

Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Department of Agriculture
Agency

Ronda Hutton
Agency Contact

785-564-6715
Contact Phone Number

4-7-716
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (if Required)

Section I

Brief description of the proposed rule(s) and regulation(s).

The proposal updates the references for the current Grade A Pasteurized Milk Ordinance, the current Methods of Making Sanitation Ratings of Milk Shippers, the current Procedures Governing the Cooperative State Public Health Service/Food and Drug Administration Program of the National Conference on Interstate Milk Shipments, and the current Evaluation of Milk Laboratories documents. These Food and Drug Administration documents are the standards that are adopted and used by state departments of agriculture dairy programs to ensure public health compliance in the production, transportation and processing of milk and dairy products. While these regulations are not mandated by the federal government, they are necessary if the state wishes to ship milk interstate under state inspection and K.S.A. 65-775 requires that the Secretary promulgate regulations that conform, insofar as possible, with the pasteurized milk ordinance, and the policies adopted by the interstate milk shippers conference. The updates to these adoptions by reference do not change the scope or intent of the current regulation and simply reflect changes to dairy industry practices, technology, and science.

Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

The proposed regulations are do not exceed any requirements of the federal government. The Food and Drug Administration documents adopted by reference are the standards that are adopted by every state dairy program to ensure public health compliance. If the most current versions of these documents are not adopted into the state Dairy Law, it may impose embargos on Kansas products for interstate shipment.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

No restriction on activities or growth expected.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

No economic effect would occur on businesses, sectors, public utility ratepayers, individuals, and local governments.

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- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
Kansas dairy farms, manufacturing plants, milk transfer stations, truck wash stations, milk haulers.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
Benefits would be updating the industry to the most current versions of reference documents to ensure public health safety and for Kansas to be consistent with other states' regulations, meet FDA requirements and allow for interstate movement of Kansas produced or processed milk.
- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;
No costs are expected to be involved with these regulation updates.
- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.
Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$0
 Costs to Local Governmental Units – \$0
 Costs to Members of the Public – \$0
Total Annual Costs – \$0
 (sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Industry is already adhering to the most current versions of these documents since it is in their best interest to comply with the most current versions. That said, no costs are expected to be imposed on the dairy industry of Kansas due to these proposed regulation adoptions.

- Yes
 - No
 - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, [click here to enter public hearing information.](#)

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Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

No changes are expected in aggregate state revenues and expenditures due to these proposed regulation adoptions.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

No impact is expected with these proposed changes. No estimate is possible, as the industry is already adhering to the most current version of these proposed documents to keep up with national standards.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The agency submitted letters to the League of Kansas Municipalities, Kansas Association of Counties, and the Kansas Association of School boards describing the proposed changes to the Kansas Dairy Law.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The agency submitted letters to all license holders and stakeholders, including the Kansas Livestock Association, the Kansas Dairy Association, and the Kansas Farm Bureau describing the proposed changes to the Kansas Dairy Law.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

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- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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Kansas Administrative Regulations
Economic Impact Statement
Public Hearing Certification
(To be completed after the public hearing)

Agency: [Click here to start typing](#)

Agency Contact: [Click here to start typing](#)

Phone Number or Email: [Click here to start typing](#)

K.A.R. Number(s): [Click here to start typing](#)

Public Hearing Date: [Select date](#)

Public Hearing Time: [Click here to start typing](#)

Public Hearing Location: [Click here to start typing](#)

Public Hearing Attendance: [Click here to start typing](#)

DOB APPROVAL STAMP (If Required)