

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Animal Health

Article 18.—Animal Facility Inspection Program—License and Registration Fees

9-18-9. Inspections of premises.

(a) Each premises that is licensed or that the commissioner finds reasonable grounds to believe is required to be licensed under the act shall be subject to routine inspections by the commissioner or any of the commissioner's authorized representatives to determine compliance with the act and all applicable regulations.

(b) Each premises shall be subject to routine inspections at the following intervals:

(1) A routine inspection shall be conducted every three to 12 months for each new premises and each premises that has failed one of its two most recent inspections.

(2) A routine inspection shall be conducted every nine to 18 months for each premises that has passed its two most recent inspections.

(3) A routine inspection shall be conducted every 15 to 24 months for each premises that has passed its three most recent inspections.

(c) In addition to routine inspections, any premises may be subject to one or more additional inspections under any of the following circumstances:

(1) A violation was found in a previous inspection.

(2) A complaint is filed regarding the premises.

(3) The ownership of the premises changed in the previous year.

(4) The license for the premises was not renewed in a timely manner.

(d) Routine inspections shall be made on Monday through Friday, between the hours of 7:00 A.M. and 7:00 P.M., except that these inspections may be conducted at alternate times, upon the agreement of all interested persons or entities.

(e) If the owner or operator of the premises is not routinely available between the hours of 7:00 A.M. and 7:00 P.M., the owner or operator shall designate a representative who will be present while the inspection is conducted and shall notify the

commissioner in writing of the name of the designated representative. The designated representative shall be 18 years of age or older and mentally and physically capable of representing the licensee in the inspection process. The owner or operator shall notify the commissioner in writing of any new representative who is designated to be present during inspections.

(f) Any inspection to investigate allegations of violations adversely affecting the health, safety, and welfare of the animals may be conducted on any day of the week and at any hour deemed reasonably necessary by the commissioner.

(g) Prior notice of inspection dates shall not be provided to the owner or operator of any licensed premises.

(Authorized by K.S.A. 47-1712; implementing K.S.A. 2018 Supp. 47-1709, K.S.A. 2018 Supp. 47-1733, and K.S.A. 2018 Supp. 47-1736; effective Nov. 17, 2017; amended Feb. 8, 2019.)

***** Authenticated Kansas Administrative Regulation *****