



**STATE OF NORTH DAKOTA**  
DEPARTMENT OF AGRICULTURE  
600 E BOULEVARD AVE, DEPT 602  
BISMARCK, ND 58505-0020

DOUG GOEHRING  
COMMISSIONER

October 25, 2018

Ms. Emily Thompson  
Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2<sup>nd</sup> Floor  
Bismarck, ND 58505-0360

Dear Ms. Thompson:

The Notice of Intent to Amend or Repeal and Adopt Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Goehring".

Doug Goehring  
North Dakota Agriculture Commissioner

**NOTICE OF INTENT TO  
ADOPT, REPEAL, AND AMEND ADMINISTRATIVE RULES  
PERTAINING TO PROGRAMS ADMINISTERED UNDER  
THE AUTHORITY OF THE NORTH DAKOTA DEPARTMENT OF AGRICULTURE**

TAKE NOTICE that the North Dakota Department of Agriculture will hold a public hearing to address proposed amendments to and repeal of N.D. Admin. Code Article 7 at 9 a.m. on Monday, November 26, at the Fort Lincoln Room at the State Capitol. The purpose of the proposed adoption, amendments and repeal is to update the Administrative Rules pertaining to programs administered under the authority of the North Dakota Department of Agriculture. The changes being made to each article and section listed are to reflect the current operations of the agency and to update all North Dakota Century Code references to Title 4.1 to reflect the law rewrite of the most recent session, this includes repealing sections that are no longer relevant.

Specifically, the NDDA is proposing the following amendments, repeals, and adoptions to N.D. Admin. Code Chapter 7:

1. Repeal N.D. Admin Code § 7-01-01.
2. Repeal N.D. Admin Code § 7-02-02 and adopt N.D Admin Code § 7-02.1 to clean up rules that no longer correlate to the Apiary law. There were substantial changes to the old rules so it was moved into a new chapter. Most of the changes are updating old language and adding some clarification to the apiary law. There would be no impacts on small entities and we would not need a fiscal note
3. Amend N.D. Admin Code § 7-03.2-03; 7-03.2-04; 7-03.2-05; 7-03.2-09; 7-03.2-12; 7-03.2-13; 7-03.2-17 to eliminate rules that are clearly stated within the Pasteurized Milk Ordinance (PMO) which NDDA adopts by reference in NDCC §4.1-25-33.
4. Amend N.D. Admin Code § 7-04-01 and 7-04-02 to update out-of-date language.
5. Adopt N.D. Admin Code § 7-04-03 to allow a ginseng grower to sell the ginseng raised.
6. Repeal N.D. Admin Code § 7-04-06.
7. Amend N.D. Admin Code § 7-11 to update language and provide clarity to the rules.
8. Amend N.D. Admin Code § 7-13 to repeal the reference to federal law which was adopted by reference in NDCC § 4.1-31-01.1 in the most recent Legislative Session.

The proposed rules can be found at: <https://www.nd.gov/ndda>.

Written comments can be sent to:

North Dakota Department of Agriculture  
Attn: Rules Coordinator  
600 E. Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

Deadline for written comments is December 6, 2018.

Electronic comments can be submitted to: [doarules@nd.gov](mailto:doarules@nd.gov).

None of the proposed rule amendments or repeals are anticipated to have an impact of over \$50,000 nor are they anticipated to prove to have an adverse economic impact on small entities.

Dated this 23rd day of October, 2018

  
Doug Goehring  
Agriculture Commissioner