CHAPTER 74-02-02
SEED SALE

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74-02-02-01. Definitions.

As used in this chapter, unless the context or subject matter otherwise requires:

1. "Agricultural grain" or "grass seed" includes seeds of grass, forage, cereal, fiber and oil crops, and any other kinds of seeds commonly recognized within this state as agricultural or field seeds and mixtures of such seeds for sowing or planting purposes.

2. "Consumer" means any person who purchases or otherwise obtains seed for sowing but not for resale.

3. "Engaging in the business of selling seed" means the act or acts of selling, offering for sale, transporting for sale, or holding in storage with the intent to sell to a North Dakota consumer for sowing purposes any agricultural grain or grass seed by any nonresident who travels from farm to farm, or offers directly to the consumer through public advertising, internet sales, or any other medium which would constitute public notice.

4. "Feed grain" means the seed of any crop which is being produced to be used for feed or food and not for seeding or planting purposes.

5. "Nonresident person" means any individual, partnership, corporation, company, society, or association who is not located in or does not have a permanent address in North Dakota.

History: Amended effective January 2, 2006.
General Authority: NDCC 28-32-02
Law Implemented: NDCC 4-25-01

74-02-02-02. Nonresident seed dealer - License application.

The application for license shall be made to the seed commissioner in writing and under oath, and shall set forth:

1. The place or places of business from which the applicant intends to carry on the business for which the license is desired.

2. The full name of the persons constituting the firm if the applicant is a copartnership.

3. The name of the officers of the corporation and where it is incorporated if the applicant is a corporation.

4. A statement showing the applicant's eligibility for a similar license in other states in which the applicant may have operated or is operating at the time of the application.

5. Other pertinent facts regarding the applicant and the business.

When applicable, the fee for the license, twenty-five dollars, shall accompany the application.

History: Amended effective December 18, 1989.
General Authority: NDCC 28-32-02

Law Implemented: NDCC 4-25-04

74-02-02-03. Identification cards.

Repealed effective January 1, 2005.

74-02-02-04. State grain grade standards.

Repealed as the result of S.L. 1979, ch. 95, § 6.