

Amendments to the Poultry Disease Control Act; SB 89

SB 89 amends the Poultry Disease Control Act (Act) and establishes fees related to the Act and the National Poultry Improvement Plan (NPIP).

[*Note:* The NPIP was established in the early 1930s and provides a cooperative industry, state, and federal program to help diminish the spread of pullorum disease and other poultry diseases through testing and monitoring.]

Fees

The bill establishes the following fees to be paid to the Animal Health Commissioner (Commissioner), Kansas Department of Agriculture (KDA):

- NPIP participation fee of up to \$50;
- Certification fee up to \$50 for individuals providing testing or diagnostic services; and
- Testing and diagnostic services fee up to \$100 per location.

NPIP Participation Fee

The bill establishes the NPIP participation fee, not to exceed \$50. The bill requires the fee to be paid annually by each person participating in the NPIP and allows participation in the NPIP for one year.

Certification Fee

The bill establishes a certification fee, not to exceed \$50, that would apply to each person performing any testing or poultry disease diagnostic services related to pullorum-typhoid or fowl typhoid pursuant to the Act. The bill requires each such person to annually obtain a certification to perform testing and diagnostic services from the Commissioner, and each certification would expire on September 30th following its issuance.

The bill also clarifies that each person performing poultry disease diagnostic services related to pullorum-typhoid or fowl typhoid pursuant to the Act must report within 48 hours to the Commissioner, or the Commissioner's authorized agent, the source of each poultry specimen from which salmonella pullorum or salmonella gallinarum is a reactor or is isolated.

Testing and Diagnostic Services Fee

The bill requires each person who requests that the Commissioner, or the Commissioner's authorized agent, perform testing or diagnostic services related to pullorum-typhoid or fowl typhoid pursuant to the Act to pay a fee not to exceed \$100 per visit to each

location participating in the NPIP. Payment is required prior to the performance of any testing or diagnostic services.

The bill provides that testing or poultry disease diagnostic services related to pullorum-typhoid or fowl typhoid that is not performed by the Commissioner, an authorized agent of the Commissioner, or an individual certified pursuant to the Act is not sufficient to support participation in the NPIP.

Failure to Pay NPIP Participating Fee

The bill authorizes the Commissioner to revoke any NPIP participation for failure to comply with the requirements of the Act or any applicable NPIP requirements, including failure to pay the annual NPIP participation fee within a 60-day grace period following the date that the fee is due.

Other Amendments to the Act

Out-of-State Poultry

The bill prohibits poultry from being shipped into Kansas other than from a source that is either:

- An NPIP participant in compliance with all NPIP requirements at the time of the shipment; or
- Meeting requirements equivalent to those contained in the NPIP.

The bill would also remove references to hatcheries and hatchery supply flocks.

Public Exhibition

The bill modifies the requirements for all poultry taken to a public exhibition in Kansas. It requires all poultry taken to a public exhibition to meet one of the following requirements:

- Come from a flock of poultry that participates in the NPIP and is compliant with all applicable provisions of the NPIP;
- Have a negative result from pullorum-typhoid and fowl typhoid test conducted within 90 days of the poultry being taken to the public exhibition; or
- Be included in a surveillance program approved by the Commissioner.

This includes all exhibition, exotic, and game birds, but excludes waterfowl.

Definitions

The bill clarifies the definition of “poultry,” changes the term “pullorum” to “pullorum-typhoid,” and removes the definition of “hatchery.”

Rules and Regulations

The bill authorizes the Commissioner to adopt rules and regulations to establish annual fees for NPIP participation and annual fees for obtaining certification to perform and receive testing and diagnostic services related to pullorum-typhoid or fowl typhoid.