

MINUTES

SPECIAL COMMITTEE ON AGRICULTURE

September 11, 2001
Room 526-S—Statehouse

Members Present

Senator Derek Schmidt, Chairman
Representative Dan Johnson, Vice Chairman
Senator Stan Clark
Senator Janis Lee
Senator Larry Salmans
Senator Mark Taddiken
Representative Don Dahl
Representative Bruce Larkin
Representative Dennis McKinney
Representative Sharon Schwartz

Members Absent

Representative John Faber
Representative Gary Hayzlett
Representative Dan Thimesch

Staff Present

Raney Gilliland, Kansas Legislative Research Department
Amy Kramer, Kansas Legislative Research Department
Jill Wolters, Revisor of Statutes Office

Conferees

George Teagarden, Animal Health Department
Greg Foley, Kansas Department of Agriculture

John Harsch, Kansas Department of Health and Environment
Leo Alderman, U. S. Environmental Protection Agency, Kansas City
Stephen Summerlin, Vice President of Live Production, Seaboard Farms
Mike Beam, Kansas Livestock Association
Dusty Turner, Supreme Cattle Feeders, LLC, Liberal
Mike Jensen, Kansas Pork Association, Manhattan
Kerri Ebert, Kansas Dairy Association, Wamego
Dr. Jerry Jaax, Kansas State University
Dr. Don Robertson, Kansas State University
Dr. Steve Dritz, Kansas State University
Dr. Curtis Kastner, Kansas State University

Morning Session

Chairman Schmidt opened the meeting by welcoming the first conferee on the topic of “Bio-Security Around Confined Animal Feeding Facilities.”

Representative Sharon Schwartz addressed the members of the Committee and provided background information and the reason for the request of the topic for the Special Committee ([Attachment 1](#)). Representative Schwartz explained that there had been dramatic changes in production methods and that she had requested a bill be introduced to address the situation. She stated that, in most cases, the inspectors visiting confined animal businesses were unaware of the risk of introducing foreign animal disease to the units.

Raney Gilliland, Kansas Legislative Research Department, briefed the Committee on the actions previously taken in respect to bio-security and related issues. Mr. Gilliland distributed copies of the bill referenced by Representative Schwartz and summaries of bills dealing with foot and mouth disease (FMD), commercial feeding stuffs law enforcement, and Plant Pest Emergency Response Fund ([Attachment 2](#)).

George Teagarden, Livestock Commissioner, Kansas Animal Health Department, spoke to the Committee ([Attachment 3](#)). Mr. Teagarden provided information as to his Department’s inspectors and their duties. He also provided information regarding the necessary actions contained in a bio-security plan. He stated that each operation will need a specific and individual plan based on its needs. Mr. Teagarden also addressed the problems with FMD in the United Kingdom. Mr. Teagarden responded to questions from the Committee.

Greg Foley, Assistant Secretary, Kansas Department of Agriculture (KDA), appeared before the Committee to provide information about the relationship between KDA programs and bio-security ([Attachment 4](#)). Mr. Foley provided background on the dairy inspection program, which was originated in 1927. He also explained the nutrient utilization program,

which is responsible for approving swine nutrient utilization plans for confined swine feeding facilities.

The Chairman welcomed John Harsch, Bureau of Water, Kansas Department of Health and Environment (KDHE). Mr. Harsch included with his testimony a draft copy of KDHE's Bio-Security Protocol (Attachment 5). After detailing the protocol, Mr. Harsch said that it would be finalized after consideration of any recommendations by the Committee. He stated that his agency had scheduled a statewide bio-security training session in Hutchinson and several livestock associations have been invited to attend this session. Mr. Harsch responded to questions from the Committee.

Leo J. Alderman, Director of Environmental Services Division, Region VII of the Environmental Protection Agency, addressed the Committee on his agency's activities in the area of bio-security at animal feeding operations (Attachment 6). Mr. Alderman also included a copy of the EPA's *Standard Operating Procedure* (SOP) regarding bio-security procedures for conducting national pollution discharge elimination system compliance evaluation inspections at animal feeding operations. He explained that the SOP is a draft working document and will be used until a national policy is in place. Highlights of the SOP include: determining areas with reportable diseases; establishing advanced notification; maintaining bio-security perimeters; wearing clean coveralls and disposable boot covers at each facility; and disinfecting or encapsulating all material brought on site. Mr. Alderman stated there has been coordination between the State of Kansas and the EPA. Mr. Alderman responded to questions from the Committee.

Stephen Summerlin, Vice President of Live Production at Seaboard Farms, spoke to the Committee on his company's bio-security program (Attachment 7). Mr. Summerlin outlined the different parts of the program which can be divided into: risk assessment, policy development and implementation, and monitoring. He stated that the program at Seaboard Farms is not a stand-alone policy, but integrates with internal production practices, external production systems, and international events. Mr. Summerlin responded to questions from the Committee.

Afternoon Session

Mike Beam, Kansas Livestock Association, addressed the Committee (Attachment 8). Mr. Beam stated the Association has encouraged its members to develop bio-security plans. He explained that his organization was not suggesting legislation, but looking to the Committee to assist in identifying needs for policy committees.

Dusty Turner, General Manager for Supreme Cattle Feeders in Liberal, spoke to the Committee (Attachment 9). He noted that Farmland Industries and Agri Beef Company are the owners of the facility he manages, with Agri Beef being the managing partner. Mr.

Turner included several documents from Agri Beef, including its policy statement, its Foot and Mouth Disease Quick Response Plan, and its Management Practices for Enhancing Bio-Security in Feedyards. He explained that it is necessary to monitor the flow of traffic in and out of the feed yard and therefore, there was a need to develop the Quick Response Plan. Mr. Turner responded to questions from the Committee.

Mike Jensen, President-CEO of the Kansas Pork Association, provided information on the Association's practices (Attachment 10). He also included a Pork Operation Bio-Security Protocol form provided by the Association. Mr. Jensen responded to questions from the Committee.

Kerri Ebert, Executive Secretary for the Kansas Dairy Association, offered comments on behalf of the Kansas dairy producers (Attachment 11). Ms. Ebert stressed the need for more education, not laws, to assist in the prevention of an outbreak of FMD. Ms. Ebert responded to questions from the Committee.

Dr. Jerry Jaax, Associate Vice Provost for Research Compliance and University Veterinarian for Kansas State University, presented information to the Committee on the country's vulnerability to biological assault, both intentional and unintentional (Attachment 12). He noted that regardless of the source or the intent, a serious agricultural disease outbreak has the potential to cripple state, regional, and national economies. He stated that in realistic terms of biology the world has changed. He indicated that the dual-use technology uses legitimate biological activity with two possible intentions. One, the bio-weaponeer, who is intent on conducting biological warfare, and the other, the business and research use which promotes positive outputs. Dr. Jaax stated that there were biological test chambers at Fort Detrick, Maryland. He also shared that, according to the congressionally mandated panel—The Gilmore Commission—“(a) concerted biological attack against an agricultural target offers terrorists a virtually risk-free form of assault, which has a high probability of success.” He pondered why would they do this? He stated it is lower tech, lower profile for detection; there is more personal safety for the terrorists; it is easier and safer to deliver; there is a lower retaliatory risk; and there is a reduced moral and ethical burden. Dr. Jaax stated that should FMD hit Kansas, it would be devastating. Dr. Jaax outlined ways to counter these new and ominous threats by improving and refining our traditional countermeasures. Specifically, he outlined intelligence, vaccines, surveillance, detection, rapid diagnostic capabilities, incident response, consequence management, education and training, virtually all of which depend upon facilities and personnel. Dr. Jaax explained that a coordinated partnership between the government, the industry, and academia is essential in developing these capabilities. He stated he believed it was important that Kansas have a judicious and focused investment in critically needed research facilities in the state's infrastructure because our future and prosperity as a state depend upon it. Dr. Jaax responded to questions from the Committee.

Dr. Don Robertson, Kansas State University's School of Veterinary Medicine, addressed the Committee (Attachment 13). Dr. Robertson outlined the transmission routes of infectious agents and the importance of bio-security in beef cattle operations. Dr.

Robertson also addressed the roles of Kansas State University's College of Veterinary Medicine in the control of infectious diseases. Dr. Robertson responded to questions from the Committee.

Dr. Steve Dritz, Kansas State University School of Veterinary Medicine, spoke to the Committee about the University's segregated early weaning barn policy (Attachment 14). Specifically, Dr. Dritz addressed the swine bio-security measures at the University's research facilities.

Dr. Robertson returned again to address the Committee regarding the need of a bio-security level 3 research facility at the University (refer to Attachment 13). Dr. Robertson responded to additional questions from the Committee.

Dr. Curtis Kastner, Kansas State University's Animal Sciences and Industry, provided information to the Committee on the University's slaughter and processing validation facility (Attachment 15). Dr. Kastner responded to questions from the Committee.

Staff distributed a proposed draft letter addressed to U.S. Department of Agriculture Secretary Ann Veneman (Attachment 16). The Committee discussed the letter and recommended changes. By consensus, the Committee recommend the draft letter, with changes, be forwarded to the Legislative Coordinating Council and copies distributed to Committee members and the Kansas Congressional Delegation.

Chairman Schmidt addressed the need for conferees for the October 9 meeting in Pittsburg. The meeting in Pittsburg will begin at 10:00 a.m. and will conclude at 8:00 p.m.

The meeting adjourned.

Prepared by Jo Cook
Edited by Raney Gilliland

Approved by Committee on:

October 9, 2001