

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. (a) The secretary may make provision for voluntary
32 inspection for nonamenable species and establish such fees to cover the
33 cost of providing such voluntary inspection services. The secretary shall
34 consider adequate and efficient staffing and expertise prior to providing
35 voluntary inspection services.

36 (b) A person requesting voluntary inspection services shall submit a

1 request for inspection services on a form provided by the secretary.

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

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

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

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

14 (1) Under the direct supervision of a representative of the secretary;
15 and

16 (2) with reasonable speed, considering the official establishment's
17 facilities.

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

23 (b) Each official establishment shall submit a work schedule to the
24 secretary for approval upon the occurrence of any of the following:

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

26 (2) When a change in work schedule is requested.

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

28 Work schedules shall specify for all departments the daily clock hours
29 of inspected and custom exempt operations and shall specify lunch
30 periods.

31 (c) The secretary shall take into account the efficient and effective use
32 of inspection personnel when approving work schedules. The secretary
33 shall consult with the establishments involved when designating work
34 schedules.

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

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

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

42 (a) "Secretary" means the secretary of agriculture *or the secretary's*
43 *authorized representative.*

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

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

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

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

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

19 (f) "Intrastate commerce" means commerce within the state of
20 Kansas.

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

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

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

41 (j) "Capable of use as human food" means any carcass, or part or
42 product of a carcass, of any animal unless it is denatured or otherwise
43 identified as required by regulations adopted by the ~~state board of~~

1 ~~agriculture~~ secretary to deter its use as human food or it is naturally
2 inedible by humans.

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

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

8 (1) If the product bears or contains any poisonous or deleterious
9 substance which may render it injurious to health, except that if the
10 substance is not an added substance, the product shall not be considered
11 adulterated if the quantity of such substance on or in the product does not
12 render it injurious to health;

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

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

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

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

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

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

38 (4) if the product has been prepared, packed or held under insanitary
39 conditions whereby it may have become contaminated with filth or
40 whereby it may have been rendered injurious to health;

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

43 (6) if the container for the product is composed, in whole or in part,

1 of any poisonous or deleterious substance which may render the contents
2 injurious to health;

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

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

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

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

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

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

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

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

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

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

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

39 (6) if any word, statement or other information, which is required by
40 or under authority of this act to appear on the label or other labeling for the
41 product, is not prominently placed thereon with such conspicuousness (as
42 compared with other words, statements, designs or devices in the labeling)
43 and in such terms as to render it likely to be read and understood by the

1 ordinary individual under customary conditions of purchase and use;

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

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

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

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

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

38 (12) if the product fails to bear directly thereon, or on the product
39 container, as the secretary ~~of agriculture~~ may prescribe by rules and
40 regulations, the inspection legend unrestricted by any of the foregoing and
41 such other information as the secretary ~~of agriculture~~ may require in such
42 rules and regulations to assure that the product will not have any false or
43 misleading labeling and that the public will be informed of the manner of

1 handling required to maintain the product in a wholesome condition.

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

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

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

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

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

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

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

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

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

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

30 (x) ~~"Slaughterhouse"~~ "Slaughter facility" means any ~~plant facility or~~
31 ~~section thereof~~ which carries on the slaughter and dressing of animals ~~but~~
32 ~~which does not engage in the further processing of meat into meat food~~
33 ~~products.~~

34 (y) ~~"Packing plant" or "packing house"~~ "Processing facility" means
35 any ~~installation processing facility or section thereof that packs, cans,~~
36 ~~salts, renders, bones, cuts up or otherwise manufactures meat or poultry~~
37 ~~into meat food products or poultry products.~~

38 (z) "Buffalo" means the American buffalo or bison (*Bos*, *Bison bison*
39 *or Bison americanus*).

40 (aa) "Livestock" means cattle, buffaloes, sheep, swine, goats,
41 domesticated deer, all creatures of the ratite family that are not indigenous
42 to this state, including but not limited to ostriches, emus and rheas or
43 horses, mules or other equines. Livestock shall not include buffalo or

1 domesticated deer slaughtered for sport or recreational purpose.

2 ~~(bb) "Slaughter facility" means a slaughterhouse or poultry dressing~~
3 ~~plant.~~

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

6 (bb) *"Wholesaler" means any person engaged in the distribution of*
7 *inspected and passed meat, meat products, poultry or poultry products.*
8 *Wholesalers may not further process or repackage product.*

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

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

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

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

34 (b) *For the purpose of preventing the inhumane slaughtering or*
35 *inhumane handling in connection with slaughter of livestock, domestic*
36 *rabbits or poultry, the secretary shall cause to be made, by inspectors*
37 *appointed for that purpose, an examination and inspection of the method*
38 *by which livestock, domestic rabbits or poultry are slaughtered and*
39 *handled in connection with slaughter in establishments registered or*
40 *required to be registered under this act.*

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

43 Sec. 6. K.S.A. 2011 Supp. 65-6a31 is hereby amended to read as

1 follows: 65-6a31. (a) The provisions of this act shall not apply:

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

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

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

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

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

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

36 (2) In cases where such person, firm or corporation engages in such
37 custom operations at an establishment at which inspection under the
38 Kansas meat and poultry inspection act is maintained, the secretary may
39 exempt from such inspection at such establishment any animals
40 slaughtered or any meat or meat food products otherwise prepared on such
41 custom basis, except that custom operations at any establishment shall be
42 exempt from inspection requirements as provided by this section only if
43 the establishment complies with rules and regulations adopted by the

1 secretary of agriculture to assure that any carcasses, parts thereof, meat or
2 meat food products wherever handled on a custom basis, or any containers
3 or packages containing such articles, are separated at all times from
4 carcasses, parts thereof, meat or meat food products prepared for sale and
5 that all such articles prepared on a custom basis, or any containers or
6 packages containing such articles, are plainly marked "not for sale"
7 immediately after being prepared and kept so identified until delivered to
8 the owner and that the establishment conducting the custom operation is
9 maintained and operated in a sanitary manner.

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

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

21 Sec. 7. K.S.A. 65-6a34 is hereby amended to read as follows: 65-
22 6a34. (a) No person shall: (1) Engage in business, in or for intrastate
23 commerce, as a ~~meat~~ broker or animal food manufacturer; (2) engage in
24 business in such commerce as a wholesaler of any carcasses, or parts or
25 products of the carcasses, of any livestock, domestic rabbits or poultry,
26 whether intended for human food or other purposes; or (3) engage in
27 business as a public warehouseman storing any such articles in or for such
28 commerce, without first having registered with the secretary such person's
29 name and the address of each place of business at which, and all trade
30 names under which, such person conducts such business and having paid
31 the \$25 registration fee established by this section, if applicable.

32 (b) No person shall engage in business or operate ~~a packing house,~~
33 ~~sausage plant, poultry packing plant, slaughterhouse or poultry dressing~~
34 ~~plant~~ *as a slaughter or processing facility solely on a custom basis as*
35 *described by subsection (b)(1) of K.S.A. 65-6a31, and amendments*
36 *thereto; a slaughter facility, processing facility, state-owned slaughter or*
37 *processing facility operated in conjunction with education and research*
38 *and located at institutions under the jurisdiction of the state board of*
39 *regents, or slaughter or processing facility operated in conjunction with*
40 *education and research and located at a public secondary school without*
41 *registering such person's name and place of business with the secretary,*
42 *and paying the \$25 registration fee established by this section.*

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

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

9 ~~(2) Except for persons who register under paragraph (1) of this~~
10 ~~subsection (c), an annual registration fee of \$150 shall be charged for the~~
11 ~~registration of each slaughter facility which slaughters 300 animal units or~~
12 ~~less annually, and such registration shall expire on December 31 of each~~
13 ~~year.~~

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

19 ~~(4) Except for those persons who have registered under paragraphs~~
20 ~~(1), (2) or (3) of this subsection (c), an annual registration fee of \$250 shall~~
21 ~~be charged for each processing facility and each slaughter facility which~~
22 ~~slaughters more than 300 animal units annually, and such registration shall~~
23 ~~expire on December 31 of each year.~~

24 ~~(5) As used in this subsection (c), animal units shall be computed by~~
25 ~~using one unit for each bovine, bison, horse, mule or other equine, .6 unit~~
26 ~~for each swine, .4 unit for each sheep or goat and as specified by rule and~~
27 ~~regulation for other animal units.~~

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

33 ~~(d) (c) Any person whose completed application for renewal of a~~
34 ~~registration required by this section is not received by January 15 of the~~
35 ~~year of renewal shall be subject to a reinstatement fee which shall be paid~~
36 ~~in addition to the required registration fee. If the completed application for~~
37 ~~renewal of a registration required by this section is received by the~~
38 ~~secretary after January 15 and on or before January 31 of the year of~~
39 ~~renewal, the reinstatement fee shall be \$10. If the completed application~~
40 ~~for renewal of a registration required by this section is received after~~
41 ~~January 31 of the year of renewal, the amount of the reinstatement fee~~
42 ~~shall be increased at the rate of \$25 per month for each additional month~~
43 ~~or fraction thereof. No registration required by this section shall be~~

1 reinstated if it has been delinquent for one year. No registration required
2 by this section shall be issued until all applicable reinstatement fees, if any,
3 have been paid.

4 Sec. 8. K.S.A. 65-6a41 is hereby amended to read as follows: 65-
5 6a41. *(a) Any person registered or required to be registered under the*
6 *provisions of K.S.A. 65-6a34, and amendments thereto, shall keep such*
7 *records as will fully and correctly disclose all transactions involved in*
8 *their businesses. All persons, firms and corporations subject to such*
9 *requirements, at all reasonable times upon request by the secretary, shall*
10 *provide access to their places of business and provide an opportunity to*
11 *examine the facilities, inventory and records thereof and to copy all such*
12 *records.*

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

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

21 Sec. 9. K.S.A. 65-6a34 and 65-6a41 and K.S.A. 2011 Supp. 65-6a18,
22 65-6a20 and 65-6a31 are hereby repealed.

23 Sec. 10. This act shall take effect and be in force from and after its
24 publication in the statute book.