

Withdrawing

Assembly Hearing Slip

(Please print plainly)

Date: 5/17/95
Bill No. AS 376
Or
Subject _____

(Name) Bunny Menick
(Street Address or Route Number) 2031 Cumberland Rd.
(City & Zip Code) Redgranite, WI 54970
(Representing) Redgranite Mink Ranch

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: _____
Bill No. AB 376
Or
Subject _____

(Name) Rep. Ben Staben
(Street Address or Route Number) _____
(City & Zip Code) _____
(Representing) _____

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 5/17/95
Bill No. 2683/1
Or
Subject _____

(Name) Steve Steinhoff
(Street Address or Route Number) 281 Agricultural Dr
(City & Zip Code) Madison
(Representing) Wis Dept. Ag - TCP

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only; Neither for nor against:

Please return this slip to a messenger promptly

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

AB 376 12

Assembly Hearing Slip

(Please print plainly)

Date: 5-17-95

Bill No. 376

Or Subject 1/8 mile Highway

(Name) George Hatzinger

(Street Address or Route Number) 5671 Bee Elder Rd

(City & Zip Code) MARSHALL WIS 53559

(Representing) KAREM INC

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 5/17/95

Bill No. 376

Or Subject 1/8 mile Highway

(Name) Joe Merrick

(Street Address or Route Number) 534 Karem Dr

(City & Zip Code) Marshall, Wis. 53539

(Representing) KAREM INC.

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Kim-

Bunny Meeck

(of Radgammle) no

longer wants to

testify. Please

take her off the

list.

Thanks!

Debra

KAREM, INC.

Dog Food Bi Products

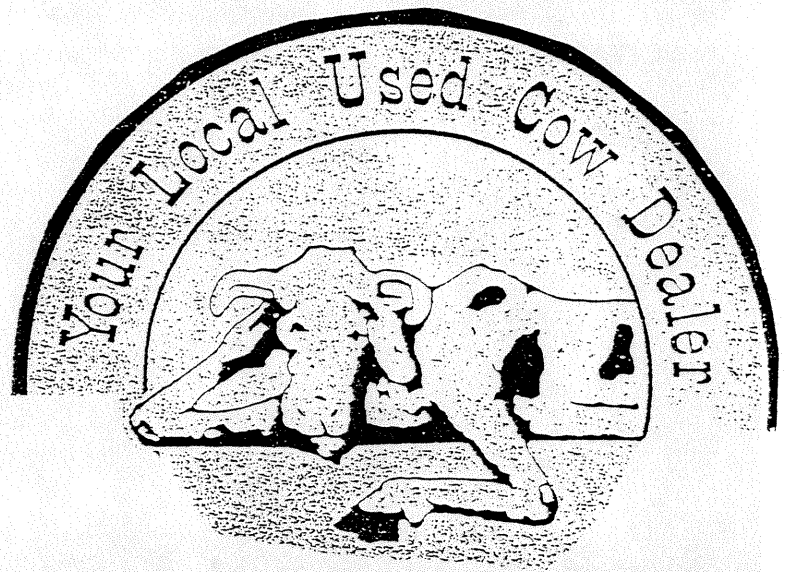
549 Karem Dr. * Marshall, Wi 53559

608-655-3438 * FAX 608-655-4767

WI 1 800 242 9373 * US 1 800 223 2944

TO:

FROM:



May 17, 1995

Honorable Al Ott
314 North
Inter-D

Dear Mr. Chairman:

Thank you holding a hearing and allowing me to testify on Assembly Bill 376.

As a representative of the animal food processing industry and ten years in the business, I feel I can testify in support of Assembly Bill 376.

It has been my experience that the 1/8 mile requirement is a law that needs revision. In the case of Karem, Inc., who I am employed by, we purchased property and constructed a facility that will employ 15 to 20 people in the Virocqua area. After we started construction of the plant, we invited the Department of Agriculture, Trade and Consumer Protection (DATCP) to inspect the plant for compliance. After six months of searching for a ideal location off main highways and secondary highways, I was surprised when I was told by a DATCP official we were not in compliance with the 1/8 mile requirement, even though we were the only building and

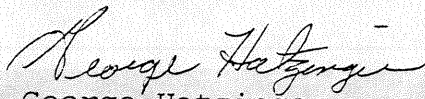
occupants on a back-woods gravel road.

It was after this we decided to contact Representative Hahn. Through discussions with Representative Hahn and officials at DATCP, I learned that DATCP was in the process of addressing the issue through administrative rules. Representative Hahn was kind enough to work with DATCP to develop language that was acceptable to everyone and rectify the problem.

Assembly Bill 376 will allow us to use the on site farm house, which we will use as a residence for management. Mr. Chairman, having a background in agriculture you can understand that this is a 24 hour a day, seven day a week operation.

I urge you to pass Assembly Bill 376.

Thank you,


George Hatzinger
Karem, INC.

cc: Committee members



State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

Alan T. Tracy, Secretary

2811 Agriculture Drive
Madison, Wisconsin 53704-6777

PO Box 8911
Madison, WI 53708-8911

May 17, 1995

Public Hearing Testimony - LRB 2683/1
Assembly Agriculture Committee
Room 417 North, State Capitol

Chairman Ott and Committee Members:

The Department of Agriculture, Trade and Consumer Protection (DATCP) is testifying today in support of LRB 2683/1, and wishes to thank State Rep. Eugene Hahn and his staff for working with DATCP to resolve the various issues addressed by this legislation.

Several years ago, the Department began a more intensive regulatory oversight over meat rendering facilities, animal food processors and dead animal collectors following an internal reorganization that placed these duties within the Division of Food Safety.

The rationale for these regulatory efforts is to assure that dead or diseased animals are effectively kept from the human food chain, and that proper safeguards are followed by businesses to prevent the further spread of animal disease.

DATCP currently licenses and inspects 9 rendering plants and grease processors, 28 animal food processing facilities, 26 fur farms, and 28 dead animal collectors.

During the course of its compliance activities, the Division of Food Safety has identified a number of problems and "wording glitches" with respect to s. 95.72, Stats., relating to the transportation, processing and disposal of dead animals. The provisions of LRB 2683/1 are intended to correct these statutory deficiencies for the benefit of licensed businesses, as well as the Department's enforcement activities. A more detailed analysis follows:

1. Statutory Renumbering and Placement

The proposed legislation renumbers s. 95.72, Stats., as a section in Chapter 97 which reflects the statutory authority of the Division of Food Safety. In doing so, the bill provides the Division with special enforcement tools by which to obtain compliance with the current provisions of s. 95.72, Stats. These include clear inspection and sampling authority, the ability to issue detention orders, special

order authority, injunctive relief, and summary order authority if the failure to comply with regulations is found to constitute a serious danger to public health.

2. **Definition of a Rendering or Processing Plant**

This is largely a technical change that clarifies the definition of a rendering or processing plant to include facilities that collect, slaughter, render or process dead animals for the production of animal food.

3. **Conditional Licensing of Facilities**

Current law allows DATCP to grant temporary permits pending final action on a licensing application. The Division does not issue temporary permits; rather, we issue conditional licenses premised upon meeting inspection and licensing requirements. This provision is largely technical.

4. **Expiration Date Change for Licenses**

Current law establishes a February 28 expiration date for licenses issued under s. 95.72, Stats. The bill calls for a July 31 expiration date. This benefits those businesses who contract with DNR for dead animal collection services. These contracts operate on a fiscal year basis from July 1 through June 30. The change allows dead animal collectors to know beforehand whether they receive a DNR contract before having to acquire a DATCP license.

5. **Repeal of Location Requirements for Rendering or Processing Plants**

The bill repeals the current statutory provision prohibiting the location of a rendering or processing plant within one-eighth mile from a dwelling, business building or public highway. Some licensed facilities include the owner's dwelling, or housing for coworkers as part of the overall business operation. The one-eighth mile requirement is also regarded by DATCP as unduly arbitrary. Local zoning authorities are better equipped to determine location criteria for these businesses.

6. **Disposal Requirements for Rendering or Processing Plants**

Current law allows DATCP to issue permits allowing a longer amount of time to dispose of dead animals by rendering or processing plants. DATCP already has this flexibility under its current Chapter 97 authority. Current law also allows a facility to ignore carcass disposal requirements "if disposal within the time period is impossible and the Department is so notified by telephone." This language creates a huge enforcement loophole for inspection staff that has complicated DATCP compliance activities.

7. Collection and Transporting of Unprocessed Hides

The bill deletes current statutory provisions which exempt persons who collect or process animal hides from licensing and transportation requirements. The changes eliminate confusion as to what constitutes a dead animal collector and processor, and rid the statute of an enforcement loophole. Elimination of the hide exemption will appropriately regulate a business enterprise that can pose undue risk to animal health and public safety.

8. Correction of Deficiencies

The bill deletes current statutory provisions requiring DATCP to grant businesses specified statutory timeframes to correct facility or vehicle deficiencies, as well as additional timeframes to correct deficiencies found during reinspections of these establishments. Depending upon the nature of the violation, either longer or shorter timeframes may be more appropriate to correct deficiencies found during inspections of facilities or vehicles used to transport dead animals. Current statutory wording has been used by some businesses to delay efforts to achieve compliance with regulations.

9. Penalties

The bill deletes the current provision of s. 95.72, Stats., which provides for a civil forfeiture of not less than \$500 nor more than \$1,000 for violations of the law. This would be replaced by the general penalty provisions of s. 97.72, Stats. This provides for criminal or civil penalty options for county district attorneys.

1
\$100 to 1,000

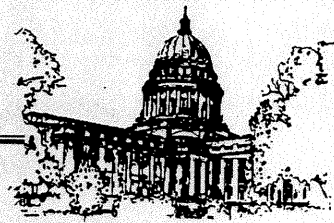
10. Vehicle Permit Requirements

Lastly, the Department is requesting an amendment to LRB 2683/1 that will delete permit requirements for vehicles used in transporting dead animals. This is a cumbersome requirement for industry and an administrative burden for the Department, and is unnecessary as an enforcement tool given current licensing requirements for the businesses. Current law also prohibits the Department from charging a fee for vehicle permits. Rather than attempt to develop a fee structure for these permits in order to recover administrative costs, DATCP proposes to eliminate the permit requirement altogether.

The Department appreciates the prompt attention given to this legislation by the Assembly Agriculture Committee, and urges your support of the bill.

EUGENE HAHN

State Representative • 47th Assembly District



Chairman:
Assembly Committee on
Tourism & Recreation

May 17, 1995

Honorable Al Ott
314 North
Inter-D

Dear Chairman Ott;

Thank you for allowing Assembly Bill (AB) 376 to have a hearing on short notice.

In rural Wisconsin there are odors that are objectionable to our society, but not necessarily harmful to our health. It is a fact that some statutes have been passed that were disastrous to a business but pleased the traveler or resident. Hence the reason for AB 376.

The disposal of dead livestock is a serious problem. Four fifths of all human disease are shared with vertebrate animals. That is the reason for statutes requiring the burial of animal remains to be six feet underground.

A good example of this was the struggle that took place with the disease tuberculous (T.B.), which was taking one life in every 500 people in this nation at the turn of the century. That ratio was down to 12.3 people per 100,000 by the year 1980.

A French veterinarian discovered a human and animal T.B. relationship in 1790, but it took 68 years to convince the health experts of the accuracy of the theory. A term defining the transfer of disease is zoonosis.

In East Africa the dead are left for the hyenas and jackals to



dispose of, and in this case, a pastoral people are perpetuating the transfer of disease. In India, Zoroastrian Parsees people traditionally expose the dead to birds, so in effect we have transmitted the disease from animals to humans to animals, whether domestic or wild.

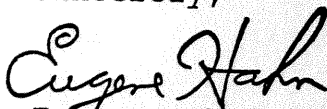
Here in Wisconsin the deer kill is frequently observed lying along the side of the road, but the farmer has state policy to deal with in the disposal of dead animals. It is virtually impossible to dispose of an animal by burial in the dead of winter and many times close to impossible during a dry summer. Therefore a service like that offered by Karem Inc. is a most positive solution.

We have rules regarding the distance from homes and roads which are difficult to operate under. The situation with roads should be left to the local zoning authorities and the question of homes in the vicinity versus a company home resolved.

At the same time a serious problem with livestock management of hides has surfaced. The bill also makes a correction in that hides collectors will now be monitored as well, adding to the health benefits of the bill.

I would encourage the passage of AB 376, and thank you for allowing me to testify.

Sincerely,


Eugene Hahn
State Representative

cc: committee members

FISCAL ESTIMATE
DOA-2048 (R 10/94)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
LRB 2683/1
Amendment No. if Applicable

Subject
Transportation, processing and disposal of dead animals

Fiscal Effect
State: No State Fiscal Effect
Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

<input type="checkbox"/> Increase Existing Appropriation	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Decrease Existing Appropriation	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriation	<input type="checkbox"/> Decrease Costs	

Local: No local government costs

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> VTAE Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations
20.115(1)(a) and 20.115(1)(m)

Assumptions Used in Arriving at Fiscal Estimate

This bill makes several technical and minor policy revisions to current statutes relating to the transportation, processing and disposal of dead animals. The Department currently licenses and inspects 9 rendering plants and grease processors, 28 animal food processing facilities, 26 fur farms and 28 dead animal collectors.

One provision of the bill deletes the current statutory exemption from licensing and transportation requirements for persons who collect or process animal hides. The Department estimates that as many as five businesses will need to be licensed as dead animal collectors and further regulated as a result of this change. Fees for dead animal collector licenses are currently \$100. Thus, as much as \$500 would be collected by the Department as GPR-earned.

Department costs would also increase, totalling about 20 hours of additional inspection time. Assuming an average hourly rate of \$16 for the Department's meat compliance investigation staff, costs to the Department would increase by about \$460, including salary, fringe and supplies. The Division of Food Safety's meat compliance investigation staff are funded from GPR and PR-Federal monies.

Long-Range Fiscal Implications
None

Agency/Prepared by: (Name & Phone No.) DATCP Tom J. Stoebig 224-5039	Authorized Signature/Telephone No. <i>Barbara Knapp</i> Barbara Knapp 224-4746	Date 05/16/95
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FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect
DOA-2047(R 10/94)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

1995 SESSION

LRB or Bill No/Adm.Rule No.
LRB 2683/1

Amendment No.

Subject

Transportation, processing and disposal of dead animals

I. One-time Costs or Revenue Fluctuations for State and/or Local Government (do not include in annualized fiscal effect):
None

II. Annualized Costs:

A. State Costs by Category	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations-Salaries and Fringes	\$ 440	\$ -
(FTE Position Changes)	(.01 FTE)	(- FTE)
State Operations-Other Costs	20	-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 460	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$ 230	\$ -
FED	\$ 230	\$ -
PRO/PRS	\$	\$ -
SEG/SEG-S	\$	\$ -
III. State Revenues- Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fees, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned	500	-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$ 500	\$ -

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ 460	\$
NET CHANGE IN REVENUES	\$ 500	\$

Agency/Prepared by: Tom J. Stoebig 224-5039
Agriculture, Trade & Consumer Protection

Authorized Signature/Telephone No.
Barbara Knapp 224-4746

Date
05/16/95

Barbara Knapp