

**CHAPTER 7-04-05**  
**MOSS BALLS**

Section

<u>7-04-05-01</u>	<u>Definitions</u>
<u>7-04-05-02</u>	<u>Regulated Articles</u>
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<u>7-04-05-05</u>	<u>Violations and Penalties</u>

**7-04-05-01. Definitions.**

1. "Moss ball" means the aquatic plant known as *Aeqagropila linnaei* or other common names.
2. "Zebra mussel" means an aquatic invasive invertebrate plant pest known as *Dressissena polymorpha*.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 4.1-23-02

**Law Implemented:** NDCC 4.1-23-04

**7-04-05-02. Regulated articles.**

Regulated articles are as follows:

1. The aquatic plant known as *Aeqagropila linnaei* ("Moss ball").
2. Any other aquatic species found to be infested with *Dresissena polymorpha* ("Zebra mussel").

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 4.1-23-02

**Law Implemented:** NDCC 4.1-23-04

**7-04-05-03. Regulated areas.**

The regulated quarantined area includes all states, districts, and territories of the United States.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 4.1-23-02

**Law Implemented:** NDCC 4.1-23-04

**7-04-05-04. Restrictions on regulated articles and conditions on the movement of regulated articles.**

Regulated articles may not be transported into the state or moved within the state unless accompanied by a current certificate of inspection issued by the United States department of agriculture – animal plant health inspection service, the department of agriculture in the shipping state, or the aquatics invasive species regulatory agency in the shipping state.

**History:** Effective XXXXXX.

**General Authority:** NDCC 4.1-23-02

**Law Implemented:** NDCC 4.1-23-04

**07-04-05-05. Violations and penalties.**

Any person violating these regulations is subject to penalties in accordance with North Dakota Century Code chapter 4.1-23-08.

**ARTICLE 7-14  
INDUSTRIAL HEMP**

Chapter  
7-14-01            General Administration  
7-14-02            Industrial Hemp Production

**CHAPTER 7-14-01  
INDUSTRIAL HEMP**

Section  
7-14-01-01        Industrial Hemp Production

**7-14-01-01. Industrial hemp production.**

1. ~~History. The legislative assembly defined industrial hemp as an oilseed and legalized the production in the state of North Dakota under North Dakota Century Code sections 4.1-18-01 and 4.1-18-02.~~
  
2. ~~The agriculture commissioner will license applicants to import and produce industrial hemp and will collect all license fees.~~

**History:** ~~Effective January 1, 2007.~~  
**General Authority:** ~~NDCC 4.1-18-01~~  
**Law Implemented:** ~~NDCC 4.1-18-01~~

**CHAPTER 7-14-02  
INDUSTRIAL HEMP PRODUCTION**

**Section**

7-14-02-01	Definitions
7-14-02-02	Licensing
7-14-02-03	License Renewal
7-14-02-04	Producing and Handling Requirements
7-14-02-05	Reporting Requirements
7-14-02-06	North Dakota State University Research Center and Agricultural Experiment Station Requirements
7-14-02-07	Enforcement
7-14-02-08	Noncompliance
7-14-02-09	Prohibitions

**7-14-02-01. Definitions.**

For purposes of this chapter:

1. ~~"Approved cultivar" means any variety of industrial hemp designated by the commissioner in a published list and may be amended from time to time.~~
2. ~~"Competent laboratory" means a laboratory that is determined by the commissioner as a qualified laboratory with qualified staff to appropriately test for delta-9 tetrahydrocannabinol levels.~~
3. ~~"Criminal conviction" means a finding of guilt, a guilty plea, a plea of no contest, a plea of nolo contendere, or a judgment of conviction even though the court may have suspended execution of a sentence in accordance with subsection 3 of North Dakota Century Code section 12.1-32-02, or a deferred imposition of sentence in accordance with subsection 4 of North Dakota Century Code section 12.1-32-02, or an equivalent statute.~~
4. ~~"Industrial hemp" means the plant Cannabis sativa L. and any part of such plant whether growing or not with a delta-9 THC concentration of not more than three tenths of one percent THC on a dry weight basis.~~
5. ~~"Seed" means any part of an industrial hemp plant that is represented, sold, or used to grow a plant.~~
6. ~~"THC" means delta-9 tetrahydrocannabinol.~~

**History:** Effective January 1, 2007; amended effective October 1, 2016.

**General Authority:** NDCC 4.1-18-01

**Law Implemented:** NDCC 4.1-18-01

**7-14-02-02. Licensing.**

1. ~~Any person desiring to obtain a state license to grow industrial hemp for commercial purposes shall comply with the following:~~
  - a. ~~A completed license application must be submitted to the agriculture commissioner on such forms as supplied by the commissioner or otherwise approved by the commissioner and the proper fee prescribed by the statute.~~
  - b. ~~A minimum of one half of an acre plot must be planted for each license granted except for North Dakota state university for research purposes.~~

- e. ~~The applicant must list all individuals who will be involved in any manner in handling or growing industrial hemp.~~
  - d. ~~The applicant, including each individual involved in the handling or production of industrial hemp, must submit written consent granting a state and national criminal history check, two sets of fingerprints from a law enforcement agency or other local agency authorized to take fingerprints, and a statement indicating whether the applicant or individual has ever been convicted of a crime. The applicant must pay all costs associated with conducting each criminal history background check.~~
  - e. ~~The applicant must provide to the commissioner field locations using geopositioning capability instrumentation along with an official aerial United States department of agriculture farm service agency map or any other method approved by the commissioner.~~
2. ~~Licenses expire on December thirty first of each year.~~

~~**History:** Effective January 1, 2007; amended effective October 1, 2016.~~

~~**General Authority:** NDCC 4.1-18-01~~

~~**Law Implemented:** NDCC 4.1-18-01~~

~~**7-14-02-03. License renewal.**~~

- 1. ~~Licenses wishing to renew their licenses must submit to the commissioner a completed license renewal application on such forms as prescribed by the commissioner.~~
- 2. ~~For all crop not sold or removed from the site during the licensed year, the licensee must apply for and receive a new license the following year.~~
- 3. ~~A licensee shall submit the fee prescribed by statute with the renewal application for a license.~~

~~**History:** Effective January 1, 2007; amended effective October 1, 2016.~~

~~**General Authority:** NDCC 4.1-18-01~~

~~**Law Implemented:** NDCC 4.1-18-01~~

~~**7-14-02-04. Producing and handling requirements.**~~

- 1. ~~The licensee shall ensure that all equipment that is used to sow or harvest the hemp is thoroughly cleaned after each use in order to avoid the inadvertent dissemination of industrial hemp.~~
- 2. ~~All industrial hemp seed must be covered during transport to avoid the inadvertent dissemination of industrial hemp.~~
- 3. ~~All volunteer industrial hemp plants not located in a field licensed to produce must be destroyed before reaching the seed producing stage.~~
- 4. ~~All nonexempt plant material must be exported or sold to a United States drug enforcement administration registered reverse distributor for processing or fully incinerated onsite in a manner approved and supervised by the commissioner.~~

~~**History:** Effective January 1, 2007; amended effective October 1, 2016.~~

~~**General Authority:** NDCC 4.1-18-01~~

~~**Law Implemented:** NDCC 4.1-18-01~~

~~**7-14-02-05. Reporting requirements.**~~

- 1. ~~The following information must be supplied to the commissioner by July first of each year.~~

- a. ~~The licensee shall report to the commissioner the final planted acreages of industrial hemp.~~
  - b. ~~The licensee shall file with the commissioner documentation indicating that the seed planted was produced from a type and variety that has been tested for delta 9 THC and contains less than three tenths percent on a dry weight basis.~~
  - c. ~~The licensee shall report to the commissioner the name, address, and telephone number of any person from whom all seed used in the production of industrial hemp was purchased.~~
2. ~~The licensee must report to the commissioner the name, address, and telephone number of any purchaser of industrial hemp seed and nonexempt plant parts at the time of the sale.~~
  3. ~~The holder of a license shall notify the commissioner of the following changes within fifteen days after a change:~~
    - a. ~~To the name, address, or telephone number of the licenseholder; or~~
    - b. ~~In the ownership of the land used to cultivate industrial hemp.~~
  4. ~~The licensee must notify the commissioner a minimum of thirty days prior to the intended harvest date. The commissioner, at any time, may take samples and submit them to a qualified laboratory for THC testing. The licensee must notify the commissioner of the intended or current location of all storage facilities using geopositioning capability instrumentation.~~
  5. ~~The licensee must receive approval from the commissioner before selling or otherwise distributing any industrial hemp seed or other plant materials.~~

**History:** ~~Effective January 1, 2007; amended effective October 1, 2016.~~

**General Authority:** ~~NDCC 4.1-18-01~~

**Law Implemented:** ~~NDCC 4.1-18-01~~

**~~7-14-02-06. North Dakota state university research center and agricultural experiment station requirements.~~**

1. ~~The North Dakota state university research center and the agricultural experiment stations must comply with all licensing requirements except for the criminal history background check.~~
2. ~~The North Dakota state university research center and the agricultural experiment stations must report all storage facilities containing industrial hemp seed using geopositioning capability instrumentation to the commissioner by December thirty first of each year.~~

**History:** ~~Effective January 1, 2007.~~

**General Authority:** ~~NDCC 4.1-18-01~~

**Law Implemented:** ~~NDCC 4.1-18-01~~

**~~7-14-02-07. Enforcement.~~**

1. ~~The licensees shall allow enforcement officials to enter industrial hemp fields at any time to monitor and test the hemp crop. Industrial hemp fields must be readily accessible for monitoring and testing purposes and must have open access at a minimum of one side of the field.~~
2. ~~The licensee must receive approval to harvest from the commissioner prior to harvest.~~

**History:** ~~Effective January 1, 2007.~~

**General Authority:** NDCC 4.1-18-01

**Law Implemented:** NDCC 4.1-18-01

**~~7-14-02-08. Noncompliance.~~**

- ~~1. The commissioner may suspend or revoke a license for the failure of a licensee to comply with all the requirements of this chapter and North Dakota Century Code chapter 4-41. The commissioner may prohibit a person who does not comply with all the requirements of this chapter and North Dakota Century Code chapter 4-41 from obtaining a license to grow industrial hemp for a period of up to five years.~~
- ~~2. The commissioner may destroy all industrial hemp crop, grain, oil, plant parts, or fiber that was produced in a manner inconsistent with the requirements of this chapter. As a condition of licensure, the licensee agrees that no compensation will be paid by the state resulting from such destruction.~~

**History:** Effective January 1, 2007; amended effective October 1, 2016.

**General Authority:** NDCC 4.1-18-01

**Law Implemented:** NDCC 4.1-18-01

**~~7-14-02-09. Prohibitions.~~**

- ~~1. A person may not advertise in any fashion that would indicate that industrial hemp, its derivatives, or any product made from those derivatives is psychoactive.~~
- ~~2. A person may not possess, transport, distribute, grow, or deal in any plant parts of industrial hemp without first having obtained a license according to section 7-14-02-02.~~
- ~~3. A person may not plant bin-run seed or seed whose parent plant has not been tested for delta-9-THC.~~

**History:** Effective January 1, 2007; amended effective October 1, 2016.

**General Authority:** NDCC 4.1-18-01

**Law Implemented:** NDCC 4.1-18-01

**ARTICLE 7-18**  
**GRAIN WAREHOUSE AND GRAIN BUYERS**

<u>Chapter</u>	
<u>07-18-01</u>	<u>General Provisions</u>
<u>07-18-02</u>	<u>Licensing</u>
<u>07-18-03</u>	<u>Bonding</u>
<u>07-18-04</u>	<u>Records and Receipts</u>

**CHAPTER 7-18-01**  
**GENERAL PROVISIONS**

<u>Section</u>	
<u>07-18-01-01</u>	<u>Open trades</u>
<u>07-18-01-02</u>	<u>Outstanding storage at license termination</u>
<u>07-18-01-03</u>	<u>Storage in another warehouse</u>
<u>07-18-01-04</u>	<u>Adequate bond and insurance coverage-suspension</u>
<u>07-18-01-05</u>	<u>Change in capacity</u>
<u>07-18-01-06</u>	<u>License suspension</u>
<u>07-18-01-07</u>	<u>Request to discontinue business</u>
<u>07-18-01-08</u>	<u>Assumption of liability for transfer of grain</u>
<u>07-18-01-09</u>	<u>Delivery policy</u>
<u>07-18-01-10</u>	<u>Grain buyers license-processed grain</u>

**07-18-01-01. Open Trades.**

A licensee is prohibited from carrying open trades more than the legitimate hedging needs.  
Violation of this section may be punishable by revocation of license.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-03, 60-02.1-03

**07-18-01-02. Outstanding storage at license termination.**

A warehouse licensee having outstanding storage at the termination of the license period, must procure a license in the usual manner, even though the warehouse is closed, or will be closed.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-03, 60-02.1-03

**07-18-01-03. Storage in another warehouse.**

All non-transit grain owned or held by a warehouse licensee under North Dakota Century Code chapter 60-02 must be held in a licensed and bonded warehouse, either within or outside the state. When grain is held in space that is not licensed by the licensee under North Dakota Century Code chapter 60-02, a warehouse document issued for that grain must identify the originating warehouse as the receiptholder. When grain held subject to a warehouse receipt is stored in a warehouse that is not



licensed under North Dakota Century Code chapter 60-02, the originating warehouse must increase its bond to provide protection for that grain as well as its own licensed warehouse space.

Daily position records must include inventories held under nonnegotiable warehouse receipts issued by another licensed warehouse.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03

**Law Implemented:** NDDC 60-02-03

#### **07-18-01-04. Adequate bond and insurance coverage- suspension.**

The license of a licensee who fails to maintain adequate insurance and bond coverage will be suspended automatically. The suspended license must be surrendered to the Commissioner and the suspension notice must be posted in a conspicuous manner at the licensed location, if applicable.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-09.1, 60-02-10.1, 60-02-35.1, 60-02.1-09, 60-02.1-11, 60-02.1-22

#### **07-18-01-05. Change in capacity.**

A warehouse licensee may not change its physical capacity without prior Commissioner approval. A request to change capacity must be on form provided by Commissioner with capacity being added or deleted. Deleted capacity must be physically disconnected from other licensed capacity. Added capacity must be properly bonded. Additions not previously licensed must be accompanied by a diagram showing the location and capacity of the space involved.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03

**Law Implemented:** NDCC 60-02-09

#### **07-18-01-06. License Suspension.**

Upon suspension of its license, a licensee must:

1. Within five days of receipt notice, provide each receipt holder with the written notice that is license has been suspended, if applicable, and that grain must be removed from the facility or it will be priced and redeemed in cash in accordance with state law. The notice must contain the projected date of license revocation and indicate that if a receipt holder chooses not to sell the grain to the licensee and does not take redelivery prior to revocation, the grain may no longer be covered by insurance or bond.
2. If applicable, keep the Commissioner's suspension notice conspicuously posted in the office window or on the front driveway door of the facility.
3. Surrender the license to the Commissioner
4. If applicable, not receive additional grain for purchase, storage, shipping, or processing.
5. If applicable, refrain from selling or shipping grain without prior written Commissioner approval.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-09.1, 60-02-10.1, 60-02-35.1, 60-02.1-09, 60-02.1-11, 60-02.1-22

**07-18-01-07. Request to discontinue business.**

A licensee may not discontinue business without prior written approval from the Commissioner.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-41, 60-02.1-27

**07-18-01-08. Assumption of liability for transfer of grain.**

A licensee that intends to acquire a facility operated by another licensee and to assume responsibility for grain obligations of the former licensee must notify the Commissioner of the assumption of the liability. The notice must be submitted on a form provided by the Commissioner.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-40, 60-02.1-36

**07-18-01-09. Delivery policy.**

A licensed warehouse shall during July of each year, publish and post in a conspicuous place in each warehouse, the warehouse's policy for delivery of grain to a warehouse receipt holder. The policy must remain in effect at least through the following June and must outline how the warehouseman will charge or compensate receipt holder for differences in quantity, kind, quality, and grade that exist between the grain described in the scale ticket and the grain that is actually delivered back to the receipt holder. A copy of the warehouse's policy for delivery must be provided to the Commissioner as part of its annual warehouse license application. A copy of the policy must be also attached to each warehouse receipt issued to an owner of grain.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03

**Law Implemented:** 60-02-17, 60-02-22

**07-18-01-10. Grain Buyers License- Processed Grain.**

A grain buyers license is not required if a purchaser is acquiring grain that is owned by the licensed entity and that has been:

1. Substantially altered by processing or blending with a non- grain product; or
2. Cleaned, bagged in container less than 100 pounds, and made ready for consumption.

Any processed commodity will, however, be considered grain and thereby made an asset that is available to the Commissioner in an insolvency proceeding.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02.1-03

**Law Implemented:** NDCC 60-02.1-03

**Chapter 07-18-02**  
**Licensing**

Section

<u>7-18-02-01</u>	<u>License Application</u>
<u>7-18-02-02</u>	<u>Financial Requirements</u>
<u>7-18-02-03</u>	<u>License Renewal</u>
<u>7-18-02-04</u>	<u>Business Documents</u>
<u>7-18-02-05</u>	<u>Physically Disconnected Lease Space</u>
<u>7-18-02-06</u>	<u>Universal Nonpublic Use</u>

**7-18-02-01. License application.**

An application for a license must be submitted online on the site provided by the Commissioner. Every business organization or sole proprietor using a trade name other than its given name must be registered and in good standing with the secretary of state. The application must be complete and must include:

1. The required license fees.
2. A surety bond, which is signed by principal and surety company with valid power of attorney.
3. A copy of any receipt or credit sale contract to be used by the licensee.
4. Certificate of continuous insurance in the required amount, if applicable.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDDC 60-02-07, 60-02.1-07

**7-18-02-02. Financial requirements.**

All license types must meet the following requirements based on purchased grain amount:

1. Purchases less than one million: 100,000 dollars net worth
2. Purchases more than one million less than ten million: 250,000 dollars net worth
3. Purchases more than ten million: 500,000 dollars net worth
4. Working capital ratio of at least 1.0

For any licensee unable to meet these requirements Commissioner may do any or all the following:

1. deny a license
2. Require additional capital or net worth before approving license
3. Require additional bonding to covering capital or net worth shortfall.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-03, 60-02.1-03

**7-18-02-03. License renewal.**

A license is an annual that expires on July 31<sup>st</sup>. a licensee must submit a renewal application to the Commissioner by July 15<sup>th</sup> online on the site provided by the Commissioner. Every business organization or sole proprietor using a trade name must be in good standing with the secretary of state. An application that is not received in a timely manner with result in the automatic discontinuance of business on August 1<sup>st</sup>.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-07, 60-02.1-07

**7-18-02-04. Business documents- Revisions.**

A licensee must promptly notify the Commissioner of a change in ownership, name, corporate structure, or format of any receipt or credit sale contract.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-03, 60-02.1-03

**7-18-02-05. Physically disconnected space.**

Grain warehouses that have facilities that are physically disconnected from licensed facilities may be leased to other entities for nonpublic use. These leased facilities are not part of the license. The lessee is responsible for its own content insurance, if any. The licensee need not bond the space. In the case of licensee insolvency, the contents of the leased facility are not a trust fund asset and the lessee are not entitled to protection for grain held therein. If the leased facility is owned by the licensee, lease agreements must be on file at the warehouse.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03

**Law Implemented:** NDCC 60-02-09

**07-18-02-06. Universal nonpublic use.**

When an entire facility is owned under condominium arrangement or is leased to other entities for nonpublic use, the facility is not a public warehouse and no license is required.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03

**Law Implemented:** NDCC 60-02-03

**Chapter 07-18-03**  
**Bonding**

**Section**

<u>07-18-03-01</u>	<u>Grain Warehouse Bonds</u>
<u>07-18-03-02</u>	<u>Processor Bonds</u>
<u>07-18-03-03</u>	<u>Roving Grain Buyer Bonds</u>
<u>07-18-03-04</u>	<u>Broker Bonds</u>
<u>07-18-03-05</u>	<u>Bond Discount</u>

**07-18-03-01. Grain warehouse bond.**

A licensee's minimum bond is 2.5% of the licensee's total grain purchases in the state, based on a three-year rolling average during which the license has been active. A licensee will report value of purchases at renewal. A licensee's required minimum bond may not be less than \$100,000.

1. A grain warehouse bond may not exceed two million five hundred thousand dollars.
2. The commissioner may require an increase in the amount of any bond when necessary to accomplish the purposes of North Dakota Century Code chapter 60-02.
3. Any new applicant the bond will be set based on projected purchases for the current license year.
4. Bond will continue to be based on total annual purchases until three-year average is reached.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02-03

**Law Implemented:** NDCC 60-02-02, 60-02-07, 60-02-09

**07-18-03-02. Processor bonds.**

A licensee's minimum bond is 5% of the licensee's total grain purchases in the state, based on a three-year rolling average during which the license has been active. A licensee will report value of purchases at renewal. A licensee's required minimum bond may not be less than \$100,000.

1. A processor bond may not exceed two million five hundred thousand dollars.
2. The commissioner may require an increase in the amount of any bond when necessary to accomplish the purposes of North Dakota Century Code chapter 60-02.1.
3. For new applicants, the bond will be set based on projected purchases for the current license year.
4. Bond will continue to be based on total annual purchases until three-year average is reached.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02.1-03

**Law Implemented:** NDCC 60-02.1-03, 60-02.1-08

**07-18-03-03. Roving grain buyer bonds.**

A licensee's minimum bond will be 8% of the licensee's total grain purchase in the state, based on annual purchases as reported monthly to the Commissioner. A licensee's required minimum bond may not be less than \$100,000

1. A roving grain buyer bond may not exceed two million five hundred thousand dollars.
2. The commissioner may require an increase in the amount of any bond when necessary to accomplish the purposes of North Dakota Century Code chapter 60-02.1.
3. For new applicants, the bond will be set based on projected purchases for the current license year.

**History:** Effective XXXXXX.

**General Authority:** NDCC 28-32-02, 60-02.1-03

**Law Implemented:** NDCC 60-02.1-03, 60-02.1-08

**07-18-03-04. Broker bonds.**

A licensee's minimum bond will be \$100,000

1. A Broker bond may not exceed two million five hundred thousand dollars.
2. The commissioner may require an increase in the amount of any bond when necessary to accomplish the purposes of North Dakota Century Code chapter 60-02.1.

**History:** Effective XXXXXXXX.

**General Authority:** NDCC 28-32-02, 60-02.1-03

**Law Implemented:** NDCC 60-02.1-03, 60-02.1-08

**07-18-03-05. Bond discounts.**

All license types except for Brokers are eligible for bond discount. The required bond may be reduced based on licensee's payment of grain within a set time.

1. Thirty percent for a licensee that establishes and follows policy to pay for grain within ten days of delivery.
2. Fifteen percent for a licensee that establishes and follows policy to pay for grain within eleven to 21 days of delivery.
3. Policy for payment must be filed with the Commissioner.
4. Commissioner may require increase in bond if licensee is found to not follow their set policy.
5. A reduction under the subsection cannot be used to reduce a required minimum bond to an amount less than one hundred thousand dollars.

**History:** Effective XXXXXXXXX.

**General Authority:** NDCC 28-32-02 60-02-03, 60-02.1-03

**Law Implemented:** NDCC 60-02-03, 60-02.1-03

**CHAPTER 60-03-03  
WORKER PROTECTION STANDARD**

Section	
60-03-03-01	Scope and Purpose
60-03-03-02	Definitions
60-03-03-03	Adoption of Worker Protection Standard

**60-03-03-01. Scope and purpose.**

This chapter contains a standard designed to reduce the risks of illness or injury resulting from workers' and handlers' occupational exposures to pesticides used in the production of agricultural plants on farms or in nurseries, greenhouses, and forests and also from the accidental exposure of workers and other persons to such pesticides. It requires workplace practices designed to reduce or eliminate exposure to pesticides and establishes procedures for responding to exposure-related emergencies.

**History:** Effective July 1, 2004.

**General Authority:** NDCC 4.1-33-03

**Law Implemented:** NDCC 4.1-33-03

**60-03-03-02. Definitions.**

Any term used in this chapter has the same meaning as defined in title 40, Code of Federal Regulations, section 170.3, unless defined in North Dakota Century Code chapter 4.1-33, in which case the North Dakota Century Code definition governs.

**History:** Effective July 1, 2004.

**General Authority:** NDCC 4.1-33-03

**Law Implemented:** NDCC 4.1-33-03

**60-03-03-03. Adoption of worker protection standard.**

The environmental protection agency worker protection standard regulations effective as of ~~December 12, 2008~~ January 1, 2016, as provided under title 40, Code of Federal Regulations, part 170, are hereby adopted by the board and incorporated by reference and made a part of this title. Copies of title 40, Code of Federal Regulations, part 170, are available upon request by contacting the board at its inquiry address listed in section 60-01-01-01.

**History:** Effective July 1, 2004; amended effective January 1, 2013; amended effective XXXXXXXX.

**General Authority:** NDCC 4.1-33-03

**Law Implemented:** NDCC 4.1-33-03