

**HOUSE BILL NO. 1526**

Introduced by

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

Senators Klein, Thomas

1 A BILL for an Act to amend and reenact subsection 11 of section 4.1-41-01 and section  
2 4.1-41-05 of the North Dakota Century Code, relating to pet food registration.

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

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

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

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

12 **4.1-41-05. Pet food - Specialty pet food - Registration - Exemption - Penalty.**

13 1. Before being distributed in this state, each pet food product and each specialty pet  
14 food product must be registered with the commissioner. This requirement does not  
15 apply to a distributor, provided the pet food or specialty pet food is registered by  
16 another person.

17 2. To register and renew pet food and specialty pet food, a person shall submit:

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

20 b. A fee in the amount of one hundred ~~twenty~~ dollars per product manufactured  
21 out-of-state; and

22 c. A fee in the amount of fifty dollars per product manufactured in the state.

23 3. ~~To renew a registration required by this section, a person shall submit:~~

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- 1           a. ~~An application form at the time and in the manner required by the commissioner;~~  
2           and  
3           b. ~~A fee in the amount of one hundred dollars per product.~~
- 4           4. A registration issued under this section is valid during the period beginning on January  
5           first of an even-numbered year and ending on December thirty-first of the ensuing  
6           odd-numbered year.
- 7           ~~5.4.~~ If a person fails to renew a registration within thirty-one days of its expiration, that  
8           person must apply for an initial registration.
- 9           ~~6.5.~~ Upon approving an application for an initial registration or a renewed registration, the  
10           commissioner shall furnish a certificate of registration to the applicant. A certificate of  
11           registration is not transferable.
- 12          ~~7.6.~~ Any person violating this section is subject to a penalty of twenty-five dollars for each  
13           product that must be registered.
- 14          ~~8.7.~~ A person is exempt from this section if the person:
- 15           a. Is a resident of this state;  
16           b. Produces pet food in a noncommercial kitchen;  
17           ~~b.c.~~ Sells the pet food directly to the end consumer at a community event or farmer's  
18           market; and  
19           ~~c.d.~~ Does not use meat, poultry, fish, or their byproducts as an ingredient in the  
20           product.