

BILL ANALYSIS

Senate Research Center

S.B. 1304
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Agriculture
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As Filed

DIGEST

Aflatoxin is a toxic mold by-product that grows on corn, sorghum, and oilseeds. There is a strong concern that aflatoxin contaminated corn is occasionally sold as deer corn, or wildlife feed, if the aflatoxin contamination levels are too high in the grains for more closely regulated markets using those corn products. Birds, including turkey and quail, are particularly susceptible to aflatoxin poisoning, in which very small doses can be lethal. However, larger whitetail deer can suffer liver damage over a period of time from contaminated products. This bill would control aflatoxin contamination levels in certain products and provide a criminal penalty for any violations.

PURPOSE

As proposed, S.B. 1304 controls aflatoxin contamination levels in certain products and provides a criminal penalty for any violations.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Feed and Fertilizer Control Service in SECTION 1 (Section 141.007, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 141A, Agriculture Code, by adding Section 141.007, as follows:

Sec. 141.007. AFLATOXIN CONTROL. Authorizes the Texas Feed and Fertilizer Control Service (service) to establish rules requiring the use of processes for commercial feed, whole seed, and whole grain with aflatoxin contamination levels considered unsafe by the service.

SECTION 2. Amends Section 141.102, Agriculture Code, to require the service by rule to prescribe the procedures for sampling and analysis of commercial feed, including procedures designed to determine levels of aflatoxin in whole grain, and whole seed.

SECTION 3. Amends Section 141.148(b), Agriculture Code, to provide that a person commits an offense if the person offers for retail sale whole seed or whole grain that has not been ammoniated, undergone another process recognized by the service to minimize aflatoxin, or contains aflatoxin concentrations determined by the service to be unsafe, for the purposes of feeding wildlife unless the whole seed or whole grain is labeled as containing aflatoxin concentrations determined by the service to be safe. Makes a conforming change.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.