Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1526

Introduced by

Representatives Nelson, Berg, Brown, Schreiber-Beck, Weisz

Senators Klein, Thomas

A BILL for an Act to amend and reenact subsection 11 of section 4.1-41-01 and section 4.1-41-05 of the North Dakota Century Code, relating to pet food registration.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 11 of section 4.1-41-01 of the North Dakota Century Code is amended and reenacted as follows:

11. "Labeling" means the written, printed, or graphic information accompanying the distribution of commercial feed or customer-formula feed, including promotional materials distributed to market the feed and statements and promotions through radio, television, or internet interface, or on an organization's website.

SECTION 2. AMENDMENT. Section 4.1-41-05 of the North Dakota Century Code is amended and reenacted as follows:

4.1-41-05. Pet food - Specialty pet food - Registration - Exemption - Penalty.

1. Before being distributed in this state, each pet food product and each specialty pet food product must be registered with the commissioner. This requirement does not apply to a distributor, provided the pet food or specialty pet food is registered by another person.
2. To register and renew pet food and specialty pet food, a person shall submit:
   a. An application form at the time and in the manner required by the commissioner; ~~and~~
   b. A fee in the amount of one hundred ~~twenty~~ dollars per product manufactured out-of-state; and
   c. A fee in the amount of fifty dollars per product manufactured in the state.
3. ~~To renew a registration required by this section, a person shall submit:~~

~~a. An application form at the time and in the manner required by the commissioner; and~~

~~b. A fee in the amount of one hundred dollars per product.~~

~~4.~~ A registration issued under this section is valid during the period beginning on January first of an even-numbered year and ending on December thirty-first of the ensuing odd-numbered year.

~~5.~~4. If a person fails to renew a registration within thirty-one days of its expiration, that person must apply for an initial registration.

~~6.~~5. Upon approving an application for an initial registration or a renewed registration, the commissioner shall furnish a certificate of registration to the applicant. A certificate of registration is not transferable.

~~7.~~6. Any person violating this section is subject to a penalty of twenty-five dollars for each product that must be registered.

~~8.~~7. A person is exempt from this section if the person:

a. Is a resident of this state;

b. Produces pet food in a noncommercial kitchen;

~~b.~~c. Sells the pet food directly to the end consumer at a community event or farmer's market; and

~~c.~~d. Does not use meat, poultry, fish, or their byproducts as an ingredient in the product.