



**NORTH DAKOTA
DEPARTMENT OF AGRICULTURE**

STATE CAPITOL
600 E. BOULEVARD AVE. – DEPT. 602
BISMARCK, ND 58505-0020

**North Dakota Department of Agriculture
Commercial Feed and Pet Food Registration and Licensing Guidelines**

The North Dakota Department of Agriculture regulates commercial feed and pet food products through the authority provided by Chapter 4.1-41 of the North Dakota Century Code (N.D.C.C.). The Department has the responsibility to regulate the registration, distribution, sale, and labeling of feed and pet food products. The focus of the Department's activities is to ensure:

1. The health and wellbeing of livestock, wildlife and companion animals
2. The safety of foods derived from animals
3. Consumer protection through truth in labeling
4. A level playing field for conducting commerce in commercial feed and pet food

The requirement for registration of commercial feeds and pet foods provides for Department review before new products are allowed in the channels of trade. Licensing of manufacturers and retailers facilitates uniform distribution of inspection and sampling activities at industry stakeholder locations.

Pet Foods and Specialty Pet Foods Registration

Pet foods are those fed to domesticated animals such as dogs, cats, caged birds or small animals, and fish. Pursuant to N.D.C.C. Chapter 4.1-41, each pet food and specialty pet food must be registered with the Department before being distributed in this state. All registered pet foods are viewable in the [North Dakota Pet Food Registration Database](#). A license is not required to register pet food products and they are not subject to inspection (tonnage) fees. Registrations cover a designated two-year period beginning January 1st of every even-numbered year and ending December 31st of the following odd-numbered year.

Each product's registration application must include:

1. A completed [Application for Registration of Pet Foods form \(SFN17981\)](#)
2. A current, electronic, PDF product label
3. Pet Food Registration fee (\$120/product)

The preferred method for submission of all pet food and specialty pet food labels is portable document format (PDF) files submitted online at <http://www.kellysolutions.com/nd>. New registrants should contact the Department to be assigned a unique username and password. PDF files may also be emailed to <mailto:feed@nd.gov> or mailed to the Department on a compact disc.

The Department will review the pet food label to ensure the labeling meets minimum requirements and to determine if any adulteration or misbranding issues exist. Once the application is accepted, the Department will provide a certificate of registration to the applicant.

Registration renewal forms and fees are due by January 31st following the registration expiration date. Renewal notices will be emailed during the month of November in odd numbered years. Products not renewed by January 31st will be cancelled and require re-registration.

Commercial Feed Manufacturers License

Pursuant to N.D.C.C. Chapter 4.1-41, each person (company) who manufactures commercial feed* or whose name appears on the label of a commercial feed, other than pet foods, must obtain a feed manufacturer's license for each location. If a manufacturer is also a retailer of feed, the retail license requirement is waived. Feed manufacturer's licenses are issued for a designated two-year period beginning on January 1st of even-numbered years and ending on December 31st odd-numbered years. Renewal notices will be emailed a month before expirations. A license renewal form (included in the renewal email) along with a renewal fee of \$100 are due by January 31st (the month after expiration). Any license not renewed by January 31st will be cancelled and require re-application.

To apply for a feed manufacturer's license, submit to the Department:

1. A completed [Commercial Feed Manufacturer's Licenses Application form \(SFN17920\)](#)
2. License fee in the amount of \$120.

Or apply online at <http://www.kellysolutions.com/nd/> (requires credit card payment, convenience fees apply)

When the Department approves the application, a license card will be mailed to the licensee.

*("Commercial feed" means all materials, except whole seeds unmixed or physically altered entire unmixed seeds, which are distributed for use as feed or for mixing in feed for livestock or wildlife.)

Registration of Commercial Feeds

Pursuant to N.D.C.C. Chapter 4.1-41, each person whose name appears on the label of a commercial feed shall register and maintain a current label on file of all feeds distributed in the state with the exception of customer formula feeds*. Persons must hold a Commercial Feed Manufacturers License to be eligible to register commercial feed products.

The preferred method for submission of all commercial feed labels is portable document format (PDF) files submitted online at <http://www.kellysolutions.com/nd>. New registrants should contact the Department to be assigned a unique username and password. Those with existing registrations can contact the Department to retrieve your username and password. PDF files may also be emailed to <mailto:feed@nd.gov> or mailed to the Department on a compact disc.

To register a commercial feed product, submit to the Department:

1. A completed [Application for Registration of Commercial Feeds form \(SFN14795\)](#)
2. Current label for each product in PDF format.

The Department will review the commercial feed label to ensure the labeling meets minimum requirements and to determine if any adulteration or misbranding issues exist. Once the registration is accepted, the Department will provide a certificate of registration to the applicant. All registered feeds are viewable in the [North Dakota Pet Food Registration Database](#). There is no fee to register or renew feed products. An annual confirmation notice of renewal or cancellation is requested and serves as a reminder to submit any updates to labels. The renewal of registered feed products can be submitted online at <http://www.kellysolutions.com/nd>.

*("Customer formula feed" means a mixture of commercial feeds or feed ingredients each batch of which is mixed according to the specific instructions of the final purchaser or contract feeder.)

Commercial Feed Retailers License

Pursuant to N.D.C.C. Chapter 4.1-41, each person (company) who sells commercial feed, other than pet foods, at retail must obtain a feed retailer's license. A feed retailer's license must be obtained for each location used by the retailer. If a person holds a commercial feed manufacturer's license for a location that also retails, the requirement for a retailer's license is waived for that location. Feed retailer's licenses are issued for a designated two-year period beginning on January 1st of even-numbered years and ending on December 31st of odd-numbered years. Renewal notices will be emailed a month before expirations. A license renewal form (included in the renewal email) along with a renewal fee of \$50 is due by January 31st (the month after expiration). Any license not renewed by January 31st will be cancelled and require re-application. License renewals can be completed online at <http://www.kellysolutions.com/nd/>.

To apply for a feed retailer's license, submit to the Department:

1. A completed [Commercial Feed Retailer's License Application form \(SFN17921\)](#)
2. License fee in the amount of \$60.

Or apply online at <http://www.kellysolutions.com/nd/> (requires credit card payment, convenience fees apply)

When the Department approves the application, a license card will be mailed to the licensee.

Inspection Fees Reporting

Pursuant to N.D.C.C. Chapter 4.1-41, persons distributing non-exempt commercial feeds* and non-exempt customer-formula feeds* must submit an annual inspection (tonnage) fee report detailing the tonnage of formula feeds and ingredients distributed in North Dakota during the previous year. Those persons must also remit inspection fees paid at the rate of \$.20 per ton [907.18 kilograms] with a minimum fee of \$10. The annual report must be received by the Department by February 15th of the following year. Reports received after February 15th will be assessed a penalty of 10% of the amount owed, with a minimum of \$10 and maximum of \$250. No fee is required for customer-formula feeds if the inspection fee is paid on the commercial feeds they contain. Commercial feeds distributed to manufacturers are also exempted if they are used solely in manufacture of registered feeds. The person whose name appears on the label as the manufacturer, guarantor, or distributor shall assume the liability for reporting and paying the inspection fee. Reporting forms are emailed during the month of November to all licensed Commercial Feed Manufacturers. Tonnage reporting can be completed online at <http://www.kellysolutions.com/nd/>.