

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1436

Introduced by

Representatives Nicholas, Axtman, Gorder

Senators Nething, Tallackson, Wanzek

1 A BILL for an Act to create and enact two new sections to chapter 4-10 of the North Dakota
2 Century Code, relating to quality standards and planting records for seed potatoes.

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

4 **SECTION 1.** Two new sections to chapter 4-10 of the North Dakota Century Code are
5 created and enacted as follows:

6 **Seed potatoes - Certification requirement.** A person may not plant seed potatoes in
7 lots of one acre [.405 hectare] or more, for the purpose of selling the crop to be harvested,
8 unless the seed potatoes have been certified by the commissioner as meeting the standards of
9 this chapter, have been certified by another state or province having a similar seed potato
10 quality assurance program, or have been field-inspected and approved by the commissioner.
11 However, the commissioner shall permit North Dakota growers to plant uncertified potatoes
12 grown by them, if the growers are within twelve months of having their own certified parent
13 seed potatoes. If the commissioner has reason to believe that seed potatoes meeting the
14 requirements of this section are not available in sufficient quantities to fulfill planting needs, the
15 commissioner may permit the planting of seed potatoes with a higher disease content, provided
16 that bacterial ring rot is not present and that a serious disease threat is not posed.

17 **Records.** Every person who plants potatoes on more than one acre [.405 hectare]
18 shall maintain records indicating the acreage [hectarage], varieties, and source of all seed
19 potatoes planted. The records must be available for inspection by the commissioner for a
20 period of two years.