

SENATE BILL No. 302

By Committee on Agriculture

1-19

1 AN ACT concerning agriculture; relating to the Kansas meat and poultry
2 inspection act; amending K.S.A. 65-6a34 and 65-6a41 and K.S.A. 2011
3 Supp. 65-6a18, 65-6a20 and 65-6a31 and repealing the existing
4 sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 ~~New Section. 1.— (a) In accordance with the provisions of K.S.A. 77-~~
8 ~~536, and amendments thereto, the secretary may temporarily suspend the~~
9 ~~registration of or close an establishment registered or required to be~~
10 ~~registered pursuant to K.S.A. 65-6a34, and amendments thereto, without~~
11 ~~notice or hearing if the secretary finds that the public health or safety is~~
12 ~~endangered by the continued operation of the establishment and that the~~
13 ~~establishment:~~

14 ~~(1) Produced and shipped adulterated or misbranded product as~~
15 ~~defined in the meat and poultry inspection act;~~

16 ~~(2) violated the terms of a regulatory control action;~~

17 ~~(3) did not slaughter or handle livestock, domestic rabbits or poultry~~
18 ~~humanely; or~~

19 ~~(4) interfered with the ability of the secretary to conduct inspections.~~

20 ~~(b) In no case shall a temporary suspension of a registration or~~
21 ~~closure under this section be in effect for a period of time in excess of 90~~
22 ~~days. At the end of such period of time, the registrant shall be reinstated to~~
23 ~~full registration or the establishment allowed to reopen unless the secretary~~
24 ~~has suspended or revoked the registration after notice and opportunity for~~
25 ~~hearing in accordance with the provisions of the Kansas administrative~~
26 ~~procedure act, the registration has expired as otherwise provided under the~~
27 ~~meat and poultry inspection act or an injunction or order has issued~~
28 ~~preventing the establishment from reopening.~~

29 ~~(c) This section shall be a part of and supplemental to the meat and~~
30 ~~poultry inspection act.~~

31 ~~New Sec. 2~~ **Section 1.** (a) The secretary may make provision for
32 voluntary inspection for ~~nonamenable species~~ **animals other than**
33 **livestock, poultry or rabbits which can or may be used in and for the**
34 **preparation of meat or meat products, poultry or poultry products** and
35 establish such fees to cover the cost of providing such voluntary inspection
36 services. The secretary shall consider adequate and efficient staffing and

1 expertise prior to providing voluntary inspection services.

2 (b) A person requesting voluntary inspection services shall submit a
3 request for inspection services on a form provided by the secretary.

4 (c) The secretary may refuse to provide voluntary inspection services
5 due to staffing, inspector expertise or any other good cause shown. Priority
6 in scheduling inspection services shall be given for inspection services
7 mandated by the meat and poultry inspection act.

8 (d) The secretary may prescribe rules and regulations for the
9 implementation of this section.

10 (e) This section shall be a part of and supplemental to the meat and
11 poultry inspection act.

12 ~~New Sec. 3.~~ 2. (a) No operation requiring inspection under article 6a
13 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,
14 may be conducted unless it is conducted under the supervision of a
15 representative of the secretary. All slaughtering of animals shall be done:

16 (1) Under the direct supervision of a representative of the secretary;
17 and

18 (2) with reasonable speed, considering the official establishment's
19 facilities.

20 The secretary may implement inspection procedures for processing
21 operations that are different from the inspection procedures for slaughter
22 operations. Processing procedures may include procedures that allow for
23 varied frequency of inspection depending on the processing operations
24 conducted.

25 (b) Each official establishment ***applying the mark of inspection*** shall
26 submit a work schedule to the secretary for approval upon the occurrence
27 of any of the following:

28 (1) Prior to the inauguration of the inspection.

29 (2) When a change in work schedule is requested, ***except for minor***
30 ***deviations from a daily operating schedule approved by the area***
31 ***supervisor.***

32 (3) Upon request by a representative of the secretary.

33 Work schedules shall specify for all departments the daily clock hours
34 of inspected and custom exempt operations and shall specify lunch
35 periods.

36 (c) The secretary shall take into account the efficient and effective use
37 of inspection personnel when approving work schedules. The secretary
38 shall consult with the establishments involved when designating work
39 schedules.

40 (d) Establishments shall maintain consistent work schedules. The
41 secretary may prescribe by rules and regulations the process by which an
42 establishment may request a change in its work schedule.

43 (e) This section shall be a part of and supplemental to the meat and

1 poultry inspection act.

2 Sec. ~~4~~ 3. K.S.A. 2011 Supp. 65-6a18 is hereby amended to read as
3 follows: 65-6a18. As used in this act:

4 (a) "Secretary" means the secretary of agriculture ~~or the secretary's~~
5 ~~authorized representative.~~

6 (b) "Person" means any individual, partnership, firm, corporation,
7 association or other business unit or governmental entity.

8 (c) ~~"Meat broker"~~ "Broker" means any person, firm or corporation
9 engaged in the business of buying or selling carcasses, parts of carcasses,
10 meat or meat food products of livestock on commission, or otherwise
11 negotiating purchases or sales of such articles other than for the person's
12 own account or as an employee of another person.

13 ~~(d) "Poultry products broker" means any person engaged in the~~
14 ~~business of buying or selling poultry products on commission, or~~
15 ~~otherwise negotiating purchases or sales of such articles other than for the~~
16 ~~person's own account or as an employee of another person.~~

17 (d) "Public warehouseman" means any person engaged in the
18 business of storing for commerce any meat, meat products, poultry or
19 poultry products without assuming ownership of the product in storage.

20 (e) "Animal food manufacturer" means any person engaged in the
21 business of manufacturing or processing animal food derived wholly or in
22 part from carcasses, or parts or products of the carcasses, of livestock,
23 domestic rabbits or poultry.

24 (f) "Intrastate commerce" means commerce within the state of
25 Kansas.

26 (g) "Meat food product" means any product capable of use as human
27 food which is made wholly or in part from any meat or other portions of
28 the carcasses of any livestock or domestic rabbits, excepting products
29 which contain meat or other portions of such carcasses only in a relatively
30 small proportion or historically have not been considered by consumers as
31 products of the meat food industry and which are exempted from
32 definition as a meat food product by the secretary under such conditions as
33 the secretary may prescribe to assure that the meat or other portions of
34 such carcasses contained in such product are not adulterated and that such
35 products are not represented as meat food products.

36 (h) "Poultry" means any domesticated bird, whether live or dead.

37 (i) "Poultry product" means any poultry carcass, or part thereof or any
38 product which is made wholly or in part from any poultry carcass or part
39 thereof, excepting products which contain poultry ingredients only in a
40 relatively small proportion or historically have not been considered by
41 consumers as products of the poultry food industry and which are
42 exempted by the secretary from definition as a poultry product under such
43 conditions as the secretary may prescribe to assure that the poultry

1 ingredients in such products are not adulterated and that such products are
2 not represented as poultry products.

3 (j) "Capable of use as human food" means any carcass, or part or
4 product of a carcass, of any animal unless it is denatured or otherwise
5 identified as required by regulations adopted by the ~~state board of~~
6 ~~agriculture~~ secretary to deter its use as human food or it is naturally
7 inedible by humans.

8 (k) "Prepared" means ~~slaughtered, canned, salted, rendered, boned,~~
9 ~~cut up or otherwise manufactured~~ or processed.

10 (l) "Adulterated" means any carcass, or part thereof, any meat or meat
11 food product, or any poultry or poultry product under one or more of the
12 following circumstances:

13 (1) If the product bears or contains any poisonous or deleterious
14 substance which may render it injurious to health, except that if the
15 substance is not an added substance, the product shall not be considered
16 adulterated if the quantity of such substance on or in the product does not
17 render it injurious to health;

18 (2) (A) if the product bears or contains, by reason of administration
19 by feeding or by injection of any substance to the live animal or otherwise,
20 any added poisonous or added deleterious substance, other than one which
21 is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a
22 food additive; or (iii) a color additive, which, in the judgment of the
23 secretary, may make the product unfit for human food;

24 (B) if the product is, in whole or in part, a raw agricultural
25 commodity and bears or contains a pesticide chemical which is unsafe
26 within the meaning of rules and regulations adopted by the secretary ~~of~~
27 ~~agriculture~~;

28 (C) if the product bears or contains any food additive which is
29 deemed unsafe in accordance with rules and regulations adopted by the
30 secretary ~~of agriculture~~;

31 (D) if the product bears or contains any color additive which is
32 deemed unsafe in accordance with rules and regulations adopted by the
33 secretary ~~of agriculture~~; or

34 (E) any such product which is not adulterated under ~~provisions (B),~~
35 ~~(C) or (D)~~ subsection (l)(2)(B), (l)(2)(C) or (l)(2)(D) shall nevertheless be
36 deemed adulterated if the use of the pesticide chemical, the food additive
37 or the color additive on or in such product is prohibited by rules and
38 regulations of the secretary ~~of agriculture~~ in establishments at which
39 inspection is maintained under this act;

40 (3) if the product consists, in whole or in part, of any filthy, putrid or
41 decomposed substance or is for any other reason unsound, unhealthful,
42 unwholesome or otherwise unfit for human food;

43 (4) if the product has been prepared, packed or held under insanitary

1 conditions whereby it may have become contaminated with filth or
2 whereby it may have been rendered injurious to health;

3 (5) if the product is, in whole or in part, the product of an animal
4 which has died otherwise than by slaughter;

5 (6) if the container for the product is composed, in whole or in part,
6 of any poisonous or deleterious substance which may render the contents
7 injurious to health;

8 (7) if the product has been intentionally subjected to radiation, unless
9 the use of the radiation was in conformity with a regulation or exemption
10 in effect pursuant to rules and regulations adopted by the secretary of
11 agriculture;

12 (8) (A) if any valuable constituent on or in the product has been, in
13 whole or in part, omitted or abstracted therefrom;

14 (B) if any substance has been extracted and substitution made
15 therefor, in whole or in part, or if any damage to, or inferiority of, the
16 product has been concealed in any manner; or

17 (C) if any substance has been added to such product, or if any
18 substance has been mixed or packed therewith, so as (i) to increase the
19 bulk or weight of the product (ii) to reduce the quality or strength of the
20 product or (iii) to make the product appear better or of greater value than it
21 is, except that this provision does not apply to any cured or smoked pork
22 product by reason of its containing added water; or

23 (9) if the product is a margarine containing animal fat and if any of
24 the raw material used therein consisted, in whole or in part, of any filthy,
25 putrid or decomposed substance.

26 (m) "Misbranded" means any carcass, part thereof, meat or meat food
27 product, or poultry or poultry product, under any one or more of the
28 following circumstances:

29 (1) If the labeling on the product or product container is false or
30 misleading in any particular;

31 (2) if the product is offered for sale under the name of another food;

32 (3) if the product is an imitation of another food, unless its label
33 bears, in type of uniform size and prominence, the word "imitation" and
34 immediately thereafter, the name of the food imitated;

35 (4) if the container on the product is so made, formed or filled as to
36 be misleading;

37 (5) if the product is in a package or other container, unless it bears a
38 label showing (A) the name and place of business of the manufacturer,
39 packer or distributor and (B) an accurate statement of the quantity of the
40 contents in terms of weight, measure or numerical count; under ~~clause (A)~~
41 ~~of this provision~~ subsection (m)(5)(A), reasonable variations may be
42 permitted and exemptions as to small packages may be established by
43 rules and regulations adopted by the secretary of agriculture;

1 (6) if any word, statement or other information, which is required by
2 or under authority of this act to appear on the label or other labeling for the
3 product, is not prominently placed thereon with such conspicuousness (as
4 compared with other words, statements, designs or devices in the labeling)
5 and in such terms as to render it likely to be read and understood by the
6 ordinary individual under customary conditions of purchase and use;

7 (7) if the product purports to be, or is represented to be, a food for
8 which a definition and standard of identity or composition has been
9 prescribed by rules and regulations of the secretary of agriculture, unless
10 (A) it conforms to such definition and standard and (B) the label thereon
11 bears the name of the food specified in the definition and standard, and
12 insofar as may be required by such rules and regulations, the common
13 names of optional ingredients (other than spices, flavoring and coloring)
14 present in such food;

15 (8) if the product purports to be, or is represented to be, a food for
16 which a standard of fill of container has been prescribed by rules and
17 regulations of the secretary of agriculture and if such product falls below
18 the standard of fill of container applicable thereto, unless its label bears, in
19 such manner and form as such rules and regulations specify, a statement
20 that it falls below such standard;

21 (9) if the product is not subject to ~~provision (7) subsection (m)(7)~~,
22 unless its label bears (A) the common or usual name of the food, if there is
23 any, and (B) in case it is fabricated from two or more ingredients, the
24 common or usual name of each such ingredient, except that spices,
25 flavorings and colorings, when authorized by the secretary, may be
26 designated as spices, flavorings and colorings without naming each; to the
27 extent that compliance with the requirements of clause (B) of this
28 provision is impracticable or results in deception or unfair competition,
29 exemptions shall be established by rules and regulations adopted by the
30 secretary of agriculture;

31 (10) if the product purports to be, or is represented to be, for special
32 dietary uses, unless its label bears such information concerning its vitamin,
33 mineral and other dietary properties as the secretary, after consultation
34 with the secretary of agriculture of the United States, determines to be, and
35 by rules and regulations adopted by the secretary of agriculture are
36 prescribed to be, necessary in order to fully inform a purchaser as to its
37 value for such uses;

38 (11) if the product bears or contains any artificial flavoring, artificial
39 coloring or chemical preservative, unless it bears labeling stating that fact;
40 to the extent that compliance with the requirements of this provision is
41 impracticable, exemptions shall be established by rules and regulations
42 adopted by the secretary of agriculture; or

43 (12) if the product fails to bear directly thereon, or on the product

1 container, as the secretary of ~~agriculture~~ may prescribe by rules and
2 regulations, the inspection legend unrestricted by any of the foregoing and
3 such other information as the secretary of ~~agriculture~~ may require in such
4 rules and regulations to assure that the product will not have any false or
5 misleading labeling and that the public will be informed of the manner of
6 handling required to maintain the product in a wholesome condition.

7 (n) "Label" means a display of written, printed or graphic matter upon
8 the immediate container (not including package liners) of any article.

9 (o) "Labeling" means all labels and other written, printed or graphic
10 matter (1) upon any article or any of its containers or wrappers or (2)
11 accompanying the article.

12 (p) "Federal meat inspection act" means the act so entitled, approved
13 March 4, 1907, (21 U.S.C.A. 601 et seq., 34 Stat. 1260) as amended by the
14 federal wholesome meat act (8 Stat. 584).

15 (q) "Federal food, drug and cosmetic act" means the act so entitled,
16 approved June 25, 1938, (21 U.S.C.A. 301 et seq., 52 Stat. 1040) and acts
17 amendatory thereof or supplementary thereto.

18 (r) "Federal poultry products inspection act" means the act so entitled,
19 approved August 28, 1957, (21 U.S.C.A. 451 et seq., 71 Stat. 441) as
20 amended by the federal wholesome poultry products act (82 Stat. 791).

21 (s) "Pesticide chemical," "food additive," "color additive" and "raw
22 agricultural commodity" have the meanings for purposes of this act as
23 ascribed thereto under K.S.A. 65-656, and amendments thereto.

24 (t) "Official mark" means the official inspection legend or any other
25 symbol prescribed by rules and regulations of the ~~state board of agriculture~~
26 *secretary* to identify the status of any article or animal under this act.

27 (u) "Official inspection legend" means any symbol prescribed by
28 rules and regulations of the secretary of ~~agriculture~~ showing that an article
29 was inspected and passed in accordance with this act.

30 (v) "Official certificate" means any certificate prescribed by rules and
31 regulations of the secretary of ~~agriculture~~ for issuance by an inspector or
32 other person performing official functions under this act.

33 (w) "Official device" means any device prescribed or authorized by
34 the secretary of ~~agriculture~~ for use in applying any official mark.

35 (x) ~~"Slaughterhouse"~~ *"Slaughter facility"* means any ~~plant facility or~~
36 *section thereof* which carries on the slaughter and dressing of animals ~~but~~
37 ~~which does not engage in the further processing of meat into meat food~~
38 ~~products.~~

39 ~~"Packing plant" or "packing house"~~ *"Processing facility"* means
40 any ~~installation processing facility or section thereof that packs, cans,~~
41 *salts, renders, bones, cuts up or otherwise manufactures* meat or poultry
42 into meat food products or *poultry products.*

43 (z) "Buffalo" means the American buffalo or bison (Bos, Bison bison

1 or *Bison americanus*).

2 (aa) "Livestock" means cattle, buffaloes, sheep, swine, goats,
3 domesticated deer, all creatures of the ratite family that are not indigenous
4 to this state, including but not limited to ostriches, emus and rheas or
5 horses, mules or other equines. Livestock shall not include buffalo or
6 domesticated deer slaughtered for sport or recreational purpose.

7 ~~(bb) "Slaughter facility" means a slaughterhouse or poultry dressing~~
8 ~~plant.~~

9 ~~(cc) "Processing facility" means a packing house, sausage plant or~~
10 ~~poultry packing plant.~~

11 ~~(bb) "Wholesaler" means any person engaged in the distribution of~~
12 ~~inspected and passed meat, meat products, poultry or poultry products.~~
13 ~~Wholesalers may not further process or repackage product.~~

14 ~~(cc) "Humane slaughter act" means K.S.A. 47-1401 et seq., and~~
15 ~~amendments thereto, and rules and regulations adopted thereunder.~~

16 (dd) "Domesticated deer" means any member of the family cervidae
17 which was legally obtained and is being sold or raised in a confined area
18 for breeding stock; for any carcass, skin or part of such animal; for
19 exhibition; or for companionship.

20 ~~(ee) "Federal humane methods of livestock slaughter act" means the~~
21 ~~act so entitled, (7 U.S.C. §§ 1901 through 1906) and acts amendatory~~
22 ~~thereof or supplemental thereto.~~

23 Sec. 5. 4. K.S.A. 2011 Supp. 65-6a20 is hereby amended to read as
24 follows: 65-6a20. (a) For the purpose of preventing the use in intrastate
25 commerce of meat and meat food products and poultry and poultry
26 products which are adulterated, the secretary shall make an examination
27 and inspection, by inspectors appointed for such purpose, of all livestock,
28 domestic rabbits and poultry before such livestock, domestic rabbits and
29 poultry are allowed to enter into any slaughtering, ~~packing, canning~~
30 ~~processing~~ or similar establishment in this state in which slaughtering and
31 preparation of meat or meat food products or poultry and poultry products
32 of such animals are conducted for intrastate commerce. All livestock,
33 domestic rabbits and poultry found on such inspection to show symptoms
34 of disease shall be set apart and slaughtered separately from all other
35 livestock, domestic rabbits and poultry. When slaughtered as provided in
36 this section, the carcasses of such livestock, domestic rabbits or poultry
37 shall be subject to a careful examination and inspection as provided by the
38 rules and regulations adopted by the secretary of agriculture.

39 (b) *For the purpose of preventing the inhumane slaughtering or*
40 *inhumane handling in connection with slaughter of livestock, domestic*
41 *rabbits or poultry, the secretary shall cause to be made, by inspectors*
42 *appointed for that purpose, an examination and inspection of the method*
43 *by which livestock, domestic rabbits or poultry are slaughtered and*

1 *handled in connection with slaughter in establishments registered or*
2 *required to be registered under this act.*

3 *(c) The secretary may prescribe rules and regulations for the*
4 *implementation of this section.*

5 ~~Sec. 6.~~ 5. K.S.A. 2011 Supp. 65-6a31 is hereby amended to read as
6 follows: 65-6a31. (a) The provisions of this act shall not apply:

7 (1) To the slaughtering by any person of animals of such person's
8 own raising or to the preparing by the slaughterer or to the transporting in
9 intrastate commerce of the carcasses, parts thereof, meat food products or
10 poultry products of such animals exclusively for use or consumption by
11 such person, members of such person's household, former members of
12 such household or such person's nonpaying guests and employees;

13 (2) to any person operating a retail store or similar retail type business
14 who prepares only inspected and passed carcasses, parts thereof, meat food
15 products or poultry products for sale to consumers at retail in normal retail
16 quantities; or prepares inspected carcasses, parts thereof, meat food
17 products or poultry products, owned by the consumer and prepared for
18 such consumer's consumption or the consumption of such consumer's
19 household members, nonpaying guests and employees; or

20 (3) to any person operating a restaurant who prepares only inspected
21 and passed carcasses, parts thereof, meat food products or poultry products
22 for human consumption.

23 (b) (1) Only those provisions of this act relating to registration,
24 *humane slaughter and humane handling in connection with slaughter,*
25 sanitation and adulteration shall apply:

26 (A) To a person *custom* slaughtering livestock, domestic rabbits or
27 poultry delivered by the owner thereof for such slaughter, including the
28 *custom* preparation by such slaughterer and the transportation in intrastate
29 commerce of the carcasses, parts thereof, meat food products or poultry
30 products of such animals exclusively for use or consumption by the owner,
31 the members of the owner's household or the owner's nonpaying guests
32 and employees; or

33 (B) to the custom preparation by any person, firm or corporation of
34 carcasses, parts thereof, meat or meat food products, derived from the
35 slaughter by any person of livestock of such person's own raising, or from
36 game animals which are delivered by the owner thereof for such custom
37 preparation and transportation in intrastate commerce of such custom
38 prepared articles, exclusively for use in the household of the owner by the
39 owner and the members of the owner's household and the owner's
40 nonpaying guests and employees.

41 (2) In cases where such person, firm or corporation engages in such
42 custom operations at an establishment at which inspection under the
43 Kansas meat and poultry inspection act is maintained, the secretary may

1 exempt from such inspection at such establishment any animals
2 slaughtered or any meat or meat food products otherwise prepared on such
3 custom basis, except that custom operations at any establishment shall be
4 exempt from inspection requirements as provided by this section only if
5 the establishment complies with rules and regulations adopted by the
6 secretary of agriculture to assure that any carcasses, parts thereof, meat or
7 meat food products wherever handled on a custom basis, or any containers
8 or packages containing such articles, are separated at all times from
9 carcasses, parts thereof, meat or meat food products prepared for sale and
10 that all such articles prepared on a custom basis, or any containers or
11 packages containing such articles, are plainly marked "not for sale"
12 immediately after being prepared and kept so identified until delivered to
13 the owner and that the establishment conducting the custom operation is
14 maintained and operated in a sanitary manner.

15 (c) Only those provisions of this act relating to sanitation and
16 adulteration shall apply to a person operating a food locker plant who: (1)
17 Prepares meat, meat food products, poultry or poultry products which have
18 been inspected and passed and which are being prepared and sold in
19 normal retail quantities; or (2) prepares such meat, meat products, poultry
20 or poultry products for the owner thereof.

21 (d) *Notwithstanding any other provision of this section, any*
22 *carcasses, parts thereof, meat, or meat products prepared on a custom*
23 *basis, or any containers or packages containing such articles, shall be*
24 *plainly marked "Not for Sale" immediately after being prepared and kept*
25 *so identified until delivered to the owner.*

26 Sec. ~~7.~~ 6. K.S.A. 65-6a34 is hereby amended to read as follows: 65-
27 6a34. (a) No person shall: (1) Engage in business, in or for intrastate
28 commerce, as a ~~meat~~ broker or animal food manufacturer; (2) engage in
29 business in such commerce as a wholesaler of any carcasses, or parts or
30 products of the carcasses, of any livestock, domestic rabbits or poultry,
31 whether intended for human food or other purposes; or (3) engage in
32 business as a public warehouseman storing any such articles in or for such
33 commerce, without first having registered with the secretary such person's
34 name and the address of each place of business at which, and all trade
35 names under which, such person conducts such business and having paid
36 the \$25 registration fee established by this section, if applicable.

37 (b) No person shall engage in business or operate a ~~packing house,~~
38 ~~sausage plant, poultry packing plant, slaughterhouse or poultry dressing~~
39 ~~plant~~ *as a slaughter or processing facility solely on a custom basis as*
40 *described by subsection (b)(1) of K.S.A. 65-6a31, and amendments*
41 *thereto; a slaughter facility, processing facility, state-owned slaughter or*
42 *processing facility operated in conjunction with education and research*
43 *and located at institutions under the jurisdiction of the state board of*

1 *regents, or slaughter or processing facility operated in conjunction with*
2 *education and research and located at a public secondary school without*
3 registering such person's name and place of business with the secretary,
4 and paying the \$25 registration fee established by this section.

5 ~~(e) Except as provided in subsection (c)(6):~~

6 ~~(1) An annual registration fee of \$50 shall be charged for the~~
7 ~~registration of each meat broker, poultry product broker, animal food~~
8 ~~manufacturer, seasonal poultry packing or dressing plant, state-owned~~
9 ~~slaughter or processing facility operated in conjunction with education and~~
10 ~~research and located at institutions under the jurisdiction of the state board~~
11 ~~of regents, or slaughter or processing facility operated in conjunction with~~
12 ~~education and research and located at a public secondary school, and each~~
13 ~~such registration shall expire on December 31 of each year.~~

14 ~~(2) Except for persons who register under paragraph (1) of this~~
15 ~~subsection (e), an annual registration fee of \$150 shall be charged for the~~
16 ~~registration of each slaughter facility which slaughters 300 animal units or~~
17 ~~less annually, and such registration shall expire on December 31 of each~~
18 ~~year.~~

19 ~~(3) An annual registration fee of \$200 shall be charged for the~~
20 ~~registration of each slaughter or processing facility which operates solely~~
21 ~~on a custom basis as defined by subsection (b)(1) of K.S.A. 65-6a31 and~~
22 ~~amendments thereto, and such registration shall expire on December 31 of~~
23 ~~each year.~~

24 ~~(4) Except for those persons who have registered under paragraphs~~
25 ~~(1), (2) or (3) of this subsection (e), an annual registration fee of \$250 shall~~
26 ~~be charged for each processing facility and each slaughter facility which~~
27 ~~slaughters more than 300 animal units annually, and such registration shall~~
28 ~~expire on December 31 of each year.~~

29 ~~(5) As used in this subsection (e), animal units shall be computed by~~
30 ~~using one unit for each bovine, bison, horse, mule or other equine, .6 unit~~
31 ~~for each swine, .4 unit for each sheep or goat and as specified by rule and~~
32 ~~regulation for other animal units.~~

33 ~~(6) Persons who become subject to registration under this section~~
34 ~~after January 1 shall pay an amount equal to 1/12 of the annual registration~~
35 ~~fee which would have been due for a full year, multiplied by the number of~~
36 ~~full calendar months remaining in the registration year and adjusted to the~~
37 ~~nearest dollar amount.~~

38 ~~(d) (c) Any person whose completed application for renewal of a~~
39 ~~registration required by this section is not received by January 15 of the~~
40 ~~year of renewal shall be subject to a reinstatement fee which shall be paid~~
41 ~~in addition to the required registration fee. If the completed application for~~
42 ~~renewal of a registration required by this section is received by the~~
43 ~~secretary after January 15 and on or before January 31 of the year of~~

1 renewal, the reinstatement fee shall be \$10. If the completed application
2 for renewal of a registration required by this section is received after
3 January 31 of the year of renewal, the amount of the reinstatement fee
4 shall be increased at the rate of \$25 per month for each additional month
5 or fraction thereof. No registration required by this section shall be
6 reinstated if it has been delinquent for one year. No registration required
7 by this section shall be issued until all applicable reinstatement fees, if any,
8 have been paid.

9 ~~Sec.-8:~~ 7. K.S.A. 65-6a41 is hereby amended to read as follows: 65-
10 6a41. *(a) Any person registered or required to be registered under the*
11 *provisions of K.S.A. 65-6a34, and amendments thereto, shall keep ~~such~~*
12 *records ~~as will~~ ~~that fully and correctly~~ accurately disclose ~~all transactions~~*
13 *involved in their ~~businesses~~ transactions related to animals prepared for*
14 *and capable of use as human food. Nothing in this section shall affect*
15 *the exemptions established in K.S.A. 65-6a31, and amendments thereto.*
16 *All persons, firms and corporations subject to such requirements, at all*
17 *reasonable times upon request by the secretary, shall provide access to*
18 *their places of business and provide an opportunity to examine the*
19 *facilities, inventory and records thereof and to copy all such records.*

20 *(b) Any record required to be maintained by this section shall be*
21 *maintained for a period of time as the secretary ~~may~~ shall prescribe by*
22 *rules and regulations.*

23 *(c) It shall be unlawful for any person to refuse to furnish, on request*
24 *of a representative of the secretary, the name and address of the person*
25 *from whom ~~he~~ such person received any article or animal which does not*
26 *meet the requirements of this act, and copies of all documents, if any there*
27 *be, pertaining to the delivery of the article or animal to ~~him~~ such person.*

28 ~~Sec.-9:~~ 8. K.S.A. 65-6a34 and 65-6a41 and K.S.A. 2011 Supp. 65-
29 6a18, 65-6a20 and 65-6a31 are hereby repealed.

30 ~~Sec.-10:~~ 9. This act shall take effect and be in force from and after its
31 publication in the statute book.