

## 2018 Kansas Statutes

**21-5837. Adding dockage or foreign material to grain.** (a) Adding dockage or foreign material to grain is knowingly:

(1) Adding dockage or foreign material to any grain to be marketed; or  
(2) recombining any dockage or foreign material once removed from grain with any grain which is to be marketed.

(b) Adding dockage or foreign material to grain is a severity level 9, nonperson felony.

(c) Nothing in this section shall be construed to prohibit:

- (1) The treatment of grain to control insects, dust or fungi injurious to stored grain;
- (2) the blending of grain with similar grain of a different quality to adjust the quality of a resulting mixture;
- (3) the marketing of dockage or foreign materials removed from grain if such dockage or foreign material is marketed separately;
- (4) the recombination of broken corn or broken kernels as defined by the administrator of the federal grain inspection service under the federal grain quality improvement act of 1986 with grain of the type from which the broken corn or broken kernels were derived; or
- (5) other practices as may be authorized by the United States secretary of agriculture, as of July 1, 1987, under the federal grain quality improvement act of 1986.

(d) As used in this section:

(1) "Foreign material" means dirt, rock, sand, sticks or manure, or any combination of such material defined as foreign material by the United States secretary of agriculture, as of July 1, 1987, under the federal grain quality improvement act of 1986; and

(2) "dockage" means the same as provided by the United States secretary of agriculture, as of July 1, 1987, under the federal grain quality improvement act of 1986.

**History:** L. 2010, ch. 136, § 123; July 1, 2011.