

Sixty-ninth
Legislative Assembly
of North Dakota

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:~~

- 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.