



**STATE OF NORTH DAKOTA**  
DEPARTMENT OF AGRICULTURE  
600 E BOULEVARD AVE, DEPT 602  
BISMARCK, ND 58505-0020

DOUG GOEHRING  
COMMISSIONER

February 3, 2020

Ms. Vonette Richter  
Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2<sup>nd</sup> Floor  
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to Amend or Repeal and Adopt Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Goehring".

Doug Goehring  
North Dakota Agriculture Commissioner

**ABBREVIATED NOTICE OF INTENT TO ADOPT AND AMEND  
AND REPEAL ADMINISTRATIVE RULES**

RELATING TO Programs under the Authority of the  
North Dakota Department of Agriculture

TAKE NOTICE that the North Dakota Department of Agriculture will hold a public hearing to address proposed amendments to and repeal of N.D. Admin. Code Article 7 at **9:00 AM on Monday, March 16, 2020 in the Fort Lincoln Room of the North Dakota State Capitol, 600 E. Boulevard Ave., Bismarck, ND.** Sections being amended include provisions for the regulation of anhydrous ammonia, sections being adopted include provisions for the regulation of emerald ash borer, commercial feed, and pet food and specialty pet food.

A copy of the proposed rules are available at <https://www.nd.gov/ndda> or may be obtained by writing the North Dakota Department of Agriculture, calling (701) 328-4764, or by email [doarules@nd.gov](mailto:doarules@nd.gov). Also, written comments may be submitted to:

North Dakota Department of Agriculture  
Attn: Rules Coordinator  
600 E. Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

Written comments will be accepted through March 27, 2020. Written comments may be submitted electronically to [doarules@nd.gov](mailto:doarules@nd.gov). If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Department of Agriculture at the above telephone number, address, or email address at least 10 days prior to the public hearing.

Dated this Third day of February, 2020.

Doug Goehring  
Agriculture Commissioner



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600 E BOULEVARD AVE, DEPT 602  
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DOUG GOEHRING  
COMMISSIONER

NOTICE OF INTENT TO  
ADOPT, AMEND, AND REPEAL ADMINISTRATIVE RULES  
PERTAINING TO PROGRAMS ADMINISTERED UNDER  
THE AUTHORITY OF THE NORTH DAKOTA DEPARTMENT OF AGRICULTURE

TAKE NOTICE that the North Dakota Department of Agriculture will hold a public hearing to address proposed amendments to and repeal of N.D. Admin. Code Article 7 at **9 a.m. on Monday, March 16, 2020, at the Fort Lincoln Room** at the State Capitol. The purpose of the proposed adoptions, amendments, and repeal is to update the Administrative Rules pertaining to programs administered under the authority of the North Dakota Department of Agriculture. The changes being made to each article and section listed are to reflect the current operations of the agency.

Specifically, NDDA is proposing the following adoptions and repeal to N.D. Admin. Code Chapter 7:

1. Adopt N.D. Admin Code § 7-04-04-04 to provide regulation regarding emerald ash borer, 9 a.m. – 10 a.m.;
2. Repeal N.D. Admin Code § 7-06 regarding noxious weeds, 9 a.m. – 10 a.m.;
3. Amend N.D. Admin Code § 7-09 regarding the Pride of Dakota program, 10 a.m. – 11 a.m.;
4. Amend N.D. Admin Code § 7-12-01 regarding anhydrous ammonia regulation in response to Senate Bill 2152, 11 a.m. – 12 p.m.;
5. Adopt N.D. Admin Code § 7-16 regarding the regulation of commercial feed in response to House Bill 1134, 1 p.m. – 2 p.m.; and
6. Adopt N.D. Admin Code § 7-17 regarding the regulation of pet food and specialty pet food in response to House Bill 1134, 1 p.m. – 2 p.m.

The proposed rules can be found at: <https://www.nd.gov/ndda>.

Written comments can be sent to:

North Dakota Department of Agriculture  
Attn: Rules Coordinator  
600 E. Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

Deadline for written comments is March 27, 2020.

Electronic comments can be submitted to: [doarules@nd.gov](mailto:doarules@nd.gov).

None of the proposed rule amendments or repeals are anticipated to have an impact of over \$50,000 nor are they anticipated to prove to have an adverse economic impact on small entities.

Dated this Third day of February 2020.

Doug Goehring  
North Dakota Agriculture Commissioner

**Gaebe, Melanie M.**

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**From:** Gaebe, Melanie M.  
**Sent:** Monday, February 03, 2020 2:29 PM  
**To:** Luick, Larry E.  
**Cc:** Schneider, John F.; Delzer, Eric T.  
**Subject:** Proposed Administrative Rules Senate Bill 2152  
**Attachments:** NH3 Rules Draft v2.pdf

Good afternoon Senator Luick,

Attached for your review, pursuant to Legislative Council requirements to notify the primary bill sponsor, are the proposed rules for anhydrous ammonia. Comments will be accepted in writing through March 27, 2020 and a hearing will be held Monday, March 16, 2020 from 11 a.m. to 12 p.m.

Thank you,

**Melanie Gaebe**  
Policy & Research Analyst  
Agriculture in the Classroom  
ND Department of Agriculture  
P: 701-328-4764  
[www.nd.gov/ndda](http://www.nd.gov/ndda)

**Gaebe, Melanie M.**

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**From:** Gaebe, Melanie M.  
**Sent:** Monday, February 03, 2020 2:25 PM  
**To:** Pollert, Chet A.  
**Cc:** Schneider, John F.; Phillips, David E.  
**Subject:** Proposed Administrative Rules - HB 1134  
**Attachments:** Commercial Feed Rules Draft.pdf; Pet Food Rules.pdf

Good afternoon Representative Pollert,

Attached for your review, pursuant to Legislative Council requirements to notify the primary bill sponsor, are the proposed rules for commercial feed and pet food. Comments will be accepted in writing through March 27, 2020 and a hearing will be held Monday, March 16, 2020 from 1 to 2 p.m.

Thank you,

**Melanie Gaebe**  
Policy & Research Analyst  
Agriculture in the Classroom  
ND Department of Agriculture  
P: 701-328-4764  
[www.nd.gov/ndda](http://www.nd.gov/ndda)