required to report and remit sales tax on the taxable labor services performed during each interval covered by a progress payment. Sales tax on the labor services is required to be reported on the return for the reporting period in which each progress payment is due and payable. The 6.15% state sale tax rate applies to taxable labor services rendered before July 1, 2015 in a progress-payment interval billing. The 6.5% state sale tax rate applies to taxable labor services rendered on or after July 1, 2015 that are included in a progress-payment interval. After a project is complete and a contractor reconciles its earlier reporting of taxable labor services with its actual pay outs, receipts, and other records, the 6.5% rate applies unless the contractor can claim a reasonable allocation between the two rates that is clearly supported by its records and worksheets.

Use tax - A 6.5% state use tax, plus the applicable local use tax, is imposed on the use in Kansas of any taxable tangible personal property on which Kansas tax has not been paid. Kansas use tax law provides a credit for sales taxes lawfully paid to another state. For purposes of determining whether Kansas use tax is owed when another state's sales tax is being credited against the Kansas use tax owed, the 6.5% state rate applies if the first use of the property in Kansas occurred on or after July 1, 2015. The difference between the applicable state and local tax rates of both states is used to determine the Kansas use tax owed, if any.

When an out-of-state retailer incorrectly charges the 6.15% state rate instead of the 6.5% state rate on property delivered to a Kansas business on or after July 1, 2015, the business should report the additional .35% state use tax on its consumers' use tax return. If no Kansas tax is collected by an out-of-state retailer, the Kansas business is required to report state and local use tax on the purchase. The date the Kansas business takes delivery of its purchases determines whether the 6.15% or 6.5% state rate applies.

Reporting the tax - Most retailers will report the correct amount of state sales tax on their July return if they bill their customers in accordance with the directives set forth above and program the rate increase into their accounting software in a timely manner. The due date of the July return is August 25, 2015. Most retailers can complete their July return that applies the 6.5% state rate in the same way they completed earlier returns.

Some retailers will report some receipts on their July return from customer charges that were correctly invoiced at the 6.15% state rate. These are: (1) retailers that report tax on the cash basis and are reporting cash receipts from credit sales made before July 2015; (2) service providers that invoice customers on a month-to-month basis fixed by the starting date of service, such as utility providers, cable companies, and telecommunications providers; (3) service providers that invoice monthly membership dues based on the starting date of the membership; (4) lease or rental companies that bill installments that start before and ends on or after July 1, 2015; and (5) vendors and subcontractors that honor a form PR-74c, *State Rate Increase Exemption Certificate*, and charge sales tax at the 6.15% rate for sales made or services rendered on or after July 1, 2015.

These retailers must adjust their July return to avoid paying more sales tax than they charged and collected from their customers at the 6.15% rate. How this is done will be explained in Notice 15-03, *Instructions for Reporting Sales Tax Receipts on the Sales Tax Return Filed for*

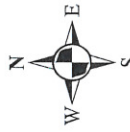
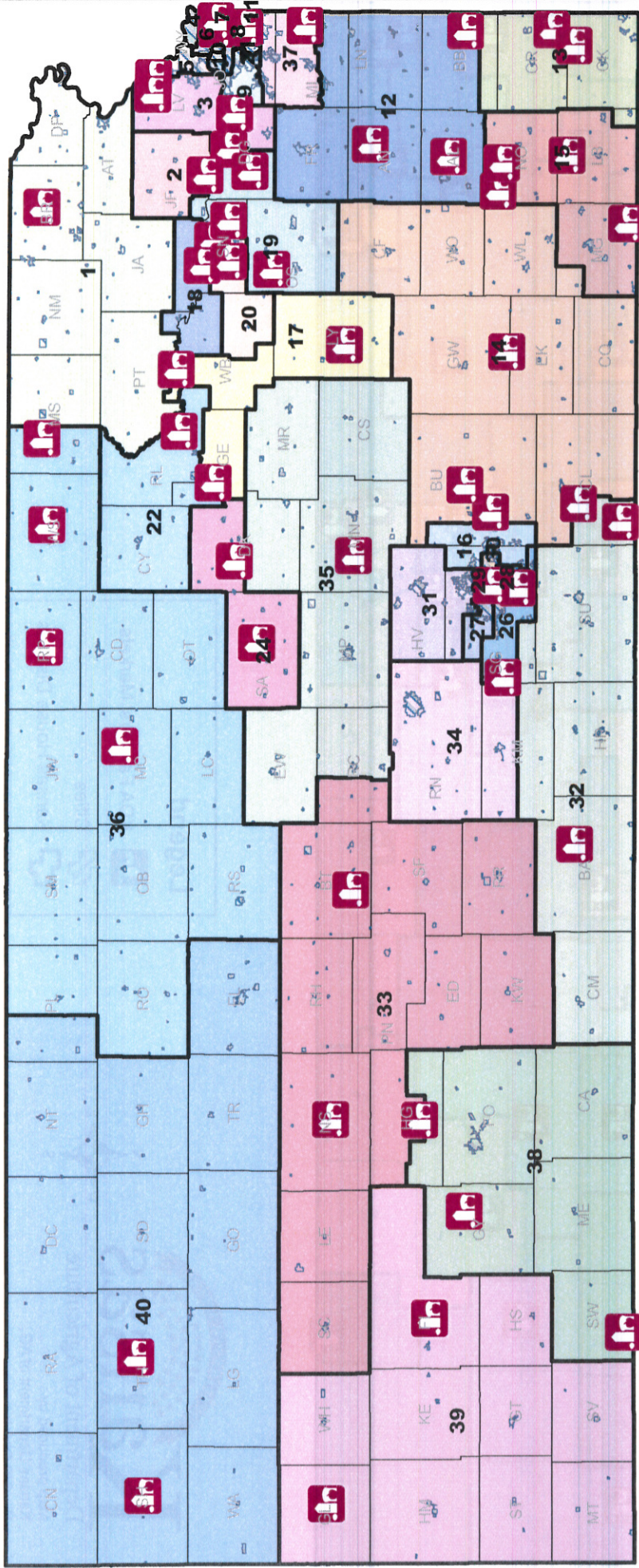
July 2015, which will be posted under "2015 State Sales and Use Tax Rate Increase" on the department's home page.

Taxpayer Assistance. Additional copies of this Notice, and other department forms or publications, may be downloaded from our web site, www.ksrevenue.org. If you have questions about this rate increase and how it applies, please contact:

Taxpayer Assistance Center
Kansas Department of Revenue
915 SW Harrison St., 1st Floor
Topeka, KS 66612-1588

Phone: 785-368-8222
Hearing Impaired TTY: 785-296-6461
Fax: 785-291-3614

Kansas Department of Agriculture Farmers' Markets

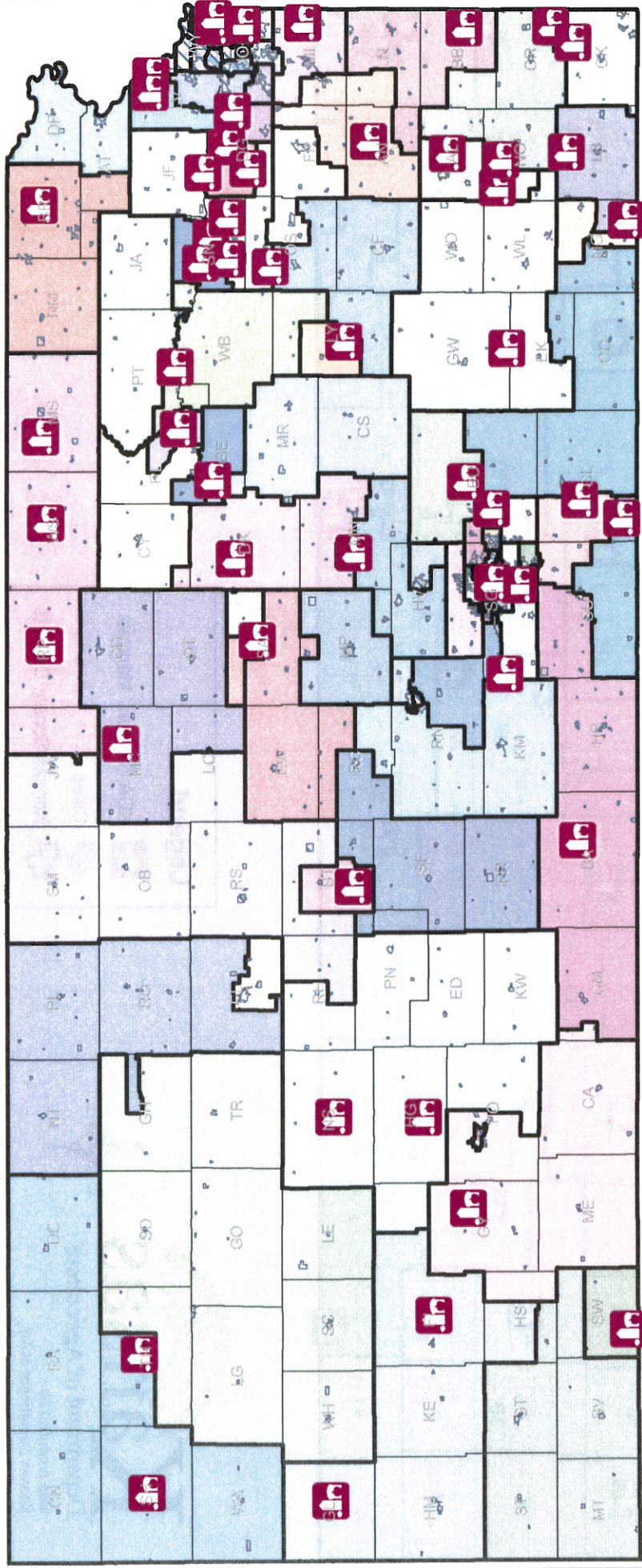


Legend

-  KDA Farmers' Markets
-  Cities
-  Kansas Senate Districts

*KDA Farmers Market Data as of 11/30/2015

Kansas Department of Agriculture Farmers' Markets



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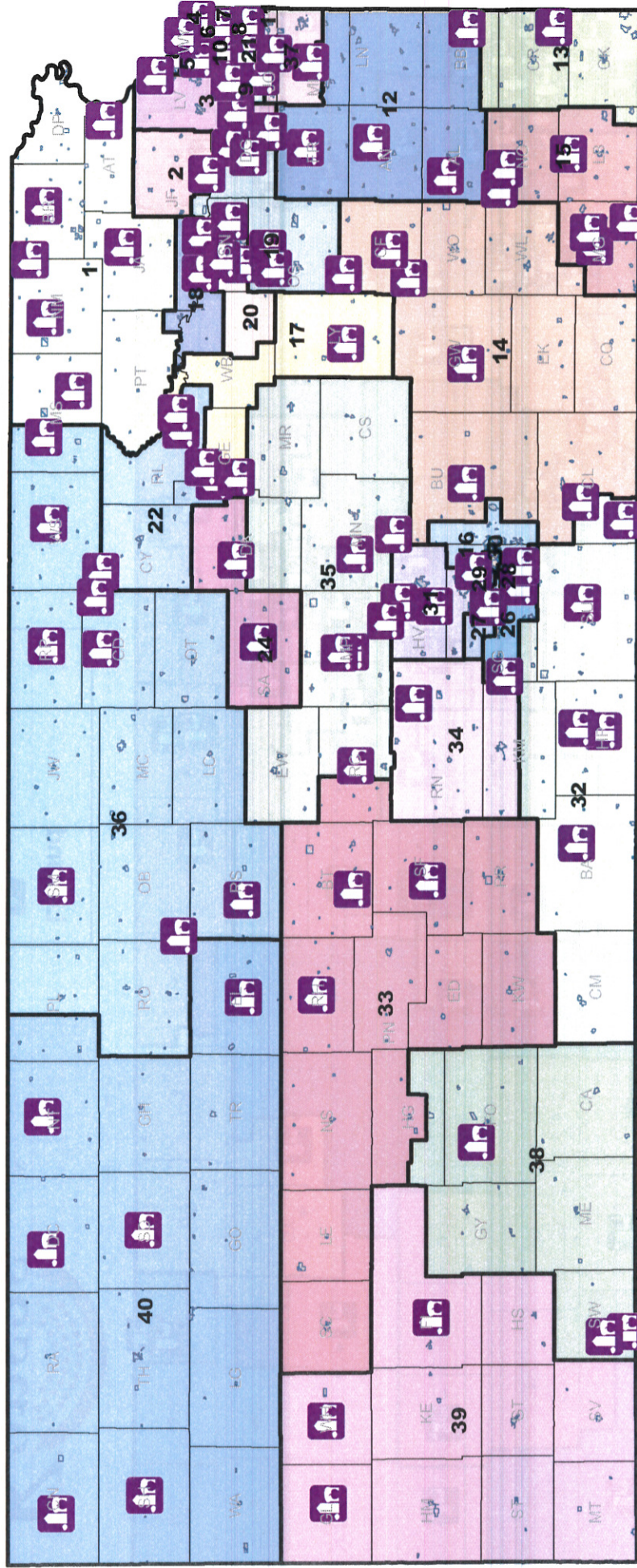
-  KDA Farmers' Markets
-  Cities
-  Kansas House Districts



Map produced by :
Kansas Department of AG,
IT - GIS Division
Linda Sibert

*KDA Farmers Market Data as of 11/30/2015

USDA Registered Farmers' Markets



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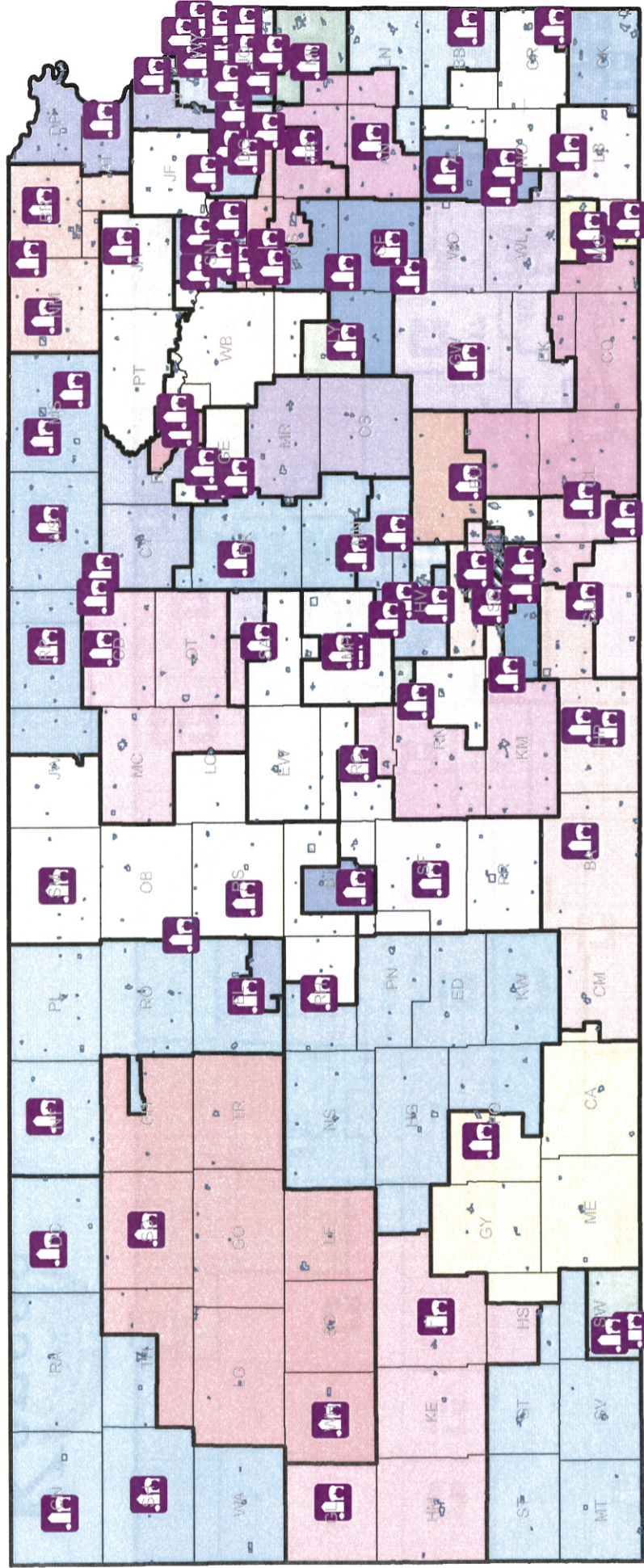


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- USDA Farmers' Markets
- Cities
- Kansas Senate Districts

*USDA Source: <http://www.ams.usda.gov/local-food-directories/farmersmarkets>

USDA Registered Farmers' Markets



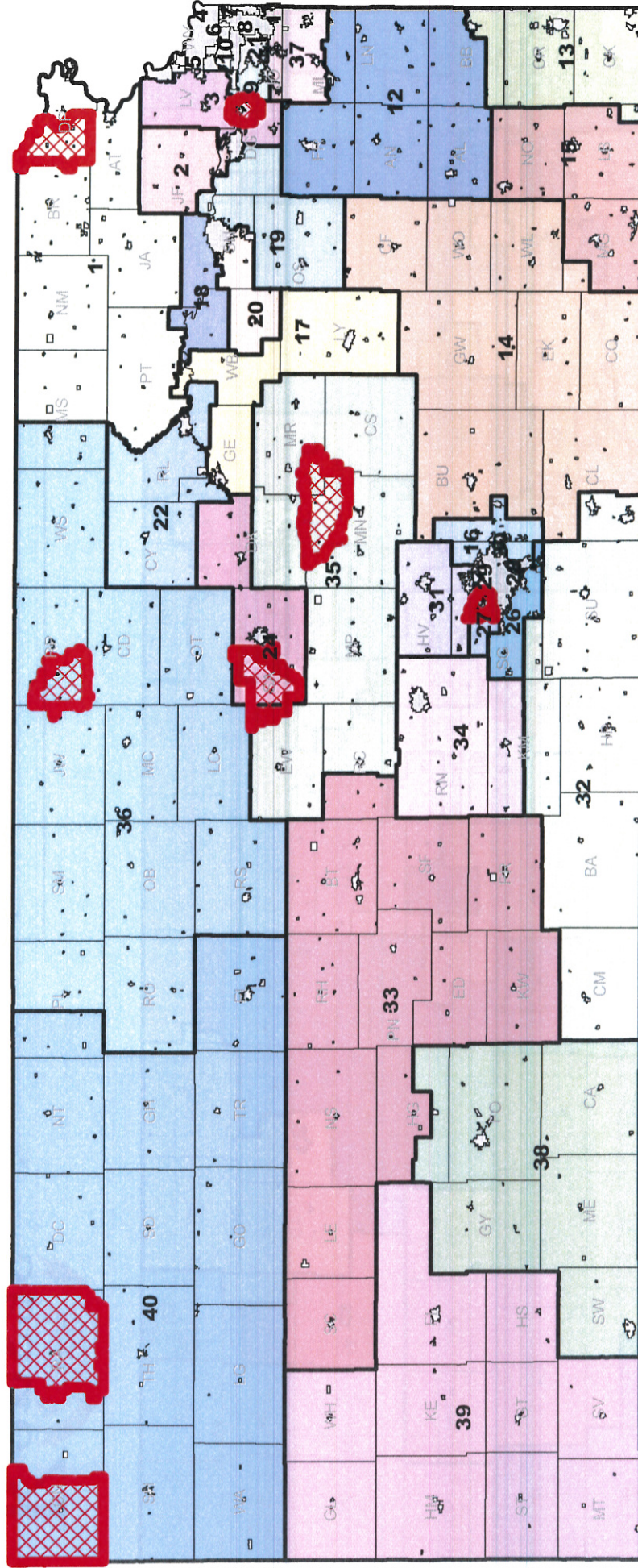
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- Legend**
- USDA Farmers' Markets
 - Cities
 - Kansas House Districts

*USDA Source; <http://www.ams.usda.gov/local-food-directories/farmersmarkets>

Kansas Department of Agriculture 2014 Farm to School Sub-Grants

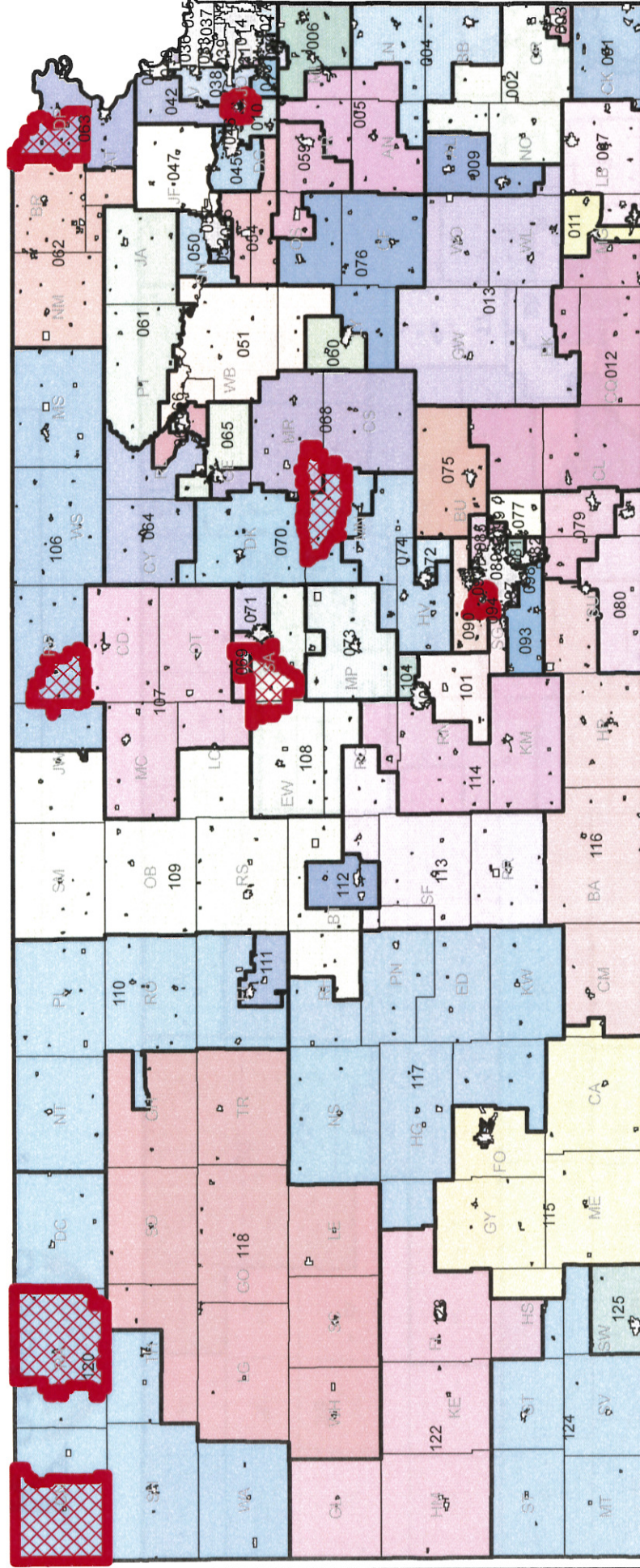


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-  School Districts
-  Cities
-  Kansas Senate Districts

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Kansas Department of Agriculture 2014 Farm to School Sub-Grants



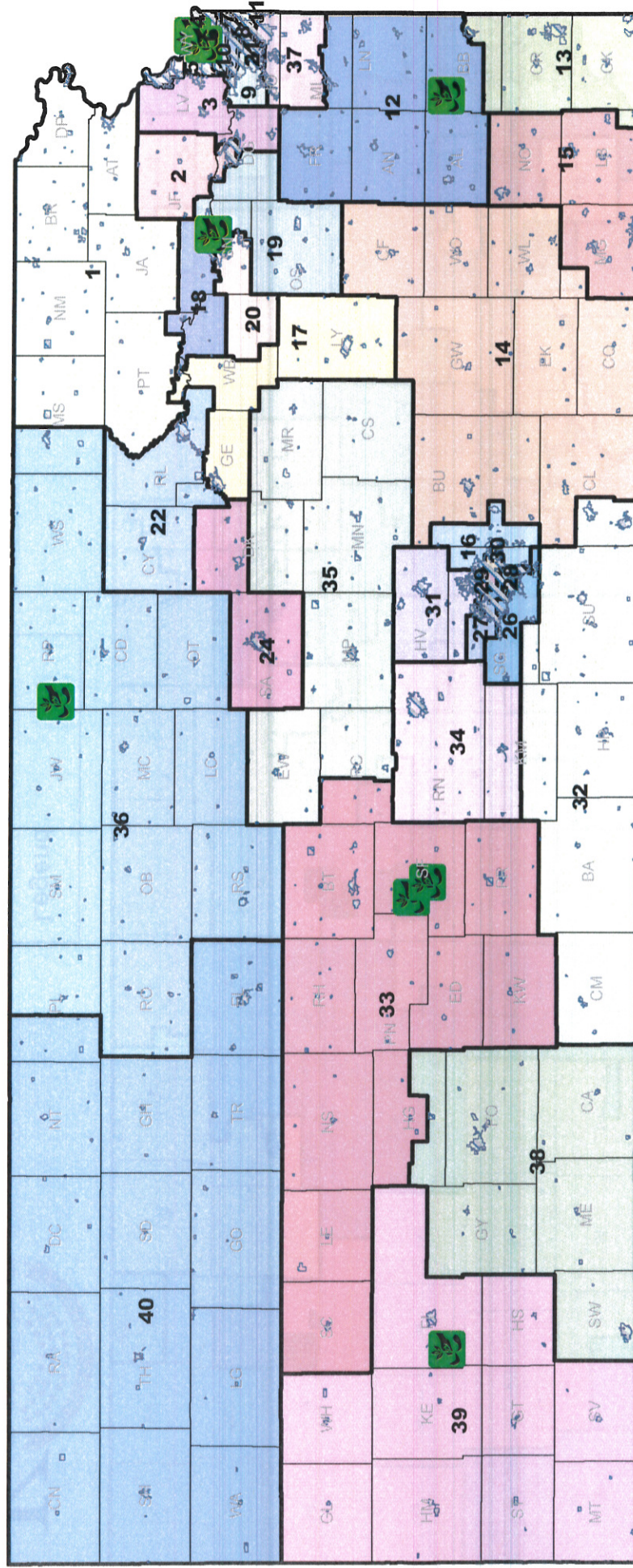
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-  School Districts
-  Cities
-  Kansas House Districts

USDA Good Agriculture Practices And USDA Good Handling Practices



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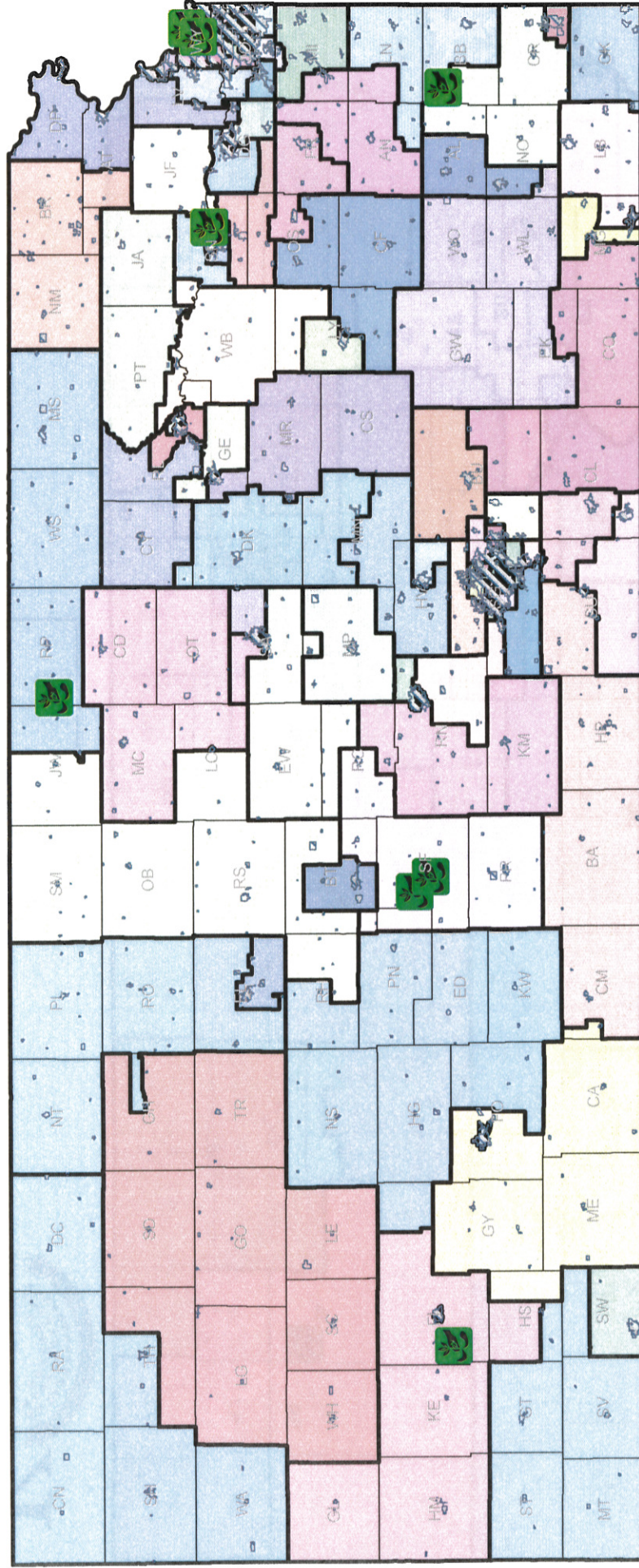
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  Cities
  Kansas Senate Districts



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*USDA Source: http://apps.ams.usda.gov/ReportServer05_69/Pages/ReportViewer.aspx?%2fGAP-GHP%2fG05+-+By+Location+++Auditees+that+Meet+Acceptance+Criteria&rs;Command=Render

USDA Good Handling Practices



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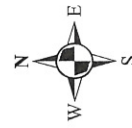
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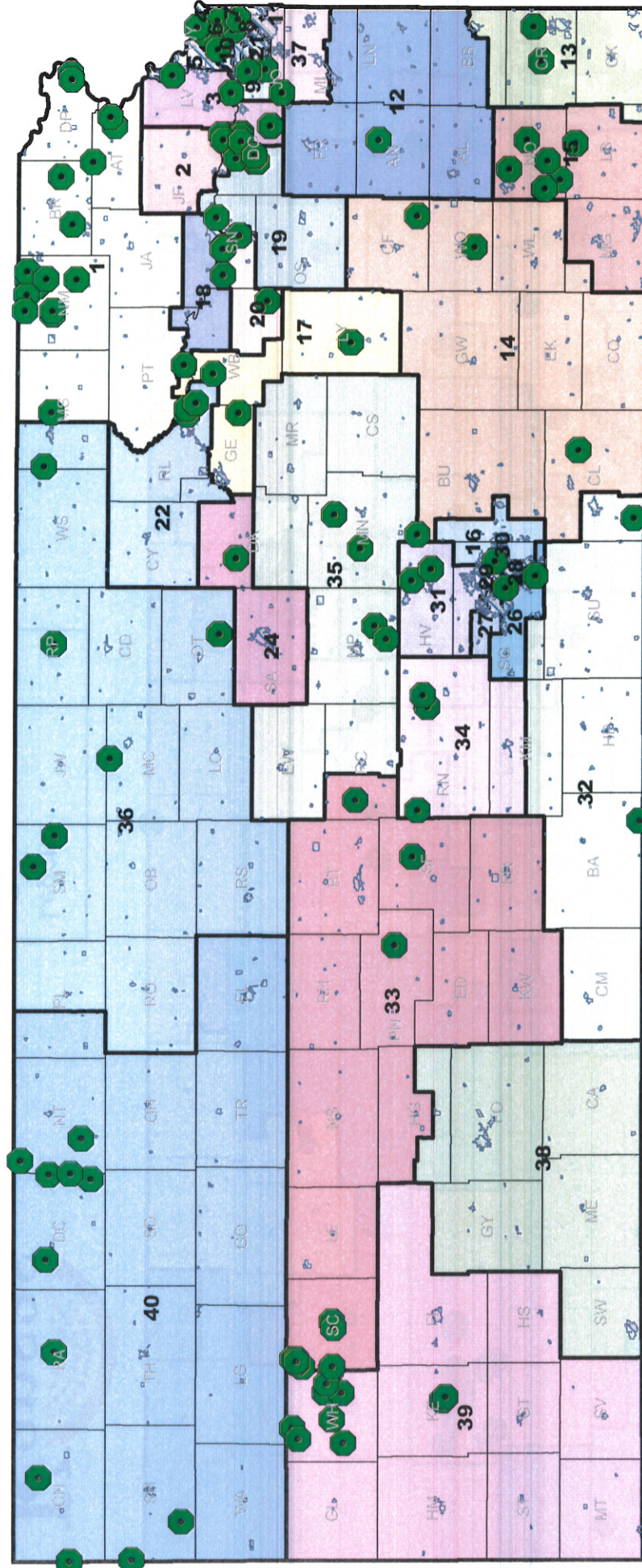
Kansas House Districts



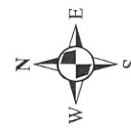
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USDA Certified Organic Farms and Businesses



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December 2015

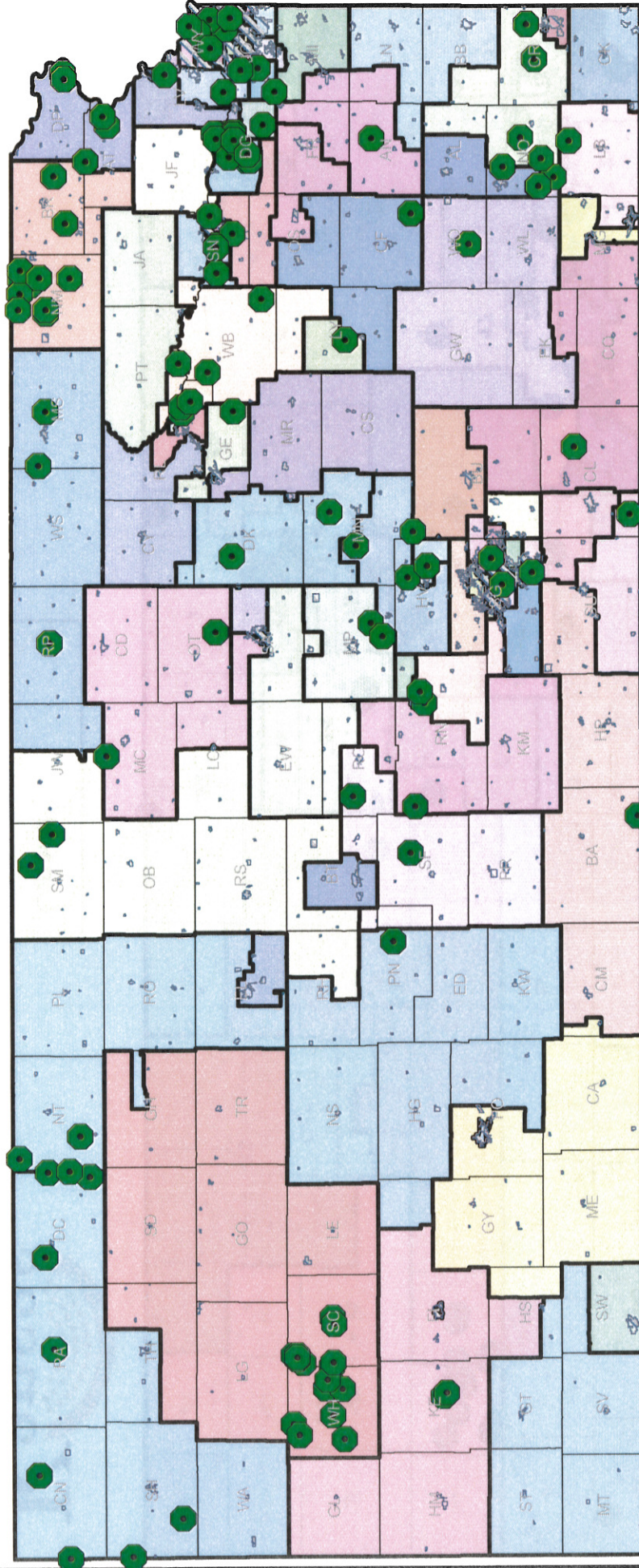


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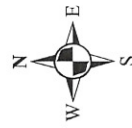
- USDA Certified Organic
- Cities
- Kansas Senate Districts

*USDA Source: <https://apps.ams.usda.gov/integrity/>

USDA Certified Organic Farms and Businesses



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December 2015



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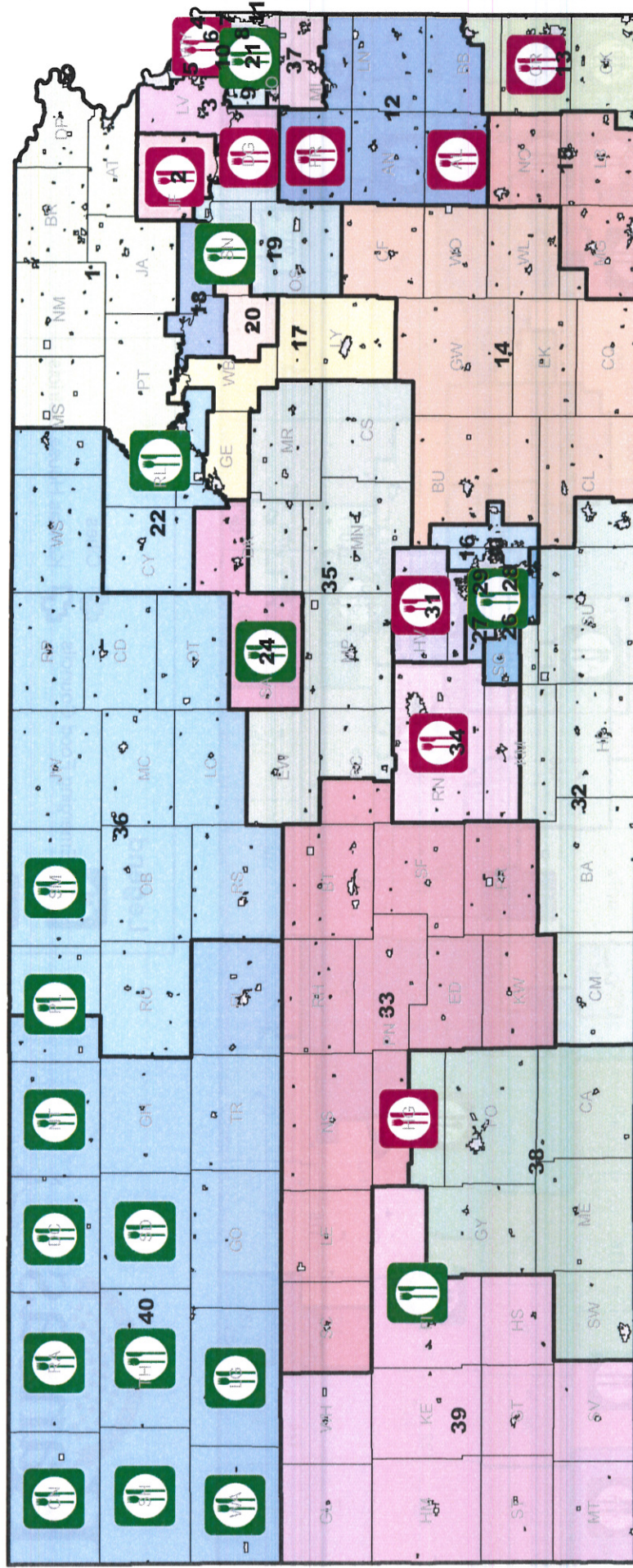
 USDA Certified Organic

 Cities

 Kansas House Districts

*USDA Source: <https://apps.ams.usda.gov/integrity/>

Kansas Farm and Food Councils



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Emerging Food Councils



Food Council

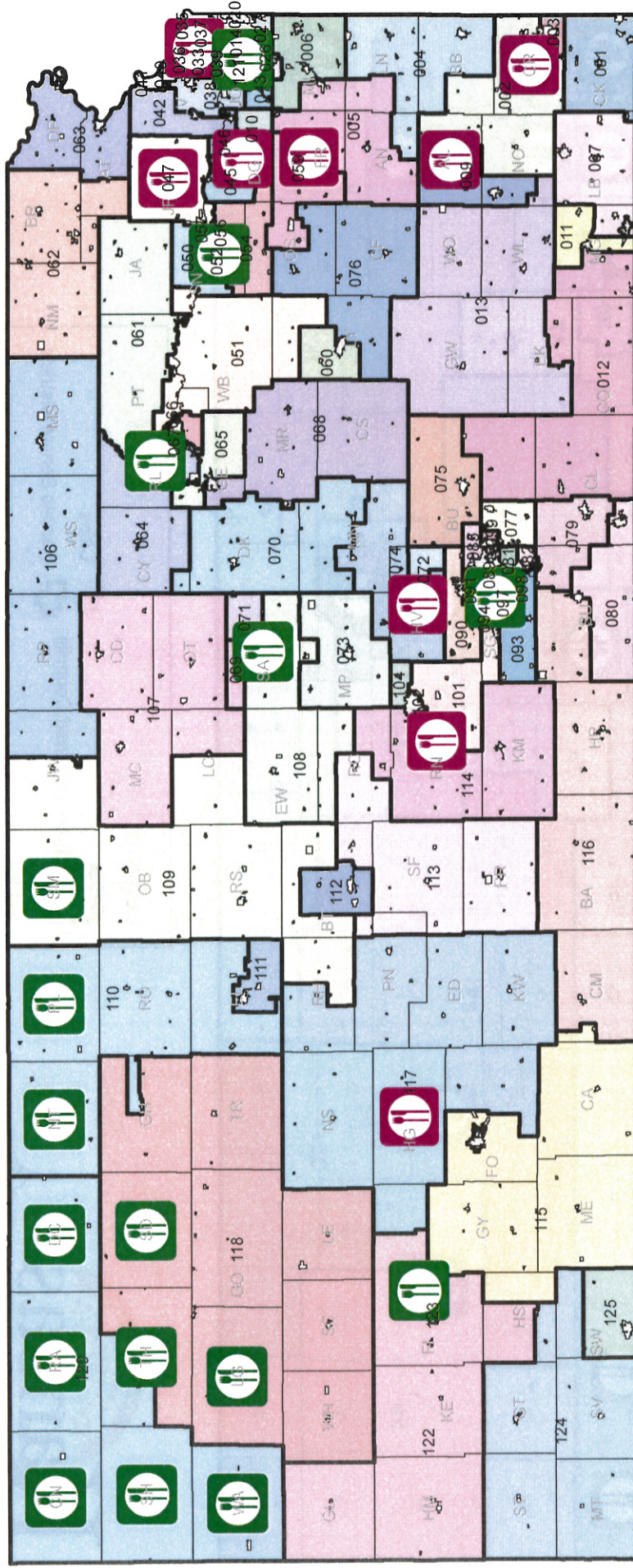


Cities



Kansas Senate Districts

Kansas Farm and Food Councils



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Emerging Food Councils



Cities



Kansas House Districts



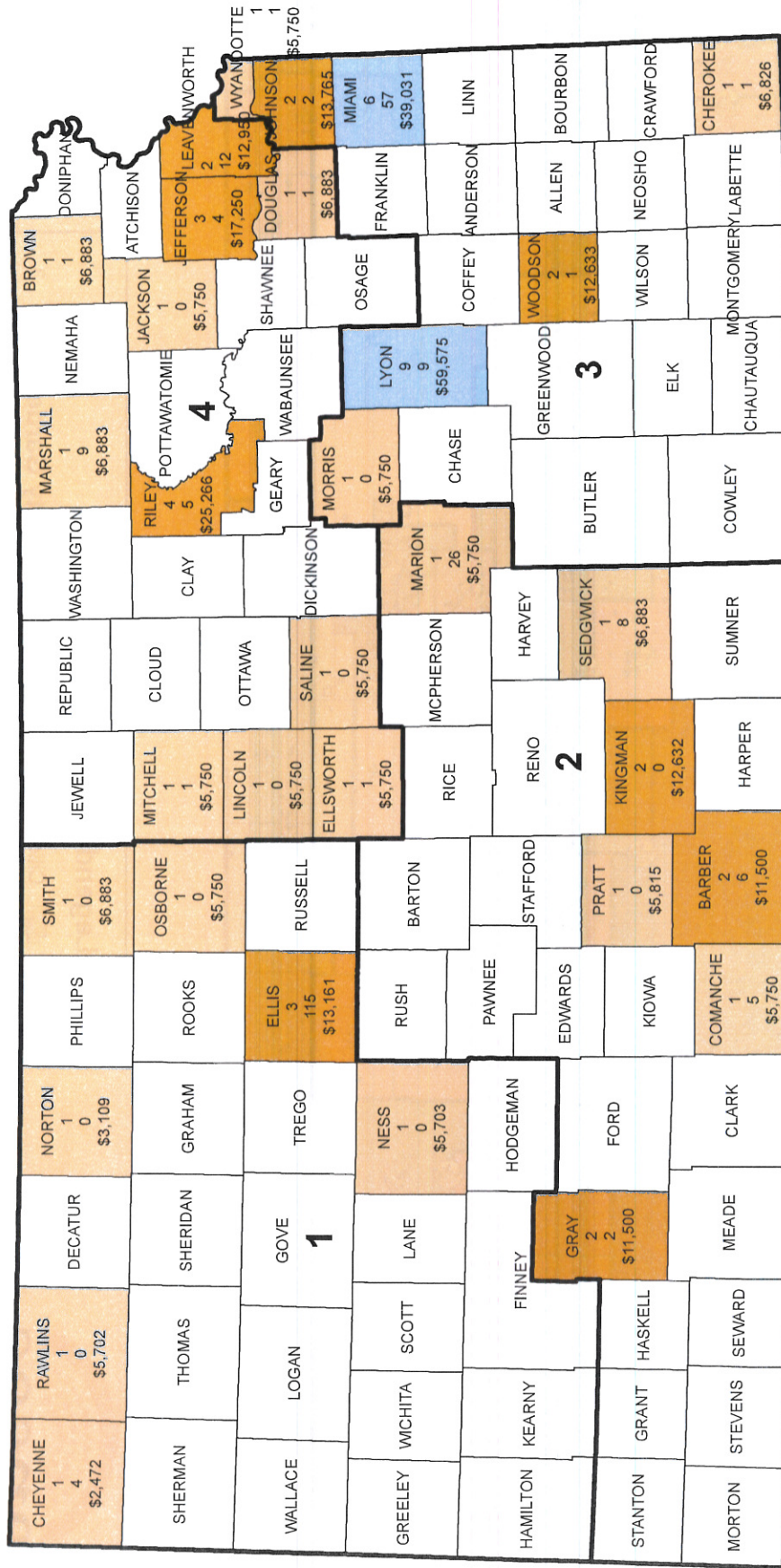
Food Council



Map produced by :
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December 2015

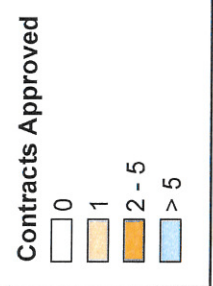
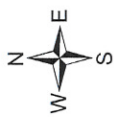
*Data provided by American Heart Association
11/30/15

Fiscal Year 2013--Kansas Environmental Quality Incentives Program (EQUIP) Seasonal High Tunnel Initiative Contracts Approved*

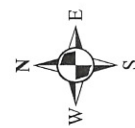
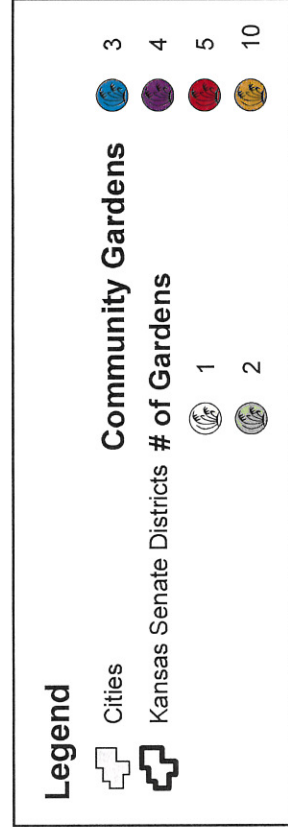
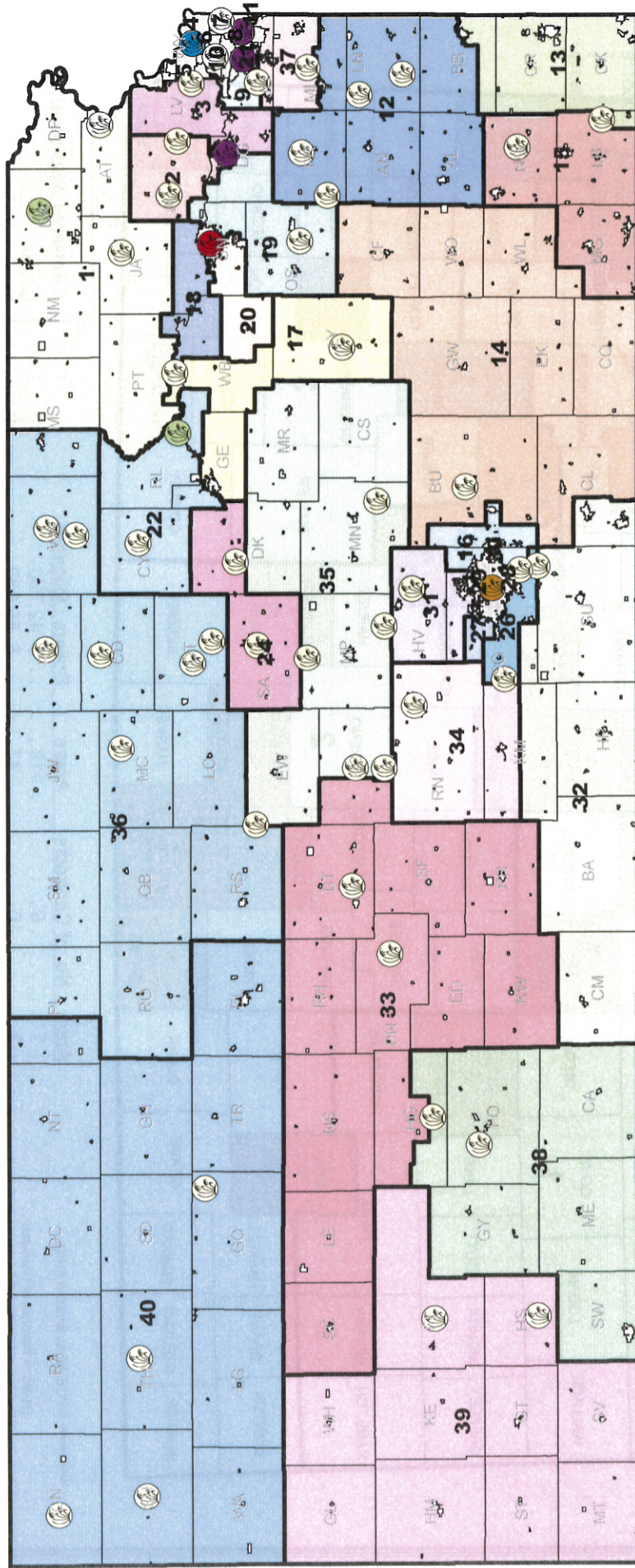


NRCS Administrative Areas
1st No. = Number of Contracts
2nd No. = Number of Acres
3rd No. = Number of Dollars
* Data includes active and completed contracts only

Area	No. of Contracts	Acres	Dollars Obligated
1	9	119	\$ 42,780
2	10	47	\$ 59,830
3	22	71	\$143,330
4	17	34	\$104,865
Total	58	271	\$350,805



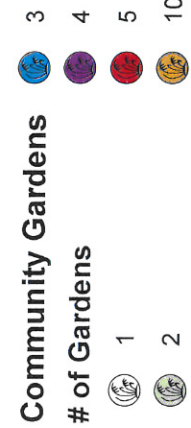
Kansas Community Gardens



Map produced by :
Kansas Department of AG,
IT - GIS Division
Linda Sibert
December 2015



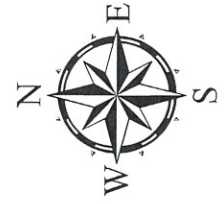
Legend





Less than 1,000 sq. feet
1,000 to 5,000 sq. feet
5,001 to 10,000 sq. feet
10,001 to 50,000 sq feet
Over 50,000 sq feet

☐ County Boundary

[illegible]

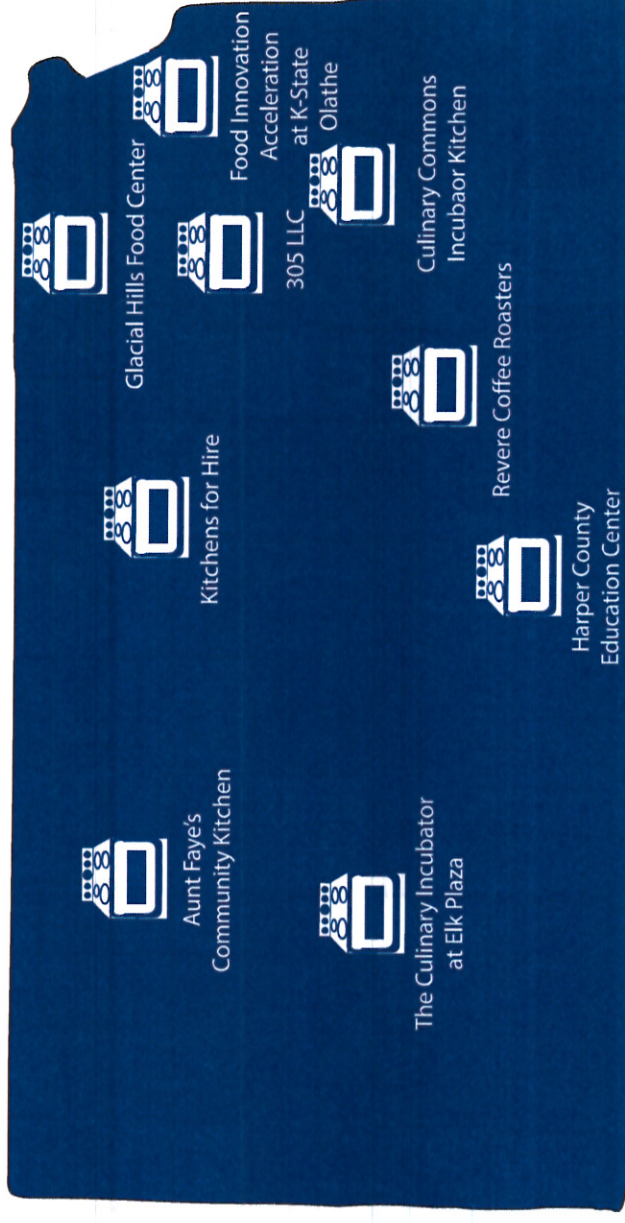


Legend

-  Meat, Poultry & Egg Production*
-  County Boundaries
-  City Limits
- Streets**
 -  Pir
 -  Pri
 -  Se

*Source: <http://www.fsis.usda.gov/wps/portal/ais/topics/inspection/mp-i-directory>

Available Kitchens and Resources



Incubator Kitchen locations across Kansas.

