

**FIRST ENGROSSMENT
with Conference Committee Amendments****ENGROSSED HOUSE BILL NO. 1252**

Introduced by

Representatives Brandenburg, Froseth, D. Johnson, Pollert

Senators Klein, Wanzek

1 A BILL for an Act relating to sale and use of crop protection products; and to declare an
2 emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. Crop protection products - Canadian labels.** The agriculture
5 commissioner, with the advice and consent of the appropriate agricultural commodity group,
6 may authorize the sale and use in this state of a crop protection product that has a Canadian
7 label, if the commissioner determines that a crop protection product having an American label
8 contains substantially similar active ingredients and that its importation and use does not violate
9 federal law. The commissioner shall require an applicator to possess the American label and
10 apply the product in accordance with the American label provisions.

11 **SECTION 2. Special local needs exemption - Tolerances.** The agriculture
12 commissioner, in cooperation with the environmental protection agency, shall use tolerance
13 data established or obtained in North America in pursuing special local needs exemptions for
14 crop protection products under the federal Insecticide, Fungicide, and Rodenticide Act
15 [7 U.S.C. 136 et seq.].

16 **SECTION 3. Crop protection products - Registration process - Joint labeling.** The
17 governor and the agriculture commissioner shall work with all appropriate public and private
18 entities to foster the development of a single, uniform process for the joint North American
19 labeling of crop protection products not available for sale and use in this state as of the
20 effective date of this Act.

21 **SECTION 4. Crop protection products - Request to petition for registration.** On
22 the written request of any agricultural commodity group, the agriculture commissioner shall
23 petition the environmental protection agency for the American registration of a crop protection
24 product approved for use in Canada.

- 1 **SECTION 5. Crop protection products - Joint labeling - Report to legislative**
2 **council.** During the 1999-2000 interim, the agriculture commissioner shall report at least twice
3 to the legislative council regarding the efforts to develop a single, uniform process for the joint
4 North American labeling of crop protection products.
5 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.