

Plaintiffs Claim Packer Actions Depressed Prices for Margins

R-CALF USA is suing the four largest U.S. meat packers, alleging the firms violated U.S. antitrust laws, the Packers and Stockyards Act, and the Commodity Exchange Act by unlawfully depressing the prices paid to American ranchers.

Scott+Scott Attorneys at Law along with Cafferty Clobes Meriwether & Sprengel LLP filed the class action lawsuit in federal district court in Chicago on behalf of R-CALF on Tuesday.

The complaint was filed against Tyson Foods, JBS S.A., Cargill and National Beef Packing Company (and certain affiliates), which collectively purchase and process over 80 percent of U.S. cattle raised specifically for beef production. It alleges that from at least Jan. 1, 2015, through the present, these companies conspired to depress the price of fed cattle they purchased from American ranchers, thereby inflating their own margins and profits.

The class-action lawsuit seeks to recover the losses suffered by cattle producers who sold fed cattle to any one of the four packers from January 2015 to the present and traders who transacted live cattle futures or options contracts on the Chicago Mercantile Exchange from January 2015 to the present.

The complaint is based on witness accounts, including a former employee of one of the four packers, trade records, and economic evidence. It alleges that these companies conspired to artificially depress fed cattle prices through various means, including:

- Collectively reducing their slaughter volumes and purchases of cattle sold on the cash market in order to create a glut of slaughter-weight fed cattle.
- Manipulating the cash cattle trade to reduce price competition amongst themselves, including by enforcing an antiquated queuing convention through threats of boycott and agreeing to conduct substantially all their weekly cash market purchases during a narrow 30-minute window on Fridays.
- Transporting cattle over uneconomically long

distances, including from Canada and Mexico, in order to depress U.S. fed cattle prices.

- Deliberating closing slaughter plants to ensure the underutilization of available U.S. beef packing capacity.

The suit estimated these alleged practices depressed fed cattle prices by an average of 7.9% since January 2015, causing significant harm to U.S. ranchers.

In a statement, Tyson Foods responded, "We're disappointed this baseless case was filed. As with similar lawsuits concerning chicken and pork, there's simply no merit to the allegations that Tyson colluded with competitors. This complaint is nothing more than another transparent and opportunistic attempt by attorneys to make money for themselves at the expense of consumers."

Cargill responded with this statement: "For many years, Cargill has served as a trusted partner to American cattle ranchers, committed to supporting their family farms and livelihoods. We believe the claims lack merit, and we are confident in our efforts to maintain market integrity and conduct ethical business."

North American Meat Institute spokesman Eric Mithenthal issued a statement saying, "We have not had an opportunity to analyze the complaint fully yet, but an initial, preliminary review strongly suggests the complaint is unfounded and ignores the economics of the marketplace."

"R-CALF USA is taking this historic action to fulfill its promise to its members to prevent the Big 4 packers from capturing the U.S. cattle market from independent U.S. cattle producers," R-CALF USA chief executive officer Bill Bullard said, adding that the group has "exhausted all other remedies, but now, with the expert help of Scott+Scott and Cafferty Clobes, our members' concerns will be addressed, and we hope U.S. cattle ranchers can be compensated for years of significant losses."

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Over 70 People Come Out to KCA Open House

Dozens of visitors from across the state attended the KCA Open House on April 17th at the new office in Junction City, Kansas. More than 70 people came to meet and greet staff and mingle with the KCA Board of Directors. Attendees enjoyed touring the new office and lunched on a buffet of USA-Beef fajitas, (donated by KCA Board President-elect Greg Davis), appetizers, and assorted desserts.

"It was a unique opportunity to come together with KCA members, community members, and KCA leadership. We held a board meeting the same day that just so happened to be a transition meeting where new board members come on in service, so it was nice to have everyone there," stated Tyler Dupy, KCA CEO and Executive Director.

Copeland Insurance Agency representative, Mike Spohn, was on hand with information regarding the State Auto Ranch Affinity Program, a benefit offered exclusively to KCA members.

"With a new lighted KCA sign at the street, and a welcoming front entrance, we have seen an up-tick in foot-traffic and interest from the public and area producers. So many people are unaware KCA was even here before, so it is having a positive impact and we look forward to serving more members, stated KCA Policy Analyst, Stephanie Errebo.

The KCA offices are staffed Monday through Friday and weekends by appointment. If you missed the open house, you are encouraged to drop by 930 W. 6th St. for a visit.



KCA Board of Directors Transitions, Elects New Officers for 2019-2020

On April 17th the KCA Board of Directors met with newly elected board members Brian Stewart, John Ney, and Daryl Larson and thanked outgoing members Shawn Mills, David Murphy and Perry Owens for their terms of service to the board. The election of new officers took place with Greg Davis as President, Tony Anderson as Vice-President and Nicole Pfrang as Treasurer.

John Ney has been a member of KCA for many years, previously serving on the board of directors as President. As the third generation of a farming family, John grew up in Hanston, Kansas on his parent's cow/calf and stocker farm. They raised dryland wheat and milo in addition to the livestock. John served on the Hanston School Board for 16 years, Economic Development for Hodgeman County, City Councilman, Farm Bureau and various church related committees. Ney believes producer involvement with industry issues is a key hurdle to overcoming the many challenges we face as independent producers. John continuously supports youth entrance into the industry via part-time jobs and mentoring. Volatility in the market, large capital investments, lack of competition, and special interests are not just barriers to entry, but are challenges to the entire industry.

Daryl Larson has been a member and supporter of the Kansas Cattlemen's Association since its inception. He has previously served as a member of the Board of Directors and has been a regular, active member in policy development throughout the years. Larson is a life-long resident of McPherson County, and has been farming and ranching for over 46 years. He currently resides in McPherson, Kansas on his family farm founded in 1925 by his Grandpa Larson. He and his wife Velita have a grown son and have been life-long members of the New Gottland Lutheran Church outside of McPherson. He is the chairman of the Rural Water District #2 and regu-

larly volunteers for the local VFW each month serving food for fundraisers. Daryl feels that Country of Origin Labeling, the Global Roundtable for Sustainable Beef, and Packer Consolidation are important issues requiring attention by KCA.

Brian Stewart was born and raised on a farm/ranch north of Bronson, KS in Bourbon county. Upon graduation from high school, Brian went on to earn an Associates of Applied Science in Electrical Technology. He and his family currently operate a cow/calf operation as well as a small starter yard. He has been married to his wife, Megan, for 18 years and they have five boys ages 4 to 15. Stewart has served as a USD 235 board member for 2 years and on the Bourbon County Rural Water District #4 for 10 years. Brian feels that the Global Roundtable for Sustainable Beef and the Cattle Trace Identification program are issues he would like the board to focus on.



Greg Davis, elected Board President, was born and raised on a

ranch in West Texas. After attending college in Texas, Greg took a position with Iowa Beef and later moved to Kansas to work for Tyson. After the plant closed part of its operations, Greg, along with his wife Carla and son Sam, decided to plant roots in Madison, Kansas. Greg now owns and operates RanchLand Feed, a successful feed and seed business and livestock operation. He holds more than 20 years of sales management experience and previously served on the Kansas State Extension Advisory Board.

Prior to his elected three-year term on the KCA Board of Directors in 2017, Davis, a six-year KCA member sponsored regional meetings in the south and southeastern region of Kansas and helped launch the concept of developing the Kansas Cattlemen's Beef Cooperative (KCBC). He is most concerned with regulatory challenges and marketing transparency within the cattle industry. Greg and his wife

Message from the President.....Greg Davis

Greetings,

It is good to see the long tail of winter finally fade away. Spring is always welcome, but also means it is a busy time. A lot of spring tasks are piled together this year, burning, kicking cattle out to grass, corn planting, etc. I don't know of anyone that does not have a better attitude or outlook as compared to the winter doldrums we all shared just 6 weeks ago.

Spring has also meant busy work for the KCA staff and organization. Had a great producer meeting in Yates Center a few weeks ago, and Scranton last week. KCA hosted an open house to show off the new office. The KCA staff puts a lot of effort into these activities to insure we get our message out and put our best foot forward. A big thanks to Tyler, Jodie, and Stephanie for all the work they do. It is important that we all get the word out about who KCA is and why it is so important to the independent producer.

I was looking at the USDA 2017 Ag census and found some interesting numbers. Medium sized farm operations (180 acres to 999 acres) were reduced by 26%

from 1997 to 2017. Large operations of 2000 acres or more grew by only 2.6% which is equal to the reduction of farms from 1000 acres to 1999 acres. The only double digit area of growth was by farms of 1 to 49 acres at 14%. I really do not know what this means. It is very interesting though to see such a large increase in this small sector.



Having just celebrated Easter and all that season means to each of us. This time of year certainly brings renewal as we see God's glory played out as the landscape takes off the winter clothes and puts on its best spring suit. Have a great and safe start to the season.

Sincerely,
Greg Davis

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May Regional Meetings include South Hutch and Spearville

KCA will host two regional meetings in the month of May. The first meeting will take place the evening of May 9th at Central Livestock in South Hutchinson. The second will follow on May 21st in Spearville at the Turbine Bar and Grill. Both meetings will begin at 6:00pm, are free and open to the public, and include a USA-Beef dinner.

David Worrell of Merck Animal Health will kick off the South Hutchinson meeting. He will discuss implants and strategic de-worming programs. Worrell will discuss the effects of introducing Ralgro; producers can actually contribute to sustainable beef production by improving weight gains without using additional natural resources.

Craig Kerbs with SmartLic will provide a presentation regarding livestock competition and the effects on herd nutrition. Mr. Kerbs and other animal nutrition experts have studied cattle feeding behavior, and he will explore telltale signs of how cattle compete with one another for proper access to minerals at the bunk. His presentation includes slides which demonstrate signs that cattle do not have proper access to essential minerals. Some concerns include over-crowding of mineral feeders, insufficient number of mineral feeders and salt blocks, and other signs.

The Spearville meeting on May 21st will include

an update from Dr. Justin Smith, Kansas Animal Health Commissioner. Dr. Smith leads the animal disease control team, helping organize and execute foreign animal disease preparation efforts, and engaging industry in the work of the division along with many other duties.

Dr. Smith will provide an overview of the Animal Health Department, including statistics specific to Animal Agriculture in the state of Kansas and how it compares to other surrounding states. Additionally, Dr. Smith will address specific diseases important to producers today, including: African Swine Fever, Trichomoniasis, Anaplasmosis, and Johne's. Emily Voris, Animal Health Planner with the Kansas Department of Agriculture, will discuss animal emergency management.

The meeting includes a free USA beef dinner. To help ensure enough of the meal for everyone, please RSVP to 785-238-1483. Proud sponsors making the free meals possible, include: Merck Animal Health, SmartLic, State Auto Farm and Ranch, Rawhide Portable Corral, Central Livestock, KFSA, Central Prairie CO-OP, Ehling Custom Mills, Liquid+ Feeds, Prairie-Land Partners, Redinger Agency, Inc, and High Plains Farm Credit.

KCA Board Transition, Continued

Carla are passionate about youth in agriculture and helping to grow the industry with young producers. They believe in supporting education in agriculture, Cattlemen's College and industry experiences are important for growth.

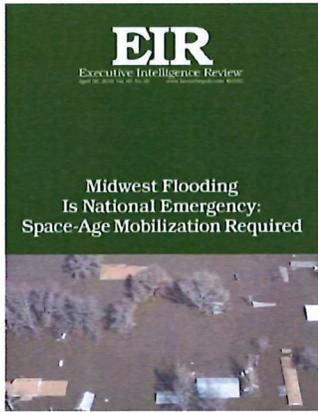
Tony Anderson, elected Board Vice-President, was born and raised in Farlington, Kansas. After graduating with dual engineering degrees from Pittsburg State University, he returned to his family farm operation to continue the legacy started by his great-grandparents in 1867. He, along with his wife, Tammy, raise their son Tyler on the family farm and instill in him the same strong set of values.

Currently, he runs a cow/calf operation, and markets and sells them on the open market, not as captive supply. Anderson previously served as Vice-President of the KCA Board of Directors from April 2013

to April 2016.

As a long-term KCA member, he believes KCA should maintain its original mission and create marketing opportunities. He is dedicated to the growth of membership and continues to work on ensuring KCA advocates for transparency and reform of the Beef Checkoff system and more accountability of Checkoff dollars.

Nicole Pfrang, elected Board Secretary and Treasurer, is a rancher in Nemaha county. Pfrang is a graduate from Kansas State University with a Bachelor of Science in Animal Science – Production Management. Pfrang grew up on her family's ranch with her parents David and Ginny. She has been a KCA fixture, having attended nearly all KCA conventions, and often volunteers with KCA events across the state.

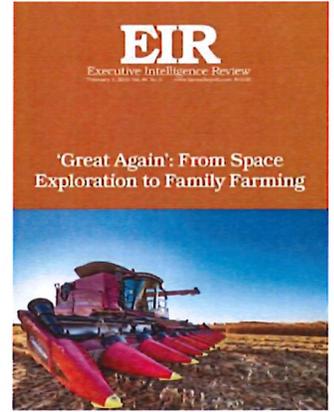


Beef Up, America!

No.31

For Ourselves and Our Posterity IF WE CAN KEEP IT.

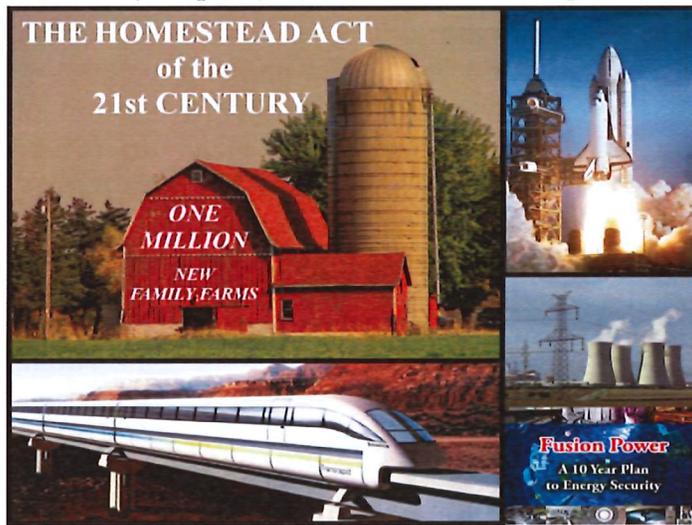
by Robert L. Baker



April 26, 2019 The new “Moon-Mars” directive by President Donald Trump, committing the nation to an accelerated return to space, is the necessary spirit for the space-age mobilization required to respond to the severe flooding and food production emergency now playing out in the Missouri-Upper Mississippi River Basins. That spirit will enable us to deal with the vast damage, and also act to create a new, modern platform for higher productivity in the Midwest and nationally. From immediate flood relief, to a full build out of needed water management, new rail lines, nuclear power, and other infrastructure in the center of the continent and population growth, not depopulation, in these rural counties – this is the right disaster response.

The formation of our great nation, the United States of America is a most powerful example of humanity’s struggle, for centuries, to be *self-conscious* of the political alertness and cultural rigor necessary to maintain the most precious of principles, “We the people, in order to form a **MORE PERFECT UNION..for OURSELVES and OUR POSTERITY.**” After the signing of the United States Constitution, Benjamin Franklin was asked,

“What kind of constitution do we have, sir.” Old Ben replied, “You have a Republic, **IF YOU CAN KEEP IT.**” And thus, our Founding Fathers set into motion a new economic policy called **The American System** as a direct counter to the *centuries old empire policy of money, price, trade and market manipulation and monopoly.* This is where the “**CAN YOU KEEP IT**” part of our nation’s current and past history, must be focused.



On the world stage, in Beijing, China, April 25th thru 27th dozens of nations are meeting to participate in the biggest economic and infrastructure building revolution in history. Inspired in the 1920’s by the first president of China, who was a Christian, Dr. Sun Yat-sen’s love of President Lincoln’s American System Trans-Continental Railroad, China launched the Belt and Road Initiative (2013), the biggest economic driver in world

history, centered around multiple thousands of miles of new national and international high speed railroads, economic development corridors that are now connected into Europe, Asia, Africa and more. China has moved 700 million people out of poverty over a 30 year period and plans to eliminate all poverty by next year, 2020. Wall St and London financial forces do not want the United States to participate, when, in fact, we should be leading this kind of development. The “CAN WE KEEP IT...”part.

The USDA documents that modern rancher/farmers, working in the back forty pastures and amber waves of grain, are standing on the current stage of world economic battle. Like a wake-up thunder clap. On April 11, 2019, the U.S. Department of Agriculture (USDA) released the 2017 Census of Agriculture. This information was collected directly from farmers and ranchers by the USDA’s national Agricultural Statistics Service (NASS) and shows ongoing declines since the last Census in 2012, and increased numbers of larger farms and smaller farms and fewer mid-sized farms. There are 2.04 million farms and ranches, down 3.2 percent, in the five years from 2012. When broken down, the report shows an



unbelievable 3.8% (76,865) mega farmers produce over 66% of the \$389 billion in total value of farm production while 77% (1.56 million farm operations) represent just 2.9 percent of total value. (USDA 2017 Agricultural Census Farm Economics Summary) (Table) This is going in the wrong direction. The main cause of this is rigged prices. American ag needs “CAN WE KEEP IT” parity prices. How? Bust up the monopolies. Which means a **big fight!**

There is no “natural” reason for the vast damage now taking place in the multi-state region, from the Dakotas south through Nebraska, Iowa, Kansas, Missouri, and into the Lower Mississippi. The Federal “Flood Control Act of 1944” mandated the building of a “Missouri River Basin Project,” which was an integrated plan encompassing more than 100 dams on the tributaries and main stem of the Missouri River, plus hundreds of miles of levees, new irrigation areas, navigation and other features.

Additional legislation authorized upper watershed dams to be built on smaller feeder streams, under the U.S. Agriculture Department’s watershed Protection and Flood Prevention Act of 1954

All these improvements taken together would have prevented the destruction we are now seeing in the High Plains, and expected to continue on in to May. But this Missouri River Basin Project was never completed.

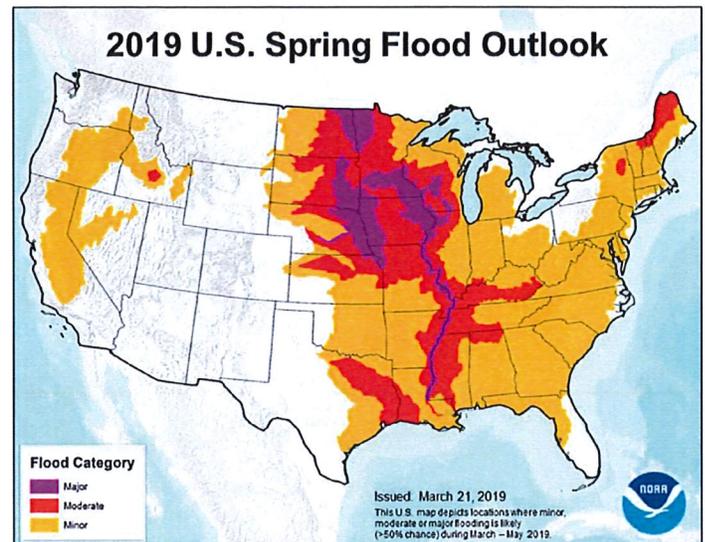
The very limited infrastructure that was built involved five new mainstream dams (construct 1946-1966) and a small number of lesser dams, levees, irrigation programs, etc. Therefore, huge flood disasters have repeatedly occurred over the past half-century.

The Missouri, second longest river in North America, has the largest watershed in the United States. The Missouri Basin is home to a large share of the corn and soybean output of the U.S., which in turn, accounts for a third of total world production. Much of this area is now in crisis. The National Weather Service Forecasts above-average rainfall to continue in the Missouri Basin on into June.

After the last two huge flood disasters in the Upper Midwest in 1993 and 2011, EIR printed a full report on the original 1944 water management program, the Missouri River Basin Project, called the Pick-Sloan Plan after its design engineers, Gen. Lewis A. Pick from the Army Corps of Engineers and William Glenn Sloan from the Bureau of Reclamation.

It is time to finally act on the Pick-Sloan Plan, as updated by experts. This is the needed agenda focus of the newly formed Missouri Basin Governors’ Task Force, whose first meeting April 3 in Council Bluffs, Iowa called for actively building flood control; and for a series of public meetings by the Army Corps in the Basin. It is citizens’ leadership that will force the action, which is the ‘CAN WE KEEP IT’ part.

On April 23, 2019, R-CALF USA and four cattle feeding ranchers filed a class action lawsuit against Tyson Foods, Inc., JBS S.A., Cargill, Inc., and National Beef Packing Company, LLC, and certain associated entities, who, all together, process and purchase over 80% of the U.S.’s fed cattle annually. The action, is seeking to “prevent the big four packers from capturing the U.S. cattle market from



independent U.S. cattle producers” and charges that the packers conspired, in various ways, to artificially lower fed cattle prices, which is the “CAN WE KEEP IT” part.

The United States has economic measures that are essential for modern agriculture. Financial measures must also be taken for supporting a restored system of independent family farms.

Apart from first-response aid, the massive flooding poses the urgent need to restore sound financial conditions in the agriculture sector. The following measures are the kinds of actions called for on an emergency basis:

It is now time for the following to be implemented. A moratorium on all farm foreclosures. This measure, implemented at different times in the past, is urgent now, because of the impossible financial conditions farm families face, after five years of prices for their commodities being below their cost of producing them, and no degree of off-farm income able to make up for the prolonged gap.

Funding for clearing and restoring fields, farm buildings and related farm infrastructure, indemnity for lost crops and livestock, clamp down on the farm/food commodities speculation on the CME and other exchanges, reinstate parity-based pricing measures for farm commodities, a moratorium on mergers and food processing, and reactivate anti-trust enforcement. Initiate win-win food trade consultation with trading partner nations, Institute all necessary measures, such as Country of Origin Labeling (COOL.) Initiate **“One Million New Independent Family Farmers”** program to back the return of young farmers and independent family scale operations. Reinstate the Glass-Steagall Act to restore sound banking, and create a national credit institution modeled on the Roosevelt Administration’s Reconstruction Finance Corporation or the **“Hamiltonian”** national banks of the 19th century. Yes, “A Republic”, “If We Can Keep It.”

Links below: *click them!*

Midwest Flooding Is National Emergency: Space-Age Mobilization Required:
https://larouchepub.com/eiw/public/2019/2019_10-19/2019-16/13-25_4616.pdf

Pick-Sloan: The Missouri River Development Project

https://larouchepub.com/other/2019/4616-a_new_missouri_basin_authority.html
One Million New Family Farms - More Farms, More Factories, More Future!
https://larouchepub.com/eiw/public/2019/eiv46n05-20190201/21-34_4605.pdf

Robert L. Baker, Agricultural Research Specialist
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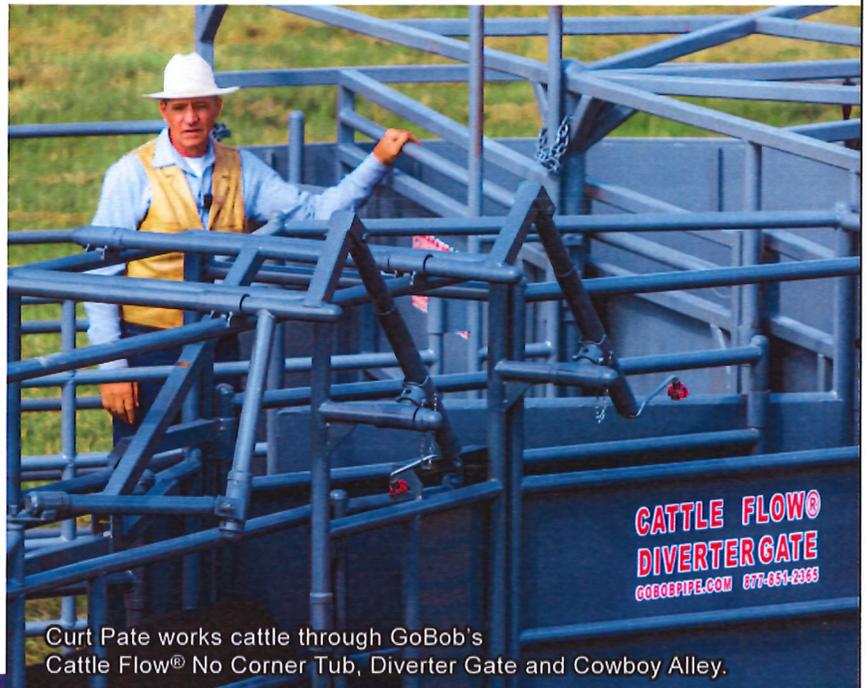
adjective

1. achieving maximum productivity with minimum wasted effort or expense.
2. working in a well-organized and competent way.

synonyms: cost-effective, businesslike, productive, labor-saving.

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Scranton Regional Meeting included Valuable Information for Successful Calving

Kansas Cattlemen’s Association (KCA) hosted a regional cattlemen’s meeting in Scranton, Kansas the evening of April 24, 2019. The meeting took place at the Scranton Tavern. Attendees enjoyed a free USA-Beef dinner.

for prescribed burning. Dr. Fick also discussed how to treat and control specific noxious weeds such as Sericea Lespedeza, Musk Thistle, and bindweed.

Kansas State University Research and Extension presentations were provided by Drs. AJ Tarpoff and Walt Fick.



Dr. AJ Tarpoff specializes in Beef Cattle Production Medicine as an Assistant Professor at KSU and as a KSU Extension Beef Veterinarian. He discussed beef cattle production branding procedures and newborn care.

As a member of KSU Extension, Dr. Walt Fick specializes in prescribed burning, range and pasture management, invasive species management, brush and weed control. Dr. Fick explained that a weed is simply any plant in which livestock won’t/can’t eat. He walked attendees through various benefits and recommendations

He also discussed the normal calving process as well as tips to handle difficult calving situations.

KCA is actively supporting independent producers in Topeka and Washington, D.C. KCA discussed legislative and regulatory issues, and Alternative Proteins as competition for traditionally raised beef.



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Congratulations 2019 Graduates!

Thank you for your Membership

Frances Johannsen
 Steve Frank
 Livestock Nutrition Center
 Jon Mollhagen
 Bryan Tillery
 Kurt Rugan
 Tony Wedel
 Adam Niehues
 Buford & Bea Stewart
 John Ericson
 Shell Rock Enterprises
 Producers Cooperative Assn.
 South Coffeyville Stockyards
 Daniel & Mary Howell
 Ryan Wilson
 Larry Weeks
 Clyde Sutton
 Leland Stein
 Curtis Daily
 Ronald & Peggy Peltz
 Mike Wiggins
 Greg Strong
 Jim Wight
 Darren Hofmann
 Mark Schreefer

Brent Bathurst
 Dennis Langley
 SEK Genetics
 Jim Wiseman
 Weikert's Livestock, Inc.
 Kenny Carter
 Dan Mahurin
 Suther Feeds
 Craig Dibben
 Ryan Gasche
 Colby Brownrigg
 Lee Showalter
 Jim Lewis
 Greg Wolf
 Rod Blaha
 Cameron Collins
 Jim & Louise Goode
 Glen Stude
 Jeff Eder
 Leon Rau
 Dwight & Lessie Thompson
 Will Davidson
 David Holthaus
 Loring Kufahl
 Leon Hannebaum

Schedule of Events

May 9, 2019 Regional Meeting/ So. Hutch
 Animal Health & Nutrition

May 21, 2019 Regional Meeting/Spearville
 Animal Health Department

October 25, 2019 Membership Business Meeting
 Newton, KS

October 25-26, 2019 KCA Convention/Trade Show
 Newton, KS

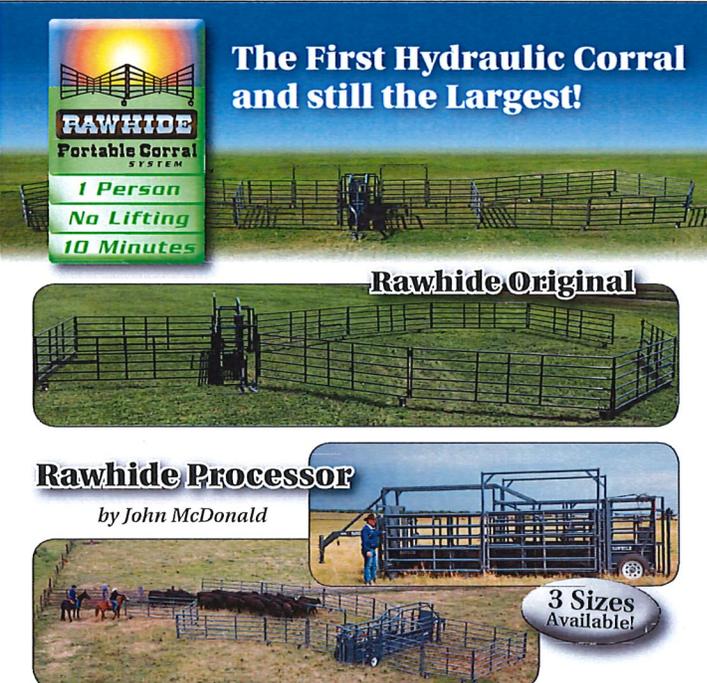
December 5, 2019 KCA Regional Meeting
 Junction City, KS




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