Approved:	3-15-93		
11	Date		

### MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE

The meeting was called to order by Chairperson David Corbin at 10:14 a.m. on March 10, 1993 in Room 423-S of the Capitol.

All members were present except: All members were present

Committee staff present: Raney Gilliland, Legislative Research Department

Jill Wolters, Revisor of Statutes Lila McClaflin, Committee Secretary

Conferees appearing before the committee: Marvin L. Samuelson, DVM, Kansas Board of Veterinary

**Examiners** 

Michael L. Whitehair, DVM, Kansas Veterinary Medical

Association

Mike Beam, Kansas Livestock Association

Anne Hazlett, Manhattan, KS. Don Campbell, Meridan, KS. Barbara Conner, Blaine, KS. Wilbur Williams, St. George, KS.

Andrew Pelletier, M.D., Kansas Department of Health and

Environment

Melvin Brose, Dairy Commissioner, Kansas

Department of Agriculture

Others attending: See attached list

The Chairman opened the hearing on <u>HB 2107</u> - concerning the Kansas Veterinary Practice Act. He called on Marvin L. Samuelson.

Mr. Samuelson testified in favor of HB 2107 as it would assist their Board in providing the State with greater accountability and efficiency, because it provides clarification and enhancements to the regulatory process (Attachment 1) He said they supported the amendments proposed in the balloon copy of HB 2107 (Attachment 2).

Michael L. Whitehair said the amendments to the Kansas Veterinary Practice Act as purposed in the bill had been approved at their meeting in January (<u>Attachment 3</u>). Dr. Whitehair introduced Dr. Bob Domer who was accompanying him.

Mike Beam said their organization really did not have a position on the purpose legislation, but if it were passed they would like to have New Sec. 24. amended to included clarification language. A copy of that language is attached to his testimony (Attachment 4)

Chairman Corbin closed the hearing on HB 2107 and opened the discussion on the bill. A motion was made by Senator Steffes to adopted the amendments as presented in the balloon copy of the bill. Seconded by Senator Sallee. In answer to a question regarding the definition of biological products Mr. Beam said they were items such as vaccines and they were sold by merchants such as farm and ranch stores and coop elevators. Motion carried. A motion was made by Senator Sallee to adopt the amendment purposed by the Kansas Livestock Association. Motion was seconded by Senator Morris. Motion carried

Dr. Samuelson was called on for some clarification regarding the makeup of the board and how they are appointed.

### **CONTINUATION SHEET**

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 10:00 a.m. on March 10, 1993.

A motion was made by Senator Sallee to pass as amended HB 2107. Seconded by Senator Downey. Motion carried.

The hearing was opened on HB 2387 - on farm sale of goat milk.

Representative Sheila Hochhauser, co-sponsor of the bill, was unable to be present but her written testimony was distributed (Attachment 5)

Anne Hazlett, Intern for Representative Sheila Hochhauser, spoke in support of the bill, as she believes it would open new markets for goat milk products and consumers will find higher quality goat milk available at reasonable and consistent prices (Attachment 6).

Don Campbell testified in support of HB 2107 as he it would be very helpful for people interested in goat's milk and finding a source (Attachment 7)

Barb Conner supported the bill because her son has been on goat's milk since September, because he was unable to tolerate formulas, he has done well on goat milk, and this proposal would help people interested in the product find a source of supply. (Attachment 8).

Willard William supported the proposal as it would bring together the public looking for a source and the producers (Attachment 9).

Written testimony from the following people was distributed: Kathy Swank (Attachment 10); Jayne Link (Attachment 11); Nyla Faye Shoemaker (Attachment 12); Gary Graf (Attachment 13); Rex B. Traw (Attachment 14); Shirley and Dwayne Juedes (Attachment 15); Bill and Glenna Berry (Attachment 16); Sue Christmas (Attachment 17); Karen S. Davis (Attachment 18); Charles U. Umschied (Attachment 19); Deborah L. Dangelsdorf, DVM, (Attachment 20); Sylvia Beeman (Attachment 21); Mark and Laurie Roberts (Attachment 22); Tamara Dorsett, R.N.,B.S.N. (Attachment 23); Lynn Wilson (Attachment 24); Karla Riekeman (Attachment 25); William and Louise Herndon (Attachment 26); John W. Dalida (Attachment 27); Danny B. and Dixie D. Jone (Attachment 28); Elsie McLaughlin (Attachment 29); and Claude E. Campbell (Attachment 30)

Ann Hazlett responded to questions and the Chair ask her to provided some information concerning the general liability regarding the consumption of raw goat's milk.

Andrew Pelletier opposed the bill (Attachment 31)

Mel Brose opposed the bill as he is reluctant to expand the exposure to ungraded raw milk products and potentially increase the public health risk (Attachment 32). He responded to questions

Written testimony opposing the bill from Harold A. Roberts, Associate Professor, in the Department of Animal Sciences at Kansas State University was distributed (Attachment 33).

The next meeting is scheduled for March 11, 1993. The meeting adjourned at 11:06 a.m.

# GUEST LIST

COMMITTEE: Senate Agriculture DATE: 3-10-93

NAME	ADDRESS	ORGANIZATION	
Andrew Pelletien	Rpelia	KAHE	
Welvin Brose	Topaka	KS BOA	
LARRY D. WOODSON	TOPEKA	K5BOA	
Michael & Whiteker	Abilive	TVMA	
Philip Roudebush	Topeka	KVMA	
Mike Beam	Topeha	Ke Lordh an	
Bob Doma	Tapilea		
Alexen I omes	Topera		
Marty Vanier	Mainhortan	CKEO	
Rosemany O'Connor	Blaine		
Bushara S. O Connor	Blaine	KNGC	
Willard William	St. George	KTULC	
Amald (Ample)	Merider	KDGC	
Jenne Hazlitt	Markathen	intern-Rep-Hackha	
Russ FREY	Topeka	KUMA	
BHOOM A. A. June , ned . Asse	x. Boke	KVMA	
Marien Samuelsen	auburn	KBUE	
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# Board of Peterinary Kxaminers

March 10, 1993

David Corbin, Chairman and Members of the Committee on Agriculture, Kansas Senate 4th Floor, State Capitol Topeka, Ks. 66612-1594

Dear Senator Corbin and Members of the Committee on Agriculture, Senate:

On behalf of the Kansas Board of Examiners, I am requesting your support in passage of House Bill No. 2107. We believe that the amendments to the Kansas Veterinary Practice Act, which this bill provides, further enables our Board to effectively regulate the practice of veterinary medicine within our state.

Provided herein are key components of this legislation. They include but are not limited to:

- 1) The addition of two (2) Board members. This will enable the Board to provide for a division of labor, separate the investigative functions from the hearing functions, and insure a quorum at Board meetings;
- The acceptance and recognition of the ECFVG (Educational Commission for Foreign Veterinary Graduates) certificate;
- The ability to limit, condition, reprimand, restrict or fine 3) as disciplinary options in addition to the revocation and/or suspension of a veterinarian's license;
- The establishment of minimum standards of practice to serve as a point of reference when responding to written, sworn consumer complaints;
- Registration of all veterinary medical facilities so that a census can be established. This registration process will enable inspection upon sworn written complaint, inspection upon change of ownership, and/or inspection upon construction of a new veterinary medical facility;
- The establishment of a continuing education committee; 6)

Senate ag Ca 3-10-93 allachment

Denator Corbin and
Members of the Committee on Agriculture, Senate
March 10, 1993
page 2

- 7) The establishment of a peer review committee and the authority for the Board to refer matters to it;
- 8) "Good Samaritan" clause to ease liability in emergency situations;
- 9) Uniformity of licensing by licensing by endorsement and the addition of an examination over the Kansas Veterinary Practice Act so that all licensees gain better understanding of the law;
- 10) Expanded definition section. These additional definitions will assist the court system in interpreting this law and update the law to include modern veterinary medical concepts.

In summary, the adoption of these changes will assist the Board in providing the State with greater accountability and efficiency. Because of the clarifications and enhancements to the regulatory process provided herein, we believe that the public health of Kansas consumers is further protected.

Should you have additional questions regarding our agency's request, please feel free to contact me.

Respectfully yours,

Marvin L. Samuelson, DVM

Kansas Board of Veterinary Examiners

Session of 1993

### **HOUSE BILL No. 2107**

### By Committee on Agriculture

#### 1-22

AN ACT concerning the Kansas veterinary practice act; amending K.S.A. 47-814, 47-815, 47-816, 47-817, 47-818, 47-819, 47-820, 47-825, 47-829, 47-834, 47-837 and 47-838 and K.S.A. 1992 Supp. 47-821, 47-822, 47-824, 47-826, 47-830 and 47-848 and repealing the existing sections; also repealing K.S.A. 47-818a and K.S.A. 1992 Supp. 47-827.

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

Section 1. K.S.A. 47-814 is hereby amended to read as follows: 47-814. In order to promote the public health, safety and welfare, the legislature hereby declares that the right to practice of veterinary medicine is a privilege granted to persons possessed of the personal and professional qualifications specified in this act.

Sec. 2. K.S.A. 47-815 is hereby amended to read as follows: 47-815. The aet K.S.A. 47-814 through 47-838, K.S.A. 1992 Supp. 47-839 through 47-854 and sections 19 through 24, and amendments thereto, shall be known and may be cited as the "Kansas veterinary practice act."

Sec. 3. K.S.A. 47-816 is hereby amended to read as follows: 47-816. As used in this act:

- (a) "Animal" means any mammalian animal other than human and any fowl, bird, amphibian, fish or reptile, wild or domestic, living or dead.
  - (b) "Board" means the state board of veterinary examiners.
- (c) "Clock hour of continuing education courses" means sixty (60) 60 minutes of actual attendance at a continuing education course approved by the board.
- (d) "Direct supervision" means the employee shall be in personal communication with a veterinarian for each individual ease supervising licensed veterinarian is on the premises in an animal hospital setting or in the same general area in a range setting, the supervisor is quickly and easily available and that the animal has been examined by a veterinarian at such time as good veterinary medical practice requires, consistent with the particular delegated animal health care task.

and 47-828

Sent ages (attackment 2) or parasite preventing drugs as a part of such feeder's feeding operations.

- (f) The owner of an animal and the owner's regular employee caring for and treating the animal belonging to such owner, except where the ownership of the animal was transferred to avoid this act.
- (g) A member of the faculty of a school of veterinary medicine performing such member's regular functions or a person lecturing, or giving instructions or demonstrations at a school of veterinary medicine or in connection with a continuing education course for veterinarians.
- (h) Any person selling or applying any pesticide, insecticide or herbicide.
- (i) (h) Any person engaging in bona fide scientific research which reasonably requires experimentation involving animals or commercial production of biologics or animal medicines.
- (i) An employee of the veterinarian administering prescribed care to an animal under the direct supervision of a veterinarian.
- (k) (j) A regular student who has completed at least three (3) years of study in a veterinary school of veterinary medicine and performing duties or acts assigned by such student's instructors or working under limited indirect supervision of a licensed veterinarian.
- Sec. 5. K.S.A. 47-818 is hereby amended to read as follows: 47-818. (a) There is hereby established the state board of veterinary examiners which shall consist of five seven members, four six of whom shall be licensed veterinarians and one of whom shall represent the interests of the general public. Persons who are members of the state board of veterinary medical examiners immediately prior to the effective date of this act shall become members of the state board of veterinary examiners and shall continue to serve as such members until the expiration of the terms for which they were appointed and until their successors are appointed and qualify. On July 1, 1980, the governor shall appoint members of the board to succeed those members of the state board of veterinary medical examiners whose terms expired on June 30, 1980. The members so appointed shall serve terms as follows: One member shall be appointed for a term expiring June 30, 1983, which member shall be a licensed veterinarian; one member shall be appointed for a term expiring June 30, 1984, which member shall represent the interests of the general public; and one member shall be appointed for a term expiring June 30, 1984, which member shall be a licensed veterinarian. Thereafter, Upon the expiration of any member's term, the governor shall appoint a suc-

Of the two positions created on July 1, 1993, one member shall be appointed for a term expiring June 30, 1994, and one member shall be appointed for a term expiring June , 1995.

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pensation of such personnel who shall be in the unclassified service under the Kansas civil service act. Under the supervision of the board, the executive director shall perform such duties as may be required by law or authorized by the board.

- (6) Purchase or rent necessary office space, equipment and supplies.
- (7) Appoint from its own membership one or more members to act as representatives of the board at any meeting within or without the state where such representation is deemed desirable.
- (8) Authorize any member of the board to sign complaints for the bringing of proceedings in the courts for the enforcement of this act.
- (9) Adopt, amend or repeal rules and regulations for licensed veterinarians regarding the training, eertification and limits of activity for assistants being trained and registered veterinary technicians who are employed under the direct or limited indirect supervision and responsibility of a licensed veterinarian.
- (10) Adopt, amend or repeal such rules and regulations, not inconsistent with law, as may be necessary to carry out the purposes of this act and enforce the provisions thereof.
  - (11) Have a common seal.

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- (12) Adopt, amend or repeal rules and regulations to fix minimum standards for continuing veterinary medical education, which standards shall be a condition precedent to the renewal of a license under this act.
  - (13) Register any registered veterinary technician.
- (14) Establish, by rules and regulations, any committee necessary to implement any provision of this act including, but not limited to, a continuing education committee and a peer review committee. Such committees may be formed in conjunction with professional veterinary associations in the state.
- (15) Refer complaints to a duly formed peer review committee of a duly appointed professional association.
- (16) Establish, by rules and regulations, minimum standards for the practice of veterinary medicine.
- (17) Contract with a person or entity to perform the inspections or reinspections as required by section 19.
- (b) The powers of the board are granted to enable the board to effectively supervise the practice of veterinary medicine and are to be construed liberally in order to accomplish such objective.
- Sec. 9. K.S.A. 1992 Supp. 47-822 is hereby amended to read as follows: 47-822. (a) The fee for an application for a license to practice veterinary medicine in this state, as required by K.S.A. 47-824, and

Members of such committees appointed by the board shall receive the same privileges immunities and be charged with the responsibilities of activity and confidentiality as established K.S.A. in through 47-854, amendments 47-848 and thereto.



Dr. Michael L. Whitehair President Abilene Animal Hospital, PA 320 NE 14th Abilene, Ks. 67410

Dr. Terry Turner President-Elect Ark Valley Veterinary Hospital 1205 Patton Road Great Bend, Ks. 67530

Dr. Gary Modrcin Vice President College Blvd. Animal Hospital 11733 College Blvd. Overland Park, Ks. 66210

Dr. Duane M. Henrikson Trustee-at-Large Emporia Veterinary Hospital 710 Anderson Emporia, Ks. 66801

Dr. Vern Otte Treasurer State Line Animal Hospital 2009 W. 104th Leawood, Ks. 66206

Catharine A. Deever Executive Director **KVMA** Office 816 SW Tyler, Suite 200 Topeka, Ks. 66612

# KANSAS VETERINARY MEDICAL ASSOCIATION, 1....

816 SW Tyler, Suite 200, Topeka, Kansas 66612, (913) 233-4141 FAX: (913) 233-2534

March 10, 1993

David Corbin, Chairman and Members of the Committee on Agriculture, Kansas Senate 4th Floor, State Capitol Topeka, Ks. 66612-1594

Dear Senator Corbin and Members of the Committee on Agriculture, Senate:

Amendments to the Kansas Veterinary Practice Act, incorporated into House Bill No. 2107, have been reviewed by both the elected officials of the Kansas Veterinary Medical Association and the organization's membership.

During meetings held, January 7-10, 1993, in Wichita, Kansas, the organization's voting members and board of approved support of the Kansas Board of directors Veterinary Examiners in requesting passage for this legislation. Additional support is being given to those amendments which were provided by a sub-committee of the Kansas House of Representatives Committee on Agriculture prior to its affirmative recommendation for passage by House members as a whole.

Should you have additional questions regarding our organization's support, please feel free to contact me.

Respectfully yours,

Michael L. Whitehair, DVM

President

Kansas Veterinary Medical Association

Serate ag 3-10 actachment



#### 6031 S.W. 37th Street

Topeka, Kansas 66614-5128 FAX: (913) 273-3399

Telephone: (913) 273-5115

Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

March 10, 1993

To:

The Senate Agriculture Committee

Senator David Corbin, Chairman

From:

Mike Beam, Executive Secretary, Cow-Calf/Stocker Division

Re:

HB 2107 - Amendments to the Kansas Veterinary Practice Act

Mr. Chairman, and committee members I'm Mike Beam with the Kansas Livestock Association. Thank you for the opportunity to comment on this proposal and offer an amendment to the bill.

Our members first became interested in this issue last year when the Board of Veterinary Examiners discussed with us their interest in updating and amending the statutes governing the practice of veterinary medicine. Livestock producers are the clientele of the veterinary profession and we feel it's important to review this issue and provide input to the legislature as you consider this matter.

Our association recently assembled a task force of cow-calf operators, purebred breeders, cattle feeders, and practicing veterinarians to study the bill and make recommendations to our members and Board of Directors. When HB 2107 was worked in the House Agriculture Committee we offered several amendments to the bill, which were adopted in the version now before this committee.

After the House passed HB 2107 our group reviewed the bill and asked that I offer an additional amendment in New Section 24 on page 26. The proposed amendment simply clarifies the act will not prohibit or restrict the sale of animal health products or pesticides that are currently being sold by many farm and ranch supply retailers. We realize it's not the intent of the Board of Veterinary Examiners, nor the Kansas Veterinary Medical Association to restrict such sales. Since existing statutes have addressed this issue, we would feel more comfortable if this language were to remain in the act for future interpretation.

I've attached an amendment that was suggested by our members. It merely adds the words "pharmaceutical products, biological products, and feed additives" to the list of appliances and products not restricted or forbidden from being sold by non veterinarians. I might add, the Food and Drug Administration regulates the sale and use of such products and the provision of New Section 24 would not usurp federal regulatory powers.

Thank you for considering this amendment. I would be happy to respond to any questions or comments from the committee.

Senate ag 3-10 attackment 4

New Sec. 24. Nothing in this act shall be construed as forbidding or further restricting any merchant or manufacturer from selling at such person's regular place of business, medicines, feed, appliances or other products used in the prevention or treatment of animal diseases or any person from selling or applying any pesticide, insecticide or herbicide.

pharmaceutical products, biological products, feed additives,

SHEILA HOCHHAUSER REPRESENTATIVE, 66TH DISTRICT

1636 LEAVENWORTH MANHATTAN, KANC 1.S 66502

(913) 539-6177 HOME (913) 296-7687 TOPEKA OFFICE



COMMITTEE ASSIGNMENTS MEMBER: APPROPRIATIONS GOVERNMENTAL ORGANIZATION AND ELECTIONS RULES AND JOURNAL

HOUSE OF REPRESENTATIVES

# TESTIMONY BEFORE THE SENATE AGRICULTURE COMMITTEE ON HOUSE BILL 2387

March 10, 1993

Mr. Chair and Members of the Committee:

Thank you for agreeing to hold hearings on House Bill 2387.

Last summer Representative Rezac and I were invited by Kayla Dieball, a constituent, to participate in a goat milking contest. That day Representative Rezac successfully milked a goat. I arrived too late to milk, but early enough to learn something about the business of goat milking, both from Ms. Dieball, who raises goats, and from Dr. Kris Hennessey, a veterinarian who treats them.

Ms. Dieball encouraged me to find out about a recently-passed Oklahoma law which permits off-farm advertising of on-farm sales of goat's milk. HB 2387 is modeled after the Oklahoma law passed in 1989.

HB 2387 would not change current Kansas law as far as the sale of goat's milk is concerned. Goat's milk would continue to be sold only on However, HB 2387 would permit goat's milk sales of 100 gallons or less per month to be advertised for sale off-the-farm. current Kansas law, this advertising is prohibited.

As stated previously, Oklahoma has permitted off-farm advertising of on-farm goat's milk sales since 1989. Note that there has been no incidence of goat-milk-related illness in Oklahoma since that time.

Senate ag. 3-10 attackment 55-1

HB 2387 should be viewed as economic development for goat milk producers. Parents whose children have lactose intolerance often find that the children can digest goat's milk more easily. These parents are willing buyers, and the goat milk producers are willing sellers. HB 2387 will help them find one another to transact business. This is especially important in Kansas, where there are no pasteurization plants that will accept goat's milk and no processing plant for making goat cheese.

I urge your support and favorable action on HB 2387. The House passed the bill 107 to 15. The goat milk producers of Kansas will thank you.

### Anne Hazlett, Intern Representative Sheila Hochhauser

Mr. Chairman, members of the committee, I am Anne Hazlett, an intern for Representative Hochhauser. I am currently a sophomore majoring in agricultural journalism at Kansas State University. I am here today to speak in favor of House Bill No. 2387 which allows for the advertisement of on farm raw goat's milk sales.

The issue of enabling small scale goat milk producers to advertise their product is clearly related to economics. Today, there is an increasing interest in and demand for goat's milk as a substitute for cow's milk. Producers have the right to supply this demand. And consumers likewise have the right to know where the product can be purchased.

According to Deb Manglesdorf DVM and producer from Manhattan, most goat milk producers in Kansas have fewer than eight animals in their herd. Small herd size makes compliance to requirements set for cow's milk sales impractical. The small scale producer faces further economic obstacle in that he is not permitted to advertise or deliver the product to his clients.

In examining the economic plight of the producer, I would like to emphasize that there are no dairy processing plants in the state of Kansas or in the surrounding states of Colorado, Oklahoma and Nebraska that will pasteurize goat's milk. The nearest plant is located in Missouri, and for the small scale producer it is not economically feasible to truck the milk to this location.

Facing these economic and legal barriers, Manglesdorf dumps over 8 gallons of milk a day in to a compost pile. After examining the profiles of two Kansas Dairy Goat Council members, I found this to be a common practice: Producer #1 produces 1555 gallons/year and sells fewer than 520 gallons/year. He dumps three gallons a day. Producer #2 produces 3006 gallons/year and sells around 150 gallons/year. She dumps nine a day.

By pouring their milk onto compost piles, many of our producers are wasting a vital nutritional product for people who can not tolerate cow's milk. For individuals suffering from lactose intolerance, the small fat globules and minimal amount of lactose make the milk easier to digest. Still others simply prefer the taste. Letters we will submit from more than 20 consumers, primarily located in north central Kansas, are proof of the ever present need and demand for this product.

With an abundant supply of goat's milk in the market it would seem that no problem would exist in meeting consumer demand. But by prohibiting these producers from advertising in the mass media, the public in many cases does not even know this product is available.

By reaching new customers through advertising, these producers have the potential to increase their on farm earnings dramatically. Producers in rural areas typically receive \$3 for each gallon of milk they sell. In Kansas City and other urban centers, producers have been able to market their product for as much as \$8 per gallon. Applying these figures to our profiles shows the substantial amount of additional income these individuals could be earning by utilizing a product which they have literally been pouring down the drain.

Senate Cay

6-1

Opponents will argue that allowing advertisement will increase raw milk consumption and consequently will increase food borne illness. Since 1989, when a similar law was enacted in Oklahoma, there have been no documented cases of illnesses resulting from consumption of raw-goat's milk.

Passage of House Bill 2387 will have a twofold impact on the state of Kansas. Producers will open new markets for their products and consumers will find higher quality goat's milk available at reasonable and consistent prices.

My name is Don Campbell. I live in Meriden, located in Jefferson Co. I have sold goats milk to the public off and on for the past 13 years. The majority of my customers come to us by word of mouth. A comment most frequently heard from new customers is that they have been Fooking for years for someone who sells goats milk in this area. Why haven't you advertised or put up signs that you have milk for sale?

There are other groups of people that would benifit from us being able to advertise goats milk. These are the many horse breeders that have orphaned foals, dog and cat breeders that just want milk for supplementing their pupples and kittens diets, cattle breeders, etc. Sat. February 6th a man called and wanted milk for a purebred calf. that was not getting enough milk from the cow. Last summer a quarter horse breeder purchased 15 gallons a week for an orphaned colt. These people can not justify spending \$3.29 per quart for the pasteurized goats milk that is now being shipped here from California.

Senote ag attachment 7 . 3-10-93 March 8, 1993

To the Members of the Committees:

First, I would like to thank you for the opportunity to speak to you on a subject that is very important in our personal lives.

My story begins during my first tri-mester of my first pregnancy. In December of 1991, ultrasound picked up a kidney defect in the baby I was carrying. To be specific, the baby had congenital hydronephrosis where the kidneys became distended with urine. It is a result of an obstruction to urine outflow. There are many causes of this obstruction most common in males, the most common one being a narrowing of the urethral valves. An operation usually is necessary to relieve the obstruction and thus prevent kidney destruction.

On July 1, 1992 I gave birth to a son, Patrick Robert O'Connor. In spite of the kidney defect, which would be corrected later, Patrick was a healthy, happy baby.

He was breastfed, but at the age of seven weeks he became very ill with projectile vomiting. It started on Sunday and on Tuesday we took him to a pediatrician in Topeka. By 4:30 p.m. he was admitted to Stormort Vail Regional Medical Center where he was diagnosed with pyloric stenosis, a narrowing of the pyloric muscle through which food passes from the stomach to the small intestine. (This defect affects approximately one out of every 150 male newborns and one out of every 750 female infants.) Surgery was performed the next day.

Following the surgery he did well on breast milk but, in early September I pickup the flu, and the antibiotic I took caused me to stop producing milk. We tried several formulas, but none agreed with him.

By a lucky chance my step-son played baseball last summer with a boy whose parents had dairy goats. While visiting with his parents, (Murt and Mike McKinney) they told me that they would be glad to work with me to see if goat's milk would help Patrick. In desperation I went to the McKinney's house and gave Patrick a bottle of goat's milk which he kept down. I do have to dilute it a little, but he has been on it since that day. If it hadn't been for the loving care and help of Murt McKinney I don't know where we would be today. Patrick has gone from six pounds at birth to about twenty pounds at the age of eight months.

Members of dairy goat Association are not taking anything away from the dairy cow association. We as a family still purchase milk products from the store. Dairy goat farmers are no different from dairy cow farmers in wanting to make a living. They will not hurt the market for dairy products with the passing of this bill. It will make it easier for people with special needs to know of this product. Unless you have had a need for someone you love you can't

Serate ag 3-10-93 Altachment 8 understand the importance of it.

Our story has a happy ending, but it's frightening to realize that we found the answer to Patrick's problem quite by accident or chance. For those babies and adults alike who have an intolerance for dairy milk products, goat's milk can provide important nutrients-maybe even life-saving. But if those people have to rely on hearing about the value of goat's milk in passing conversation, they may find out too late.

If you have any question, please feel free to ask, because it is so important that the word be spread about goat's milk. Again I thank you for your time.

Barbara S. O'Connor Rt. 3 Box 21 Blaine, Ks. 66549

# GROWTH CHARTS WITH REFERENCE PERCENTILES FOR BOYS BIRTH TO 36 MONTHS OF AGE

Length for Age
Weight for Age
Head Circumference for Age
Weight for Length

NAME Patrick Robert O'Connor
NAME JUSTICK NOVERS CONTIN
DATE OF BIRTH July 1, 1992

RECORD #

Date of Measurement	Age in Months	Recumbent Length	Weight	Head Circumference	
B.W. 7-1-92	Birth	20 inches	61bs. 60zo.	1-14-93	171bs, 130zs.
7-8-92	^		6 168, 9 035.	2-4-93	1816s 90gs
8-10-92			101bs. 21/2030.	2-18-93	1916s. 40go.
9-23-92			12 lbs. 15 1/2 ogs.	3-5-93	20lbs.
9-29-92		ŧ	13 l bs.		
10-5-92			131bs, 90gs.		
10-21-92			15 lbs.		
11-18-92			1516s. 101/20p.		
12-9-92			1616s. 140gs.		
12-23-92			171bs. 5070.		

\* started on quat's milk.

These charts to record the growth of the individual child were constructed by the National Center for Health Statistics in collaboration with the Center for Disease Control. The charts are based on data from the Fels Research Institute, Yellow Springs, Ohio. These data are appropriate for young boys in the general U.S. population. Their use will direct attention to unusual body size which may be due to disease or poor nutrition.

Measuring: Take all measurements with the child nude or with minimal clothing and without shoes. Measure length with the child lying on his back fully extended. Two people are needed to measure recumbent length properly. Use a beam balance to measure weight.

Recording: First take all measurements and record them on this front page. Then graph each measurement on the appropriate chart. Find the child's age on the horizontal scale; then follow a vertical line from that point to the horizontal level of the child's measurement (length, weight or head circumference). Where the two lines intersect, make a cross mark with a pencil. In graphing weight for length, place the cross mark directly above the child's length at

the horizontal level of his weight. When the child is measured again, join the new set of cross marks to the previous set by straight lines.

Interpreting: Many factors influence growth. Therefore, growth data cannot be used alone to diagnose disease, but they do allow you to identify some unusual children.

Each chart contains a series of curved lines numbered to show selected percentiles. These refer to the rank of a measure in a group of 100. Thus, when a cross mark is on the 95th percentile line of weight for age it means that only five children among 100 of the corresponding age and sex have weights greater than that recorded.

Inspect the set of cross marks you have just made. If any are particularly high or low (for example, above the 95th percentile or below the 5th percentile), you may want to refer the child to a physician. Compare the most recent set of cross marks with earlier sets for the same child. If he has changed rapidly in percentile levels, you may want to refer him to a physician. Rapid changes are less likely to be significant when they occur within the range from the 25th to the 75th percentile.

Distributed by:

Kansas Department of Health & Environment Bureau of Maternal & Child Health Landon State Office Building 900 SW Jackson - 10th Floor Topeka, Kansas 66612-1290 Mr. Chairman and members of the Senate Committee on Agriculture, my name is Willard William. I am President of the Kansas Dairy Goat Council and President of the Northern Flint Hills Dairy Goat Club.

The American Dairy Goat Registry lists over 100 herds in Kansas, with approximately 16 herds on Dairy Herd Improvement Association test.

In the interest of quality foods from the land of Ah's and economic development that promotes small, as well as large, businesses in Kansas, I feel that the passage of House Bill #2387 to allow advertising of quality goat milk is very necessary.

We need to give the people of Kansas who need goat milk for babies and/or the elderly or other folks with health problems a way to locate a source. With our new super highways, a sign in front of the farmstead doesn't reach the public. Some folks have been looking for weeks and months before they find a source of goat milk. (Sometimes visitors to Kansas need to find a source of goat milk also.)

We have milked dairy goats for 17 years. We use the milk, cheese, and butter in our home and would not use any that was not handled in a safe, sanitary manner.

Thank you for your support.

Willard William

Willard William

4450 Hopkins Creek Road

St. George, KS 66535

Sevate ay
3-10
attachment 9

TO WHOM IT MAY CONCERN:

I WOULD LIKE TO GO ON RECORD

AS BEING A STRONG ADVOCATE OF

GOAT'S MILK.

IN JAN OF 1992 I HAD A BABY
WHO FOR THE FIRST 3 MONTHS WAS NOT
SLEEPING MORE THAN I HOUR AT A
TIME AND WAS NOT GAINING WEIGHT.
WE TRIED 4 DIFFERENT FORMULAS
INCLUDING SOY BASED TO NO AVAIL,
THE CHILD WAS CRANKY, LISTLESS AND
COULD GET NO REST BECAZLSE HE WAS
ALWAUS HUNGRY. EVERYTHING WETRIED
ONLY CAME BACKUP.

GOATS MILK AS GEVERAL PEOPLE TOLD ME IT HAD WORKED FOR THEM.

MY CHILD AFTER TWO DAYS ON THE GOAT'S MILK WAS SLEEPING 4 ARS AT A TIME AND WAS NO LONGER SPITTING UP. IN TWO WEEKS THE HAD GAINED 316S AND WAS A TOTALLY DIFFERENT CHILD.

> Senate ay 3-10 actachment 10,0-1

I FEEL IF MORE PHYSICIANS
WOULD EXPLAIN OR ADVOCATE GRAT'S
MILK FOR INFANTS THERE WOULD
BE MANY MORE HAPPY BABIES AND
MOTHERS.

I WHOLE HEARTHY RECOMMEND GOATS MILK FOR HUMAN CONSUMPTION.

and the second s

KATHY SWANK

Mr. Chairman. Members of the Ag Committee:

My name is Jayne Link, I've been the Manager of People's Groacery Cooperative in Manhattan, Kansas since 1985. I am representing the 170 households that are members of the co-op, we operate a Retail Food Co-op which is open to the public.

Over the past eight years I have received numerous phone calls and questions from customers trying to find out where in the area they can purchase goat's milk. More and more I'm meeting people in the Manhattan or surrounding area who are allergic to cow's milk and seek goat's milk as an alternative.

In Helen Walsh's book "Starting Right with Milk Goats" she states: "The great value which goat milk possesses lies principally in the fact it forms small, soft curds in the stomach and that the fat globules are small and well emulsified, which makes the milk easily and quickly digested. For this reason it is often advised by physicians for infant feeding, although usually in modified form for the infants, with the addition of malt sugar, or honey, and boiled one minute or pasteurized. Because of its delicacy and easy digestibility it is especially beneficial for invalids or people with low vitality or sensitive digestive systems. Also, in many instances it can be tolerated by people allergic to the protein of cow milk, especially when the allergy results in eczema, hay fever or asthma."

I am asking that you support the inclusion of the on farm retail sale of goat's milk in House Bill No. 2387. It will not only benefit the Consumers of Kansas but the Goat Dairy Farmers, too.

Senate ag. 3-10-93

actackment 11

THANK YOU!

For the past several years, I have had numerous problems with sinuses and breathing problems. About two years ago I switched from drinking cow's milk to drinking goat's milk in an effort to reduce mucus in my sinuses, and I find that I have far less symptoms than before. Of course, goat's milk is very nutritious. When I was a child, I was not growing and thriving as a child should. The doctor told my parents to get a goat and give me the milk. (We lived in a rural area at the time.) They did as the doctor instructed, and Immediately I began to thrive. So, I am confident that goat's milk was responsible for my good health.

Several years ago, when our grandson was put on formula after his mother went back to work, he suffered from severe stomach aches every day, crying from one to two hours at a time. Remembering my expereience as a child with goat's milk, I got some and gave it to him. Immediately the stomach aches stopped.

hyla daye Shoemaker

Senate ag 3-10-93 attachment 12 To whom it may concern:

My name is Gary Graf. I am writing this letter to tell about our experiences with goats milk. We have been crinking goats milk since April of 1992. My family, two adults and three small children, drinks between 2 to 4 gallons of goats milk per week. We have never had any thouble with the milk. We have been improving our diet in many ways. We try to eat whole grain breads, a reduced sogar diet and many fresh vesetables I fait. Goats milk is the natural choice for milk.

We tend to believe theat the milk we drink from goats is more notritionally digested. I know of many people who are not able to tolerate cows milk but fare very well on soy or goats milk. As far as quality, it is hard to beat the full flavor of natural, whole goats milk. It sure beats the watered down cows version. Goats milk makes excellent yogert and homemade icecream.

Historically people have been drinking goats milk long before the cow variety caught on. Proverbs 2727 "You shall have enough goats milk for your food, For the food of your household, Arel the nourishment of your maidservants."

3-10-93 attachment L

### February 14, 1993

Dear Honorable Delegates:

My name is Rex Traw my wife, Linda and son, Andrew live at 2418 SE Maryland in Topeka. We would encourage the state to support legislation in favor of goat milk production and distribution in Kansas. We are strong supporters of human consumption of goats milk.

My son weened himself from human milk at 11 months. We had a recommendation from the family doctor to place him on cows milk. Andrew began to experience ear and bronchial infections with high fever and was placed on prescribed anti-biotics. We also tried various blends of cows milk with no positive results. Our physician sent us to a nutritionalist who had us try rice milk but it was too costly. My son's cousins, 5 total, all had allergies to cows milk. I am not meaning to down talk the value of cows milk but establish the need and acceptance for goats milk.

My son currently has been off of goats milk because of a low supply of milk. Again we tried to reintroduce him to small amounts of cows milk. My son has had two ear infections in the last 60 days. He has never had an infection while on goats milk during its use.

Furthermore, goats milk is widely accepted and used for human consumption in foreign countries and including the United States. We urge the state as family to support Kansas produdction and distribution of goats milk.

Sincerely,

Rex B. Traw

Senate ag. 3-10-93 attackment 14 To Whom it May Concern:

For the past 15 years or so, our family has used only goats milk for the following reasons:

- 1. When my father had cancer, back in the early 70's, his doctor told him the only milk he could have was goats milk. His doctor said that goats milk had more digestive enzymes in it and was easier for the body to assimilate.
- 2. I have read the Holy Bible from cover to cover and find that it never makes reference to any other milk for human consumption than goats milk.
- 3. Currently world wide there is more goats milk consumed by humans than milk from all other animals combined.
- 4. The composition of cows milk enables a new born calf to double it's weight in 30 days whereas goats do not have as rapid of growth rate. When humans drink cows milk it promotes an overweight condition.
- 5. Our current family doctor promotes the use of goats milk and has many patients who can not tolerate any other type of milk.

I was shocked to learn that the state of Kansas did not recognize the use of goats milk for human consumption and feel we are long overdue in doing so.

Sincerely

Dwayne Juedes

mayne Juedes

Shirley & Dwayne Juedes R.R. # 1 Box 11 Grantville, Kansas 66429-9702 Phone (913) 246-3607

> Serate ag 3-10-93 attachment 15

La Whomselt Concerns,

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De have used goots with for approximately four to feine years to feed our puppies. De feel it is the healthest thing other than the mother's natural mite that can be given.

It is our feeling goot milk is just as good for humans as it is for all other and and all other and and and a second for humans as it is for all other and and and a second for humans as it is for all other and and a second for humans as it is for all other and and a second for humans as it is for all other and and a second for humans as it is for all other and and a second for humans as it is for all other and and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans as it is for all other and a second for humans are it is for all other and a second for humans are it is for all other and a second for humans are it is for all other and a second for a sec

Henre R. Berry 925 South Man He Manhattan Xo 66502

> Senate ag 3-10-93 attachment 16

To whom it may loncearn,
My name is Suc Christmas. I am a
former Medical Assistant, now Foster Parent.
I am adopting a little man who is now
Is months old. He has lived with us since he
was 3 months old.

Our first year together were very hard on both of us. He is allergic to Cows milk. When he came to us he was on soy formula. He was small and got upper Respiratory Illnesses very often. We tryed every formula made but he wasn't able to tolerate any of them. He is allergic to soy and other foods also, his health got worse. He developed almost continuous ear infections and asthma. He wasn't growing well either. He was on daily medication and had tubes put into his cars.

Only when we put him on goat's milk did he improve. His respiratory and ear problems have disapeared. He is growing much better physically, mentaly and convitorally. We are very glad we found goat's milk.

Senate ay 3-10-93 attackment 17 To whom it may concern:

February 14, 1993

I am a freshman veterinary student at Kansas State University. In September of 1992 I adopted an orphan foal from Kansas State University who was three weeks of age. Due to the fact that the foal was so very young and still needed a nutrient dense liquid diet, I was advised by the veterinarian that I work for to try using goat milk. For four months I fed the foal twice a day with goat milk. I am very greatful to have had a person knowledgeable enough about goat milk to recommend it to me. Through my experience with goat milk it has come to my realization that the product is not widely known about. This is because of the fact that producers are not able to advertise. I would like it to be known that I am willing to support the producers in their fight to be able to advertise. My stance is brought about by my personal experiences and all of the cases that have been helped in the veterinary clinic that I am an employee of.

aren S. Davis

8635 Hannah LM Manhallan, Ks.

> Senate ag 3-10-93 cettackment 18

to Whom sit May Concern! J. Scraits Goats Mills and like it I Think it should be availble for Human use.

Sincerely Yours Charle V. Umschiel

> Senate ag 3-10-93 attackment 19

Deborah L. Mangelsdorf, DVM 821 Tabor Valley Rd. Manhattan, Ks 66502 (913) 539-8926

Re: House Bill No. 2387

To Whom it May Concern:

I am in favor of the proposal outlined in this bill in respect to legalizing the advertising of the sales of goat milk on the farm. We have a product that is long overdue for recognition and respect. We breeders already face the lack of understanding and general ignorance that the public has towards our product. the lack of knowledge, and wrongful myths that persons have, we must take special precautions that milk is clean and handled carefully to preserve its freshness, quality and taste. We don't need any help in "running down" our product. Everything from children's storybooks to un-informed individuals do this for us Few persons make a valid attempt to learn about Dairy Goats or the potential they have for an economically significant impact. True, they are usually found in small herds, and it is the small producer that we are currently and unjustly suppressing. True, at this point in time, they are not a large part of the state's agribusiness. We breeders and producers are not ready for large commercial Dairy operations in this state at this time, but we are long over due for the right to advertise the product that we have and make it available to persons who are interested Not to be able to do so is rather discriminatory; anyone producing farm-fresh eggs for example can run an ad in classified papers, etc. It is only with a narrow mind and lack of information that anyone would oppose allowing the advertising of this product.

I understand the concern that some have for the public safety and the potential for food-borne illness. As a Veterinarian and goat breeder I am especially sensitive to the concerns for the health and well-being of the animals. It is only from healthy animals that we can expect a quality product. I am impressed with the concern that so many breeders have for everything from drug residues to subclinical mastitis. As a group, these people have fought a long uphill battle to market their milk, educate the public and find their niche in agriculture. As evidenced in the numerous testimonials presented to you, there is a need, desire and a place for this product. Please consider this and allow producers to advertise. It is the first step in advancing this product to a more significant level for the individual and for the State.

Sincerely,

DEDORALL. Mangelsdorf

Dehorah I Mangelsdorf DVM

Senate ag 3-10-93 allackment 20 Thank you ar. Chairman, Members of the Committee for allowing me to present this information:

I, Sylvia Beeman, live with my husband and three daughters in Manhattan, Kansas. As infants, my two younger daughters were plagued by colds, ear infections, bronchitis, pneumonia, and diarrhea. Visits to the doctor were frequent as were perscriptions for antibiotics. These problems were especially perplexing because these children had been plump and free of illness when exclusively breastfed. Knowing that my family had a history of cows' milk allergy, I questioned our ear/ nose/ throat specialist, Dr. John Barlow, who was recommending that tubes be surgically inserted in our onlyear-old's eardrums, whether allergy could play a part in our daughters' ailments. He responded that allergies were a very probable culprit but would be too difficult to pinpoint. We decided to begin from scratch, introducing foods one at a time to our girls, and eliminating those that caused wheezing or diarrhea. Through this process, we determined that both girls were sensitive to whole cows' nilk.

Since that time four years ago, these girls have visited the doctor only for healthy child checks, with one exception when one needed a perscription for an antibiotic. Our daughters have been drinking goat's milk for the past four years, which we obtain from Willard William of St. George, Ks. Mr. William pastuerizes his milk and sells it to us at  $\frac{1}{4}$  the cost of hard to find bottled fresh goats milk in the store from out-of-state sources.

We support House Bill #2387 which would allow a small goat's milk producer to advertized his product. We found out about our source of goat's milk only by a chance comment. We are very greatful that he William provides us with goat's milk which is necessary for the proper nutrition and health of our daughters although he does not even cover his expenses for producing this milk. We recognize the value of inspecting animal herds and milk, but we are satisfied with our goat's milk supplier and willing to accept any risks, which we consider unlikely:

Sylvia Breman 1744 Leavenwrich Manhartan, Ks. 66502

> Senate ag 3-10-93 attachment 21

February 15th. 1993

To whom it may concern;

We are writing to encourage you to please consider the changes that are being requested concerning the limitations on goat's milk.

There is a very special reason for us. One year ago we adopted a baby boy who was allergic to formula. After trying everything, it was suggested to use fresh goat's milk. The baby was able to drink it and keep it down without any complications. We were happy to find something that aided our child in his growth and general well being.

Then we ran into something we had not counted on. Where do we find it? It was not easy to locate. It was only though a friend that we were able to locate milk for our child. If we would not of known him we might not have found the fresh milk. This would have caused us and our child alot of misery. I know of others who could benefit through the use of goat's milk if they could find it. As it stands right now if we were to move to another part of the state it would be difficult for us to locate the much needed milk.

Please consider the changes that are being requested. It will benefit alot of us who depend upon goat's milk.

Thank you,

Mark and Laurie Roberts

825 Davis

Manhattan Ks. 66502

Senate ag 3-10-93 attackment 22 Eleven years ago our oldest son was born with an intolerance to milk and numerous allergies. At that time not very much was known about alternatives. We searched the market for formulas that did not contain cow's milk. We found only one on the market that was carried in only one grocery store in Manhattan. It was very expensive. Finally, our family physician suggested that we try goat's milk. However, he did not know of a source. It was a coincidence that I found a nurse within the hospital where I worked who raised goats. She was willing to supply me with goat's milk. My son did fine on the goat's milk with absolutely no ill effects.

After working for ten years as an emergency room nurse and 5 years as as school nurse, I have worked with many children who cannot tolerate cow's milk. These children often have all dairy products deleted from their diet because parents are not aware of any alternative. Parents are very often not informed of goat's milk being an option because it is not visible to consumers. In recent literature there has been some concern regarding cow's milk and juvenile diabetes. Also, more and more people have been found to have an enzyme missing that makes them lactose intolerant. In a society where one can find guns and dates listed in the personal column of the paper, I question why one can't find an alternative to cow's milk.

Tamara Dorsett. R.N., B.S.N.

308 N. 15th. Manhattan, Ks. 66502 (913) 539-1956

> Senate ag 3-10-93 actachment 23

## 17 Feb 1993

Our household has been using goats' milk, when available, for about five years. We enjoy yogurt and butter from goats' milk, too. It is eaisly digested by my young daughter.

Lynn Wilson Rt 2 Box 38 Meriden, Ks 66512

> Senate ag 3-10-93 attachment 24

Willard William 450 Hopkins Creek Rd. St. George, Ks. 66535

Dear Willard,

I appreciated your call regarding the sale of raw goat milk on the farm. You are aware of our goats as a 4-H show project, but we started a goat herd in the late 1970's for health reasons. Ashley and Katie, who are now healthy teens, were totally unable to digest cows milk or formula based on cows milk. Both girls were diaganosed as lactose intolerant. This is not an allergy, but an inability to break down the compound lactose into simple digestable sugars. Our physician thought they would both outgrow it, eventually. While infants, they survived on soy-based formula. As they grew older, our physician suggested soy milk. Both girls refused this. A new product that broke down the lactose in milk became available, but the quality of the product was poor. Both girls refused it also. It appeared our only option was to continue the costly formula.

About the same time, our oldest son fell in love with a dairy goat doe at the county fair. We purchased that doe and we came to love dairy goats also. An interesting side affect came when this first goat freshened for the first time. We had fresh milk and didn't know what to do with it. We allowed the girls to try it, and they were both able to digest it. At last we had a possible solution. We immediately increased our herd to allow for year round production.

As predicted, both the girls did outgrow the lactose intolerance and as the son grew up the herd was dispersed. BUT, we had another side effect, Those now healthy teens remembered the gentle goats and their delicious milk. We now have a herd of 30 does and doelings.

It is a shame to have to use our surplus milk as animal feed! Many people could benefit from this healthy clean product if we were able to sell it. I get at least two calls a month from people wanting to buy goats milk, usually for health reasons.

House bill 2387 MUST PASS. None of the goat milk producers will get rich. I doubt if we would make any more than if we sold our milk for pig food, BUT people unable to drink cow's milk would have a solution. It is unfair to ask people who need goats milk to spend \$2.55 for a 12 oz. can of product when we are wasting the same.

Karla Riekeman

Kalakulina Route Two, Box 216

Abilene, Ks. 67410

913/479-2145

Senate ag 3-10-93 attachment 25

We desire for goats milk to be available for purchase, because it is easy to digest and is not allergen. Goats milk was medically recommended for or grandson, because of his allegeries. Doctors often recommend the use of goats milk in preference to cows milk.

William H. Herndon Louise Herndon William H. Herndon

2723 Golden Ave.

Topeka, Kansas 66605 Phone: (913) 267-2313

Louise Herndon

Senate ag 3-10-93 attachment 26

#### 1737 Plymouth Rd. Manhattan, KS 66502 (913) 776-6481

15 February 1992

Dear Committee Chair:

I am writing to support the passage of HOUSE BILL No. 2387 introduced by Representatives Hochhauser and Rezac.

Since August 1988, I have purchased two gallons of goat's milk every week from Dr. Deb Mangelsdorf. Deb, Doctor of Veterinary Medicine, is the proprietor of the Konza Veterinary Clinic located at 8080 East Hwy. 24.

Because I am allergic to cow's milk, I have drunk almost no milk since the summer of 1963. While I have tried a variety of substitutes such as soy milk and powdered milk, I didn't care for any of them. In fact, I had tried goat's milk many years ago but didn't care for it.

I'm not sure why Dr. Mangelsdorf's milk is so good and why I like it so much. I would guess it's because I get it from her so fresh. I get it from her on the same day that she milks her goats and I never keep goat's milk in my refrigerator for more than 5 days.

I feel that Dr. Mangelsdorf should be able to advertise her product so that other people including those allergic to cow's milk would be able to enjoy such a great-tasting milk.

John W. Dalida

FEBR. 13,1993

	TEDR. 10/11/0
To Whom It May Concern:	
My family and I use goals or goals milk. We trust goals mis I nutritious, tasty dairy produce aware that we tolerate the better than cow's milk (patar).  Indeed propably the only is cow's milk the most of the t	16 to the enjoy
goats milk. We trust goals mis	+ 12 are
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Indeed probably the only so	eason I purchase
cows milk the most of the +	ime is for us, it's
in convention to travel to say	_ COLO CA COLOR
and cow's milk is commercially	available nearly
any where.	
	Jones
DANNY B. JONES Dans 2603 S.E. GOLDEN AVE. Dijs	2 M Marcal
TOPEKA, KS 6665-3258	
	Lenate ag 3-10-93
	attachment 28

Tabruary 15, 1993

Dear Sire:

This letter is in regards to the call I recieved from Mrs. Kayla Dieball last night concerning the bill that is before the legislation. She asked that I tell you a bit about my operation.

My husband and I have been in the dairy goat business for 9 years. In that time, we have sold goat milk to 10 different grayhound dog kennels. Their names are listed below. We are currently milking 35 dairy goats by machine morning and night. We hope to be milking around 50 by spring or the beginning of summer. We have a total of 55 milking does, 4 breading bucks and as of this morning 6 new kids.

The demand for goat milk from grayhound farms in this areas is great. We have been slow to get new kennels because we really do not know many of the breeder and have gotten all our new custumers by word of mouth. In past years we have had to literally dump the milk down the drain because we did not know who to sell it to only to learn later that this kennel or that kennel would have bought it from us. I sincerely believe that had I been able to advertise, I would have all the business I could handle and more. My dairy goat business gets grain from Abilen Coop and the Navarre Coop. We buy supplies from Pioneer Farm and Ranch in Abilene and the Caprine Supply Co in DeSoto. Not to mention the Abilene Animal Hospital where we get our health care.

I hope you will sincerely consider passing the bill which will allow the Dairy Goat farmer to advertise the fact that we have milk to sell. I believe that it will be a boost to the economy as we have a lot to offer the community.

Sincerely yours.

Exsie McLaughlin McLaughlin's Alpines

Laur

R R 2 Box 323

Chapman, Ks 67431

RIGGIN KENNEL
CRAIG KENNEL
RICK BARTLEY KENNEL
FASTPACE KENNEL
HENRY KENNEL

FLYING EAGLES KENNEL ESTHER BARTLEY KENNEL 3-R KENNEL BERLAND KENNEL LAMBERT KENNEL

> Senate ag 3-10-93 attackment 29

My Tasternanca! To Great Porcy Products, IT is with great pleasure that I can Take This apportunity To express in writering The way of feel about goot doing products. It has saved my health + hard exceed money. dome now 44 years of oge. As a Terregar d warked with cattle, consumering cours mille + creame After The service hitel de west into construction At The age of 22 of developed stomach ulsers in The paptic forms The doctors preseriesed malox at first, Then Tagement Then Zantact, allastracide And all the cows milk & could disk. The frother Don died not start milking coats for 10 or 12 years ofter may ulser attacks. When the Told me goats wilk was good for one + to Tay it, I had doubte, but after les is years & hundred af dollars in antiocide to make ( bills of try of it. In one week 2 antaci Toget Celifa formaligantina 4 / Line of the market of the superior of the without forming a coating in my stomach as cons with does, trapains acide + eggerratains Jan sald an goats milk of cheese, my taste is a little ditterent of know the ditterence in quality of goods milk What they are feel them They

are taken care of the Los as a man concerned, a

well programmed, good good pairy Product is needed

to for every human wenting to enjoying good Health. Made Company 30 attackment 30

#### State of Kansas Joan Finney, Governor



#### Department of Health and Environment

#### Azzio Young Ph.D. Socretary

Robert C. Harder, Secretary

Reply to:

Testimony presented to

Senate Agriculture Committee

by

The Kansas Department of Health and Environment

House Bill 2387

The major change in House Bill 2387 is to allow for the general advertisement of goat milk for sale to the public. Currently, the law allows for the milk producer to advertise only by means of a sign erected on the premises of the farm.

The Department of Health and Environment opposes this bill since it expands the promotion of unpasteurized milk. The consumption of raw milk is a dangerous public health practice. Animals harbor a variety of microorganisms that cause illness in humans. Consuming unpasteurized milk is analogous to consuming any raw animal product. The dangers of trichinosis from inadequately cooked pork are well known. The risk of infection with E. coli from poorly cooked ground beef has recently received national attention after an outbreak of foodborne illness in the northwest. Outbreaks of salmonellosis from the consumption of raw shell eggs have also become more common in recent years.

Consuming raw milk is no different than eating any other uncooked animal product such as meat, poultry or eggs. As just one example, the consumption of raw milk was associated with 20 outbreaks of Campylobacter infection, a severe form of bacterial diarrhea, among children in 11 states during the last decade. One of those outbreaks occurred in June 1988 in Kansas. Fifty-three percent of 196 children attending a bible school became ill after drinking unpasteurized milk donated by a dairy. Raw milk has also been associated with outbreaks of E. coli and salmonella.

The Department of Health and Environment is not opposed to the consumption of goat milk. What we do oppose is the promotion or sale of any milk that has not been pasteurized. Dairy products that are advertised for sale should be safe for human consumption.

Testimony presented by:

Andrew Pelletier, M.D. Acting State Epidemiologist Bureau of Disease Control

March 10, 1993

Senate ag 3-10-93 attachment 3

#### Goats' Milk References

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#### HOUSE BILL NO. 2387

#### SENATE AGRICULTURE COMMITTEE

#### March 10, 1993

Mr. Chairman, members of the Senate Agriculture Committee. My name is Melvin Brose and I am the Dairy Commissioner for the State of Kansas.

I appear today in opposition to House Bill 2387 which permits public advertising and sale of raw goat milk and goat dairy products if the sales do not exceed 100 gallons per month.

My opposition is for public health concerns. First of all, the facilities are not inspected. Secondly, goat milk, if not handled properly is subject to environmental pathogens such as listeria, salmonella, camplobacter and E. Coli.

Kansas has had three reported occurrences of camplobacter poisoning. In 1981, 250 people became ill from the consumption of raw cow's milk near Wichita. In 1988, 75 students became ill from raw cow's milk which was provided to them during a summer Bible school. In 1990, 26 children became ill from camplobacter poisoning when they visited a dairy farm and were offered raw cow's milk from the bulk tank.

As specifically noted, these were caused by raw cow's milk. The potential for similar incidents is possible for raw goat's milk and goat dairy products.

The present law allows for the sale of raw milk on the farm directly to the retail consumer and does not permit public advertising. There is no limit on the amount of milk that can be sold directly in containers clearly labeled as ungraded raw milk.

As Dairy Commissioner, I am reluctant to expand the exposure to ungraded raw milk products and potentially increase the public health risk, thus I am opposed to House Bill 2387.

On February 23, 1993 the Board of Agriculture met with representatives of the goat producers to discuss facility requirements for goat milk producing we note ag

-10-93 ttashment 3. 32-1 facilities and minimal standards for goat milk processing facilities. It was pointed out that home pasteurization may be adequate for one's personal needs, but it would not meet the requirements of the Grade A Milk Law. Improperly pasteurized milk may be of equal concern as raw milk.

If both the dairy facilities and the processing facilities met the Grade A milk requirements, this bill would not be necessary.

I will try to answer any questions you may have.



Food and Drug Administration Kansas City District Office 11630 West 80th Street Lenexa, Kansas 66214-3340

Telephone: (913) 752-2100

Mr. Mel Brose Kansas Dairy Commissioner Kansas Department of Agriculture 901 S. Kansas Avenue Topeka, Kansas 66612

RECEIVED

FEB 1 7 1993

KSBA - INSPECTIONS

Dear Mr. Brose:

Thank you for the opportunity to comment on the issue of selling raw milk to the consumer for consumption without proper pasteurization. As you know sanitary practices play a significant role in the quality and wholesomeness of any dairy product. But even in the cleanest environment milk is still a raw product.

Salmonella, Listeria, Yersinia, Staphylococcal, and E. Coli are some of the pathogenic organisms that all naturally inhabit the environment. These organisms could be a potential hazard in any raw milk supply because of their ability to produce food poisoning or a food toxin. It may be noteworthy that the latest foodpoisoning epidemic was an E. Coli produced toxin that was present in Jack-in-The-Box hamburgers.

The only effective treatment to destroy these potential pathogens is a proven pasteurization process. The Pasteurized Milk Ordinance was developed to offer guidelines and technology into effective and practicable public health practices. The defining principle of this document is that only properly pasteurized milk be offered for sell to the good of the public health. The final thing I would like to leave with you is this, before the Pasteurized Milk Ordinance was widely adopted milkborne outbreaks constituted 25 percent of all disease outbreaks due to infected foods and contaminated water. Our most recent information reveals that milk products that are properly pasteurized continue to be associated with less than 1 percent of such reported outbreaks.

Dincesei

Tim Roddy

Regional Milk Specialist Food & Drug Administration U.S. Public Health Service



# Department of Animal Sciences and Industry

Call Hall Manhattan, Kansas 66506-1600 913-532-5654 FAX: 913-532-5681

March 1, 1993

Mr. David Corbin, Chairman Senate Agriculture Committee Capitol Building, 300 SW 10th, Room 143-North Topeka, KS 66612-1504

Dear Mr. Corbin:

This letter is in reference to House Bill No. 2387 which amends the State Dairy Law K.S.A. 65-737 to include the sale of milk and milk products from unpasteurized goat's milk. The passing of this dairy law to include this amendment is of major public health concern for the people of Kansas.

The main concern is the potential hazard of drinking raw milk or consuming products made from raw milk. Milk is milk regardless of the source; whatever potential hazard condition exists for cow's milk also relates to goat milk, sheep milk, deer milk, etc. Normally healthy people can tolerate moderate levels of harmful microorganisms. There is an at-risk group of people who are immune-compromised and cannot tolerate even low levels of microorganisms which cause foodborne illness. This at-risk population includes:

- 1. Infants
- 2. Hospital patients
- 3. People with allergies
- 4. Pregnant women
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This can be verified by the reviews of foodborne outbreaks over the years. A good example is the "Jack in the Box" hamburgers where recently two infants have died from eating the contaminated product or were in close contact with affected individuals.

Economics should not influence the public welfare of individuals in Kansas. Goat's milk, for individuals whose physicians have recommended it for health purposes, can be purchased in any supermarket in Kansas. The present law permits the sale of cow's or goat's milk on the farm for the buyers personal consumption. The statement in the proposed change in the law - "sales not to exceed the monthly average of 100 gallons" - has no meaning or safeguard to the public. Five gallons, 50 gallons, 500 gallons or 1,000 gallons could be used but it takes less than an 8 ounce glass of milk to cause illness. I believe this proposed change in the law has not been seriously looked at regarding the overall protection of the consumers of Kansas.

Mr. David Corbin Page 2 March 1, 1993

Enclosed is an article that I wrote in 1992 which was published both locally and nationally. Next month another article will be found in the Kansas Dairy Technology newsletter warning the school officials in Kansas that their students not consume raw milk if they are on field trips. I have also included an article from "Health Quest" published by Kansas State Employees Health Care Commission dated January, 1993. You will note that unpasteurized milk and improperly prepared foods (which would include cottage cheese, hard cheese, yogurt, and ice cream made from raw milk) are of main causes of food poisoning.

There is a risk for individuals consuming raw milk and by-products made from raw milk. It should be our responsibility to educate the public about health risks associated with consuming raw milk and products made from raw milk and not give the public the feeling that it must be alright to consume raw milk since the laws are permitting it. In February, 1992, an article was published in the Journal of Food Protection by members of the College of Veterinary Medicine, Department of Food Technology and Science, Department of Rural Practice, and Department of Animal Science at the University of Tennessee in reference to the presence of pathogenic microorganisms in bulk tank milk. The conclusion was that the prevalence of raw milk consumption from contaminated bulk tanks emphasizes the need to continue efforts toward education of producers about health risks associated with the consumption of raw milk and emphasizes the importance of legislation prohibiting the sale of unpasteurized milk.

I have been involved with dairy industry for 40 years and have been at Kansas State University in the area of dairy foods processing for nearly 30 years. During my tenure at Kansas State, I have always expressed a major concern for public health by properly pasteurizing milk for either fluid purposes or products made from raw milk. I know if you would check with other individuals who are involved with food safety, they will have the same concern.

I highly recommend that you and other members of the Senate give serious thought to the potential health hazards before passing this new dairy law. I believe it is our responsibility as leaders of Kansas to protect the welfare of the general public of Kansas.

Thank you for your consideration concerning this bill and greater emphasis on the public health for the people of Kansas.

Sincerely yours,

Harold A. Roberts Associate Professor

/bln

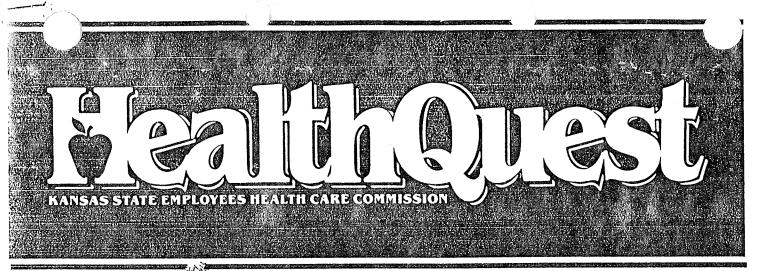
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The United States Food and Drug Administration issued an advisory to school officials in 1985 stating that children not be permitted to consume raw milk on field trips. It has not been definitely determined whether individuals handling animals can become ill by placing their fingers in their mouths or handling food products without first washing their hands. It is highly recommended that individuals, especially children, on field trips to dairy farms not consume raw milk or products made from raw milk. It is also advisable to avoid close contact with animals. This is for your protection.



Vol. IV, No. 7



...one healthy idea after another



January, 1993

# Nutrition Education Materials Available from Kansas LEAN

he old Basic Four food groups that everyone learned in school has been split into the Basic Five, and the Basic Four Food Wheel has been replaced with the Food Guide Pyramid.

Kansas LEAN (Low-fat Eating for America Now) is now conducting a series of educational campaigns based on the Food Guide Pyramid, which is designed to aid Americans in reducing dietary fat. At the base of the pyramid is

the bread, cereals, rice and pasta group. Kansas LEAN's first campaign, "Check Your 6," is a pro-active program designed to encourage people to eat the recommended six to 11 servings of these grain products each day.

Key to the "Check Your 6" campaign is a self-evaluation card that illustrates the Food Guide Pyramid and specifically outlines what a serving from the bread, cereals, rice and pasta group consists of. It also outlines the serving sizes for the other food groups and who needs how many servings from each group based on activity

> This card can be obtained by writing the Kansas Wheat Commission, a member of the Kansas LEAN Food Professionals Task Force, at 2630

Claflin, Manhattan, Kansas 66502.

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Kansas LEAN is patterned after Project LEAN, the American Dietetic Association's national program to reduce dietary fat. Funding is provided by the Kansas Department of Health and Environment and the Wesley Foundation, and through the contributions of its task force members.

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Remember, changes in coverage during the year can only be made if you experience a group health insurance qualified event. If you are paying for your coverage under the Pretax Premium Option of KanElect, you must also have a qualified family status change in order to change your coverage. For more information, consult your yellow 1993 Benefit Options booklet or your personnel office.

#### Big Thanks to Topeka Site Coordinators

Thanks to these employees who helped with HealthCheck in the Topeka area: Capitol Building: Delberta Pfeifer, Glenda Brown. KCC: Dolores Gonzales, Margaret Kerr, Sandra Nichols.

DSOB: Barb Conant and SRS staff, Sherri Jacobs and KDOT staff, Russ Blosser and Dept. of Revenue

Topeka Correctional Facility: Joe Hysten. LSOB: Kathleen Plymire, Kelli Hodges, Angela Castardo, and staff from DOA, KDHE, DOC, Dept. of Ed., Bd. of Ag., Historical Society and Highway Patrol.

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The last phase of HealthCheck testing will be held at the following sites during the months of January and February:

<u>Site</u>	Testing Dates
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If you are interested in participating and have not yet received an information packet, please contact your personnel office or call the HealthQuest office at 913-296-6280

# NT IRITION MIM

Food Poisoning: The Culprits and Symptoms

o matter how hard you try to avoid food poisoning, it can still happen. In fact, an estimated 33 million cases of food poisoning occur every year, with pregnant women, children, older adults and persons with chronic health problems most at risk.

The severity of food poisoning varies depending on the type of bacteria involved, the amount of the contaminated product that's ingested, and how strong the immune system is. There are thousands of types of bacteria that cause food poisoning. The Food and Drug Administration lists the following as common culprits:

#### Campylobacter.

Culprits: Under-cooked poultry, fish and meats; untreated water and unpasteurized milk.

Symptoms: Diarrhea, nausea, stomach pain, fever, vomiting. These symptoms usually appear within 2 to 5 days after ingestion of the bacteria and last 7-10 days.

#### Salmonella.

Culprits: Undercooked or improperly refrigerated poultry, meat, eggs, stuffing, or unpasteurized milk.

Symptoms: Abdominal pain, headache, diarrhea, vomiting, and chills. These symptoms usually appear within 6 to 48 hours after ingestion and usually last 2 to 4 days.

#### Clostridium Perfringens.

Culprits: Undercooked meat and poultry, and foods left too long on a steam table (as in restaurants).

Symptoms: Gas pains and diarrhea. These symptoms usually appear within 8 to 24 hours after ingestion and usually last about 24 hours.

#### Staphylococcus Aureus.

Culprits: Improperly refrigerated dairy products, meat, salads, creamfilled desserts and custards.

Symptoms: Diarrhea, vomiting and cramps. These symptoms usually appear within 30 minutes to 8 hours and last 1 or 2 days.



Clostridium Botulinum.

Culprits: Damaged canned goods, home-canned foods, and foods kept in conditions where oxygen is limited, like a foil-wrapped potato left out overnight or all day.

Symptoms: Dry mouth, impaired speech, difficulty in breathing, and double vision. These symptoms usually appear within 12 to 72 hours after ingestion and can be fatal if not treated immediately.

#### **Storing Foods Safely**

Ground meat Refrigerator 1-2 days All chops Refrigerator 3-5 days All roasts Refrigerator 3-5 days Beef steaks Refrigerator 3-5 days Freezer 6-12 mos Lamb chops Freezer 6-9 mos Pork chops Freezer 4-6 mos Ground beef Freezer 3-4 mos Beef roasts Freezer 6-12 mos Veal, pork roasts Freezer 4-6 mos Lamb roasts Freezer 6-9 mos	Raw lean fish (cod, sole, flounder)  Refrigerator 1-2 days Freezer 6-8 mos  Raw fatty fish (salmon, perch) Refrigerator 1-2 days Freezer 4 mos  Raw shrimp Refrigerator 1-2 days Freezer 9 mos  Cooked seafood Refrigerator 3 days Freezer 2 mos
Cooked leftover meats:Refrigerator3-4 days	Milk
2-3 mos Luncheon meats:	
Unopened Refrigerator 2 weeks	Refrigerator3 wks
Opened	Hard-boiled eggs in shell1 wk
RawRefrigerator 1-2 days	Freezer
CookedRefrigerator3-4 days4-6 mos	Information based on data from the USDA and the Food Marketing Institute.
	— — CUT OUT AND POST ON YOUR REFRIGERATOR 🔀 🔀

#### Crispy Oven-Fried Chicken

12 pieces chicken, about 31/2 lbs, skinned, all visible fat removed

1/4 cup vegetable oil

1/4 tsp. salt (optional)

Freshly ground black pepper to taste

#### RECIPE OF THE MONTH

SERVES 6, 2 PIECES OF CHICKEN PER SERVING

1 tsp. ground ginger, or to taste

1 clove garlic, crushed (optional)

1 tsp. paprika

4 cups wheat-flake cereal, lightly crushed

Preheat oven to 350° F. Rinse chicken and pat dry. Combine oil, salt, pepper, ginger, garlic and paprika in a small bowl. Place cereal in a pie plate or on a piece of foil. Brush each piece of chicken on both sides with oil mixture, then dip in cereal crumbs, pressing lightly to get an even coating on all sides. Place on an ungreased baking sheet. Bake 45 to 60 minutes, or until chicken is golden brown and tender. Timing will vary according to the thickness of the chicken pieces.

'Taken from the American Heart Association's Low-Fat, Low-Cholesterol Cookbook. This cookbook can be purchased at your local bookstore

Each serving provides: 373 calories, 39 g. protein, 15 g. carbohydrote, 16 g. fot, 105 mg. cholesterol, and 413 mg. sodium.



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/bln

# ELECTION COMMISSION KANSAS STATE EMPLOYEES HEALTH CARE COMMISSION

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# NUTRITION IOIIII

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All roosts	
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	6-12 mos
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Veal, pork ro	oasts Freezer 4-6 mos
	6-9 mos
Cooked lefto	ver meats:
**	Refrigerator 3-4 days Freezer2-3 mos
Luncheon m	leats:
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Opened .	Refrigerator 5 5 days
POULTRY	
Raw .	Refrigerator 1-2 days
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	Freezer 4-6 mos
1	

2EAFOOD
Raw lean fish (cod, sole, flounder)
Refrigerator 1-2 days
6-8 mos
Raw fatty fish (salmon, perch)
4 mos
Raw shrimp Refrigerator 1-2 days
9 mos
Cooked seafood Refrigerator 3 days
Freezer 2 mos
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DAIRY PRODUCTS • • • • • • •
DAIRY PRODUCTS • • • • • • • • • • • • • • • • • • •
DAIRY PRODUCTS
Milk
Milk
Milk
Milk
Milk Refrigerator 5 days Freezer 1 mo Uncooked eggs in shell (Don't freezel) Refrigerator 3 wks Hard-boiled eggs in shell Refrigerator 1 wk Freezer 6 mos
Milk

Information based on data from the USDA and the Food Marketing Institute.

CUT OUT AND POST ON YOUR REFRIGERATOR

#### Crispy Oven-Fried Chicken

12 pieces chicken, about 31/2 lbs, skinned, all visible fat removed

1/4 cup vegetable oil

1/4 tsp. salt (optional)

Freshly ground black pepper to taste

#### RECIPE OF THE MONTH

SERVES 6, 2 PIECES OF CHICKEN PER SERVING

1 tsp. ground ginger, or to taste 1 clove garlic, crushed (optional)

1 tsp. paprika

4 cups wheat-flake cereal, lightly crushed

Preheat oven to 350° F. Rinse chicken and pat dry. Combine oil, salt, pepper, ginger, garlic and paprika in a small bowl. Place cereal in a pie plate or on a piece of foil. Brush each piece of chicken on both sides with oil mixture, then dip in cereal crumbs, pressing lightly to get an even coating on all sides. Place on an ungreased baking sheet. Bake 45 to 60 minutes, or until chicken is golden brown and tender. Timing will vary according to the thickness of the chicken pieces.

\*Taken from the American Heart Association's Low-Fat, Low-Cholesterol Cookbook, This cookbook can be purchased at your local bookstore.

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Each serving provides: 373 calories, 39 g. protein, 15 g. carbohydrate, 16 g. fat, 105 mg. cholesterol, and 413 mg. sodium.