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Sixty-fifth
Legislative Assembly
of North Dakota

FIRST DRAFT:
Prepared by the Legislative Council staff for the
Agriculture and Natural Resources Committee
May 2016

Introduced by

1 A BILL for an Act

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

3 **SECTION 1. AMENDMENT.** Section 19-13.1-02 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 ~~19-13.1-024.1-41-01.~~ **Definitions.**

6 In this chapter, unless the context otherwise requires:

- 7 1. "Brand name" means any word, name, symbol, or device, used singly or in
8 combination, that identifies commercial feed and distinguishes it from that of all others.
- 9 2. "Commercial feed" means any materials, used singly or in combination, that are
10 distributed, or ~~which~~ are intended to be distributed, for use as feed or for mixing in
11 feed, except for:
- 12 a. Unmixed whole seeds and unmixed physically altered seeds, provided they are
13 not chemically changed or adulterated;
- 14 b. Commodities such as hay, straw, stover, silage, cobs, husks, and hulls, provided
15 the commodities are:
- 16 (1) Not intermixed or mixed with other materials;
- 17 (2) Not adulterated; and
- 18 (3) Specifically exempted by the agriculture commissioner;
- 19 c. Individual chemical compounds or substances, provided they are:
- 20 (1) Not intermixed or mixed with other materials;
- 21 (2) Not adulterated; and
- 22 (3) Specifically exempted by the agriculture commissioner; and
- 23 d. Unprocessed grain screenings or unprocessed mixed grain screenings, provided:

- 1 (1) The distributor does not make oral or written reference to the nutritional
2 value of the screenings;
- 3 (2) The screenings are not adulterated; and
- 4 (3) The screenings are specifically exempted by the agriculture commissioner.
- 5 3. "Contract feeder" means an independent contractor that feeds commercial feed to
6 animals pursuant to a contract under which the commercial feed is supplied, furnished,
7 or otherwise provided to the ~~person~~independent contractor and the
8 ~~person's~~independent contractor's remuneration is determined in whole or in part by
9 feed consumption, mortality, profits, or the amount or quality of the product.
- 10 4. "Customer-formula feed" means a commercial feed that is manufactured according to
11 the specific instructions of the final purchaser.
- 12 5. "Distribute" means to:
- 13 a. Offer for sale, sell, exchange, or barter commercial feed or customer-formula
14 feed; or
- 15 b. Supply, furnish, or otherwise provide commercial feed or customer-formula feed
16 to a contract feeder.
- 17 6. "Drug" means any article:
- 18 a. ~~Any article intended~~Intended for use in the diagnosis, cure, mitigation, treatment,
19 or prevention of disease in an animal other than a human; and
- 20 b. ~~Any article, other~~Other than feed, ~~that is~~ intended to affect the structure or
21 function of an animal's body.
- 22 7. "Feed ingredient" means each of the constituent materials making up a commercial
23 feed.
- 24 8. "Label" means any printed or stamped information on or attached to a commercial
25 feed container or its wrapper and written information accompanying the distribution of
26 a commercial feed or customer-formula feed.
- 27 9. "Manufacture" means to grind, mix, blend, or further process a commercial feed for
28 distribution.
- 29 10. "Official sample" means ~~any sample of~~ feed taken by the agriculture commissioner in
30 accordance with section ~~49-13.1-094.1-41-13~~.

- 1 11. "Pet food" means any commercial feed prepared and distributed for consumption by
2 dogs or cats.
- 3 12. "Product name" means a term that identifies a commercial feed as to its kind, class, or
4 specific use and which distinguishes that feed from all other products bearing the
5 same brand name.
- 6 13. "Specialty pet food" means a commercial feed prepared and distributed for
7 consumption by canaries, finches, gerbils, goldfish, hamsters, mynahs, psittacine
8 birds, snakes, turtles, and any other domesticated animal normally maintained in a
9 cage or a tank.

10 **SECTION 2. AMENDMENT.** Section 19-13.1-03.1 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 ~~19-13.1-03.14.1-41-02.~~ **Manufacturer's license - Retailer's license.**

- 13 1. a. A person shall obtain a commercial feed manufacturer's license for each facility at
14 which the person ~~manufacturers~~manufactures commercial feed if the person
15 distributes the feed within this state.
- 16 b. A person shall obtain a commercial feed manufacturer's license if the person's
17 name appears on the label of a commercial feed as a guarantor.
- 18 c. This subsection does not apply to a person that manufactures or guarantees pet
19 food or specialty pet food.
- 20 2. A person shall obtain a commercial feed retailer's license for each facility at which the
21 person sells commercial feed other than pet food or specialty pet food. This
22 subsection does not apply to a person licensed as a commercial feed manufacturer.
- 23 3. In order to obtain an initial license required by this section, a person shall submit an
24 application form at the time and in the manner required by the agriculture
25 commissioner and:
- 26 a. If the person is applying for a manufacturer's license, a fee in the amount of one
27 hundred twenty dollars for a manufacturer's license; or
- 28 b. If the person is applying for a retailer's license, a fee in the amount of sixty
29 dollars.
- 30 4. ~~In order to~~To renew a license required by this section, a person shall submit an
31 application form at the time and in the manner required by the commissioner and:

- 1 a. If the person is applying for a manufacturer's license renewal, a fee in the amount
2 of one hundred dollars; or
3 b. If the person is applying for a retailer's license renewal, a fee in the amount of
4 fifty dollars.
- 5 5. A license issued under this section is valid during the period beginning on January first
6 of an even-numbered year and ending on December thirty-first of the ensuing
7 odd-numbered year.
- 8 6. If a person fails to renew a license within thirty-one days of its expiration, that person
9 must apply for an initial license.

10 **SECTION 3. AMENDMENT.** Section 19-13.1-03.2 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 ~~19-13.1-03.24.1-41-03.~~ **Product registration.**

13 Each commercial feed manufacturer required to be licensed under this chapter shall
14 register all feeds distributed in this state with the agriculture commissioner, at the time and in
15 the manner required by the commissioner. This section does not apply to customer-formula
16 feeds.

17 **SECTION 4. AMENDMENT.** Section 19-13.1-03.3 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 ~~19-13.1-03.34.1-41-04.~~ **License - Registration - Hearing.**

- 20 1. a. The agriculture commissioner may refuse to issue a license to an applicant that is
21 not in compliance with this chapter.
- 22 b. The commissioner may revoke aan existing license if the licensee is not in
23 compliance with this chapter.
- 24 c. The commissioner may refuse to register any feed and may cancel the
25 registration of any feed if the registrant is not in compliance with this chapter.
- 26 2. Before the commissioner may act under this section, the commissioner shall provide
27 the affected person with an opportunity for an informal hearing.

28 **SECTION 5. AMENDMENT.** Section 19-13.1-03.4 of the North Dakota Century Code is
29 amended and reenacted as follows:

1 ~~19-13.1-03.44.1-41-05.~~ **Pet food - Specialty pet food - Registration - Penalty.**

- 2 1. Before being distributed in this state, each pet food product and each specialty pet
3 food product must be registered with the agriculture commissioner. This requirement
4 does not apply to a distributor, provided the pet food or specialty pet food is registered
5 by another person.
- 6 2. ~~In order to~~To register pet food and specialty pet food, a person shall submit:
- 7 a. An application form at the time and in the manner required by the agriculture
8 commissioner; and
- 9 b. A fee in the amount of one hundred twenty dollars.
- 10 3. ~~In order to~~To renew a registration required by this section, a person shall submit:
- 11 a. An application form at the time and in the manner required by the commissioner;
12 and
- 13 b. A fee in the amount of one hundred dollars.
- 14 4. A registration issued under this section is valid during the period beginning on January
15 first of an even-numbered year and ending on December thirty-first of the ensuing
16 odd-numbered year.
- 17 5. If a person fails to renew a registration within thirty-one days of its expiration, that
18 person must apply for an initial registration.
- 19 6. Upon approving an application for an initial registration or a renewed registration, the
20 commissioner shall furnish a certificate of registration to the applicant. A certificate of
21 registration is not transferable.
- 22 7. Any person violating this section is subject to a penalty of twenty-five dollars for each
23 product that must be registered.

24 **SECTION 6. AMENDMENT.** Section 19-13.1-04 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 ~~19-13.1-04.1-41-06.~~ **Commercial feed - Label - Content.**

27 Except as provided in section ~~19-13.1-04.14.1-41-07,~~ any commercial feed that is
28 distributed in this state must be labeled. The label must include:

- 29 1. The product's name, including any brand name under which the product is distributed;
- 30 2. The product's weight, volume, or quantity, as appropriate;
- 31 3. A guaranteed analysis expressed on an "as is" basis;

- 1 4. Unless waived by the agriculture commissioner in the interest of consumers, the
- 2 commonly accepted name of each ingredient or, if permitted by the commissioner, a
- 3 collective term for a group of ingredients that perform a similar function;
- 4 5. The name and principal mailing address of the manufacturer or the distributor;
- 5 6. Directions for use of any commercial feed containing drugs; and
- 6 7. Any precautionary statements recommended by the commissioner to ensure the safe
- 7 and effective use of the feed.

8 **SECTION 7. AMENDMENT.** Section 19-13.1-04.1 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 ~~19-13.1-04.14.1-41-07.~~ **Customer-formula feed - Label - Content.**

11 Any customer-formula feed that is distributed in this state must be labeled.

- 12 1. The label must include:
 - 13 a. The name and address of the manufacturer;
 - 14 b. The name and address of the purchaser;
 - 15 c. The date of delivery;
 - 16 d. The product's name;
 - 17 e. The weight, volume, or quantity, as appropriate, of each ingredient, including
 - 18 commercial feed; and
 - 19 f. Any precautionary statement recommended by the agriculture commissioner to
 - 20 ensure the safe and effective use of the feed.
- 21 2. If the feed contains drugs, the label must also include:
 - 22 a. The purpose of each drug;
 - 23 b. The weight, volume, or quantity, as appropriate, of each drug; and
 - 24 c. The name of each active ingredient.

25 **SECTION 8. AMENDMENT.** Section 19-13.1-06 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 ~~19-13.1-064.1-41-08.~~ **Inspection fee.**

- 28 1. An inspection fee at the rate of twenty cents per ton [907.18 kilograms] is ~~imposed-~~
29 ~~en~~required for all commercial feed distributed in this state. The minimum fee payable
30 under this section is ten dollars.
- 31 2. Subsection 1 does not apply if:

- 1 a. The fee was paid earlier in the year by another person;
- 2 b. The commercial feed is to be used in the manufacturing of a registered
- 3 commercial feed;
- 4 c. The feed is a customer-formula feed and the fee has been paid on the
- 5 commercial feeds used as ingredients; or
- 6 d. The manufacturer produces only customer-formula feed.

7 **SECTION 9. AMENDMENT.** Section 19-13.1-06.1 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 ~~19-13.1-06.14.1-41-09.~~ **14.1-41-09. Inspection fee - Responsibility for payment - Penalty.**

- 10 1. The person responsible for payment of the inspection fee is:
 - 11 a. The manufacturer listed on the label;
 - 12 b. The guarantor listed on the label; or
 - 13 c. The distributor listed on the label.
- 14 2. Before the close of business on each February fifteenth, the person responsible for the
15 payment of the inspection fee shall provide to the agriculture commissioner:
 - 16 a. A sworn statement indicating the number of net tons [kilograms] of commercial
17 feed, by class, that the person distributed in this state during the immediately
18 preceding calendar year; and
 - 19 b. The inspection fees due in accordance with this chapter.
- 20 3. If the person responsible for the payment of the inspection fee fails to submit the
21 assessments as required by this section, the commissioner may impose a penalty
22 equal to ten percent of the amount due, plus interest at the rate of six percent per
23 annum from the due date. If imposed, a penalty under this section may not be less
24 than ten dollars nor more than two hundred and fifty dollars.

25 **SECTION 10. AMENDMENT.** Section 19-13.1-06.2 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 ~~19-13.1-06.24.1-41-10.~~ **24.1-41-10. Inspection fee - Records.**

- 28 1. The person responsible for payment of the inspection fee shall maintain, for a period
29 of three years, records of all transactions necessary to verify the statement of tonnage
30 required by section ~~19-13.1-06.14.1-41-09.~~

- 1 2. The person shall make the records required by this section available to the agriculture
2 commissioner for examination upon request.
- 3 3. If the commissioner determines that the records required by this section were not
4 maintained accurately, the commissioner may cancel all licenses on file for the
5 distributor.

6 **SECTION 11. AMENDMENT.** Section 19-13.1-07 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 ~~19-13.1-074.1-41-11.~~ **Adulteration.**

9 A person may not distribute any commercial feed that is adulterated.

- 10 1. Commercial feed is adulterated if it contains any poisonous or ~~deleterious~~harmful
11 substance that may render the feed injurious to health. However, if the substance is
12 ~~not an added substance~~naturally occurs in the feed, the commercial feed may be
13 considered adulterated under this subsection only if the substance is present in
14 sufficient quantity to render it injurious to health.
- 15 2. Commercial feed is adulterated if it contains any added substance that is poisonous,
16 ~~deleterious~~harmful, or nonnutritive, and unsafe within the meaning of section 406 of
17 the Federal Food, Drug, and Cosmetic Act, as amended [21 U.S.C. 346]. This
18 subsection does not apply to any pesticide in or on a raw agricultural commodity or to
19 a food additive.
- 20 3. Commercial feed is adulterated if it contains any food additive that is unsafe within the
21 meaning of section 409 of the Federal Food, Drug, and Cosmetic Act, as amended
22 [21 U.S.C. 348].
- 23 4. a. Commercial feed is adulterated if it is a raw agricultural commodity and it
24 contains a pesticide that is unsafe within the meaning of section 408a of the
25 Federal Food, Drug, and Cosmetic Act, as amended [21 U.S.C. 346a].
26 b. However, if a pesticide has been used in or on a raw agricultural commodity in
27 conformity with an exemption granted or a tolerance prescribed under
28 section 408 of the Federal Food, Drug, and Cosmetic Act, as amended
29 [21 U.S.C. 346a] and if the raw agricultural commodity has been subjected to a
30 process such as canning, cooking, dehydration, freezing, or milling, any pesticide

1 residue remaining in or on the processed feed may not be deemed ~~unsafe~~safe,
2 provided:

3 (1) The residue in or on the raw agricultural commodity has been removed to
4 the extent possible in good manufacturing practice; and

5 (2) The concentration of the residue in the processed feed is not greater than
6 the tolerance prescribed for the raw agricultural commodity.

7 c. The exception set forth in subdivision b does not apply if the ~~feeding~~consumption
8 of such processed feed may result in the edible product of the animal evidencing
9 a pesticide residue that is unsafe within the meaning of section 408a of the
10 Federal Food, Drug, and Cosmetic Act, as amended [21 U.S.C. 346a].

11 5. Commercial feed is adulterated if it contains any color additive that is unsafe within the
12 meaning of section 721 of the Federal Food, Drug, and Cosmetic Act, as amended
13 [21 U.S.C. 379e].

14 6. Commercial feed is adulterated if it contains any new animal drug that is unsafe within
15 the meaning of section 512 of the Federal Food, Drug, and Cosmetic Act, as amended
16 [21 U.S.C. 360b].

17 7. In addition to the foregoing subsections, commercial feed is adulterated if:

18 a. Any valuable constituent has been omitted, in whole or in part, thereby providing
19 a lower nutritive value in the finished product;

20 b. The composition or quality of the feed falls below or differs from that which is
21 stated on its label;

22 c. The feed contains added hulls, screenings, straw, cobs, or other high fiber
23 material, unless each material is stated on the label;

24 d. The feed contains viable weed seeds in amounts exceeding the limits that the
25 commissioner establishes by rule;

26 e. The feed contains a drug and the methods used in or the facilities or controls
27 used for its manufacturing, processing, or packaging do not conform to current
28 good manufacturing practice rules adopted by the commissioner;

29 f. The feed consists in whole or in part of any filthy, putrid, or decomposed
30 substance, or if the feed is otherwise unfit for its intended use;

- 1 g. The feed has been prepared, packed, or held under unsanitary conditions that
2 may have caused it to become contaminated with filth or rendered injurious to
3 health;
- 4 h. The feed consists in whole or in part of the product of a diseased animal or of an
5 animal that has died otherwise than by slaughter which is unsafe within the
6 meaning of section 402(a)(1) or (2) of the Federal Food, Drug, and Cosmetic Act,
7 as amended [21 U.S.C. 342];
- 8 i. The feed's container is composed, in whole or in part, of any poisonous or
9 deleterious harmful substance that may render the contents injurious to health;
- 10 j. The feed has been packaged in bags or totes that previously contained pesticide
11 products, treated seeds, or other hazardous materials; or
- 12 k. The feed has been intentionally subjected to radiation, unless the use of the
13 radiation was in conformity with the regulation or exemption in effect pursuant to
14 section 409 of the Federal Food, Drug, and Cosmetic Act, as amended
15 [21 U.S.C. 348].

16 **SECTION 12. AMENDMENT.** Section 19-13.1-08 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 ~~19-13.1-08~~ **19-13.1-12. Misbranding.**

19 A person may not distribute any commercial feed that is misbranded. Commercial feed is
20 misbranded if:

- 21 1. Its label is false or misleading;
- 22 2. It is distributed under the name of another commercial feed;
- 23 3. It is not labeled in accordance with this chapter;
- 24 4. It purports to be or is represented as being a commercial feed, or if it purports to
25 contain or is represented as containing a commercial feed ingredient, unless the
26 commercial feed or feed ingredient conforms to the definition of identity, if any,
27 prescribed by rules of the agriculture commissioner; or
- 28 5. Any information required on the label is not prominently placed, with conspicuousness,
29 so as to render it readable and comprehensible by an individual under customary
30 conditions of purchase and use.

1 **SECTION 13. AMENDMENT.** Section 19-13.1-09 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 ~~19-13.1-09~~**14-11-13. Inspection, sampling, analysis.**

- 4 1. a. For purposes of enforcing this chapter, designated officers and employees of the
5 agriculture commissioner may enter and inspect, during normal business hours,
6 any factory, warehouse, or establishment in this state, in which commercial feeds
7 are manufactured, processed, packed, or held for distribution, provided the
8 individuals first present their credentials and written notice to the owner or
9 manager.
- 10 b. For purposes of enforcing this chapter, designated officers and employees of the
11 commissioner may enter and inspect any vehicle being used to transport or hold
12 commercial feed, provided the individuals first present their credentials and
13 written notice to the owner, manager, or driver.
- 14 2. Any inspection authorized under this section must take place at reasonable times,
15 within reasonable limits, and in a reasonable manner. The inspection may include the
16 verification of records and production and control procedures, as necessary to
17 determine compliance with this chapter and rules implemented under this chapter.
- 18 3. A separate notice must be given for each authorized inspection. However, a separate
19 notice is not required for each entry made during the period covered by the inspection.
20 Each inspection must be commenced and completed with reasonable promptness.
21 Upon completion of the inspection, the individual in charge of the facility or the
22 individual in charge of the vehicle must be notified.
- 23 4. If the officer or employee making an inspection of a factory, warehouse, or other
24 establishment has obtained a sample in the course of the inspection, upon completion
25 of the inspection and prior to leaving the premises, the officer or employee shall give
26 to the owner or manager a receipt describing the samples obtained.
- 27 5. If an officer or employee of the commissioner is denied entry as authorized by this
28 section, the commissioner may obtain a warrant directing the owner or manager to
29 submit the premises described in the warrant to inspection.

- 1 6. Any officer or employee of the commissioner authorized to enter any structure or
2 vehicle in accordance with this section, may obtain samples and examine records
3 relating to distribution of commercial feeds.
- 4 7. Sampling under this section must be conducted in accordance with generally
5 recognized methods and any analysis of the samples taken must be conducted in
6 accordance with generally recognized laboratory methods.
- 7 8. The commissioner shall forward the results of any sample analysis to the person
8 named on the label and to the purchaser.
- 9 9. If an analysis indicates that a commercial feed has been adulterated or misbranded,
10 ~~the person named on the label may~~, within thirty days following receipt of the analysis,
11 the person named on the label may request that the commissioner provide ~~to the~~
12 ~~person~~ a portion of the sample.
- 13 10. In determining for administrative purposes whether a commercial feed is deficient in
14 any component, the commissioner must be guided by the official sample.

15 **SECTION 14. AMENDMENT.** Section 19-13.1-11 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 ~~19-13.1-11~~**14.1-14.14. Detained commercial feeds.**

- 18 1. If the agriculture commissioner has reasonable cause to believe a lot of commercial
19 feed is being distributed in violation of this chapter or any rules implementing this
20 chapter, the commissioner may issue a "withdrawal from distribution" order, prohibiting
21 the distributor from disposing of the lot until written permission is given by the
22 commissioner or by a court. The commissioner shall release the lot of commercial
23 feed when there has been compliance with this chapter and the rules implementing
24 this chapter. If compliance is not obtained within thirty days, the commissioner may
25 begin, or upon request of the distributor shall begin, proceedings for condemnation.
- 26 2. Any lot of commercial feed not in compliance with this chapter or rules implementing
27 this chapter is subject to seizure on complaint of the commissioner to a court of
28 competent jurisdiction. If the court finds the commercial feed to be in violation of this
29 chapter or rules implementing this chapter and orders the condemnation of the
30 commercial feed, it must be disposed of in any manner consistent with the quality of
31 the commercial feed and the laws of the state. A court may not order disposition of the

1 commercial feed without first giving the claimant an opportunity to apply for its release
2 or for permission to process or relabel the commercial feed to bring it into compliance
3 with this chapter and rules implementing this chapter.

4 **SECTION 15. AMENDMENT.** Section 19-13.1-12 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **~~19-13.1-124.1-41-15.~~ Penalties.**

- 7 1. ~~Any person convicted of violating~~ It is a class A misdemeanor for any person to violate
8 ~~this chapter or, the rules implementing this chapter and any person that impedes,~~
9 ~~obstructs, hinders, or otherwise prevents or attempts to prevent, or impeding,~~
10 obstructing, hindering, preventing, or attempting to prevent the agriculture
11 commissioner from performing the commissioner's duties in connection with this
12 chapter ~~is guilty of a class A misdemeanor.~~ In all prosecutions under this chapter
13 involving the composition of a lot of commercial feed, a certified copy of the official
14 analysis signed by the person performing the analysis, or that person's authorized
15 agent, must be accepted as prima facie evidence of the composition.
- 16 2. This chapter does not require the commissioner to seek prosecution or take any other
17 legal action based on minor violations of the chapter if the commissioner deems that
18 the public interest will be best served by a suitable written warning.
- 19 3. Each state's attorney to whom any violation is reported shall ~~cause~~ institute appropriate
20 proceedings to be ~~instituted and prosecuted~~ in a court of competent jurisdiction without
21 delay. Before the commissioner reports a violation for prosecution, the commissioner
22 shall provide an opportunity for the distributor to ~~present the distributor's view to the~~
23 ~~commissioner~~ show cause why the violation should not be reported for prosecution.
- 24 4. The commissioner may apply for and the court may grant a temporary or permanent
25 injunction restraining any person from violating or continuing to violate this chapter or
26 any rule implementing this chapter. An injunction ~~is to~~ must be issued without bond.
- 27 5. Any person adversely affected by an act, order, or ruling made pursuant to this chapter
28 may within forty-five days ~~thereafter bring appeal the action into~~ the district court for
29 Burleigh County ~~for new trial of the issues bearing upon such act, order, or ruling, and~~
30 ~~upon such trial the court may issue and enforce such orders, judgments, or decrees as~~
31 ~~the court may deem proper, just, and equitable.~~

1 **SECTION 16. AMENDMENT.** Section 19-13.1-13 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 ~~19-13.1-134.1-41-16.~~ **Publications.**

- 4 1. The agriculture commissioner may publish information regarding commercial feeds,
5 including their production, sales, and use, and publish a comparison of the analyses of
6 official samples of commercial feeds sold in this state with the analyses guaranteed in
7 their registration and on their label.
- 8 2. Information regarding the production and use of commercial feeds may not disclose
9 the operations of any person.

10 **SECTION 17. AMENDMENT.** Section 19-13.1-14 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 ~~19-13.1-144.1-41-17.~~ **Cooperation with other entities.**

13 The commissioner may cooperate with and enter into agreements with governmental
14 agencies of this state, other states, agencies of the federal government, and private
15 associations to carry out this chapter.

16 **SECTION 18. AMENDMENT.** Section 19-13.1-15 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 ~~19-13.1-154.1-41-18.~~ **Certificates - Fees.**

19 The agriculture commissioner may:

- 20 1. Implement a program to inspect, audit, and certify commercial feed manufacturing and
21 distribution facilities, at the request of an owner;
- 22 2. Issue commercial feed export certificates; and
- 23 3. Establish a schedule of fees for the services provided under this section.

24 **SECTION 19. AMENDMENT.** Section 19-13.1-16 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 ~~19-13.1-164.1-41-19.~~ **Deposit of fees.**

27 The commissioner shall forward all inspection fees, license fees, and registration fees
28 received under this chapter to the state treasurer. The state treasurer shall deposit the first
29 seven hundred twenty-seven thousand five hundred dollars of fees received under this chapter
30 each biennium in the environment and rangeland protection fund and any remaining fees in the
31 general fund.