

**ARTICLE 7-01
GENERAL ADMINISTRATION**

Chapter
7-01-01 Organization of Department

**CHAPTER 7-01-01
ORGANIZATION OF DEPARTMENT**

Section
7-01-01-01 Organization and Functions of the Department of Agriculture

7-01-01-01. Organization and functions of the department of agriculture.

1. Organization of department.

- a. History. The department of agriculture was originally part of the department of agriculture and labor, established by section 12 of article V of the Constitution of North Dakota approved in 1889. In the years following its creation, the department served primarily as an agency for the collection of statistics related to crop yields, labor forces, and other agricultural statistics.

In 1965 a constitutional amendment was approved by the voters which provided for a separate department of labor, making the department of agriculture and labor simply the department of agriculture and creating a new department of labor.

- b. Commissioner of agriculture. The office of commissioner of agriculture is an elected position. The commissioner, elected for a four-year term, is responsible for the determination of policies for operation of the department; dissemination of information concerning agricultural issues to the governor, members of the legislative assembly and the public; assumption of a leadership role in formulating policies affecting the direction of the state's agricultural industry; and advocacy for farmers' needs on the state and national levels. The commissioner or the commissioner's designee serves on numerous boards and commissions.
- c. Divisions. The department is organized into these divisions with a director in charge of each division:
 - (1) Apiary.
 - (2) Dairy/Poultry.
 - (3) Livestock.
 - (4) Marketing.
 - (5) Pesticide.
 - (6) Plant protection.
 - (7) Agricultural mediation service.

2. Functions of the divisions.

- a. Apiary division. The apiary division is responsible for the annual licensure of beekeepers, as well as the inspection, certification, and regulation of bees and equipment for purposes of disease control. The division also enforces applicable laws and regulations.

- b. Dairy/Poultry division.
 - (1) The dairy division is responsible for the promotion of the state dairy industry. It regulates the production, processing, and handling of milk and milk products, and enforces applicable laws and regulations.
 - (2) The poultry division supervises the national poultry improvement plan and cooperates with the United States department of agriculture in providing grading services. The division promotes the state poultry industry and enforces licensing and bonding rules.
 - c. Livestock division. The livestock division is responsible for the licensing of livestock dealers and auction markets, as well as the recording and rerecording once every ten years, of brands and marks identifying livestock. The division also enforces applicable laws and regulations.
 - d. Marketing division. The marketing division is responsible for providing a variety of marketing services to North Dakota food producers and processors, thereby enhancing the sale of agricultural products. The services include educational seminars, counseling, market research, secondary crop development, and direct export marketing. The division also works with commodity groups to promote and market North Dakota agricultural products in this country and abroad. Administration of the honey and turkey promotion funds is another responsibility of this division.
 - e. Pesticide division. The pesticide division enforces laws and regulations regarding the storage, transportation, application, and disposal of pesticides. It also enforces laws and regulations dealing with chemigation, noxious weeds, and anhydrous fertilizer plants.
 - f. Plant protection division. The plant protection division is responsible for the inspection, certification, and enforcement of laws and regulations pertaining to nurseries. It invokes and maintains quarantines to prevent the introduction and spread of plant pests and it conducts surveys to evaluate established pests and detect new ones. It also initiates control programs for the suppression or eradication of pests. Through inspection and certification, this division ensures that plants and plant products meet domestic and foreign plant quarantine requirements.
 - g. Agricultural mediation service. This division disseminates information and provides assistance to farmers regarding agricultural credit problems. It provides training for negotiators and mediators, assigns them to individual farmers, and coordinates the efforts of public and private entities dealing with agricultural credit matters and financially distressed farmers.
3. **Inquiries.** Information about the department of agriculture and its programs and responsibilities may be obtained by contacting:

North Dakota Department of Agriculture
State Capitol
Bismarck, North Dakota 58505

History: Amended effective December 1, 1981; February 1, 1986; May 1, 1990.

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 28-32-02.1