

HOUSE BILL NO. 350

INTRODUCED BY SCHULTZ, COMPTON, JENKINS,  
WINSLOW, HOLLIDAY, ABRAMS, KOEHNKE, MANUEL

BY REQUEST OF THE DEPARTMENT OF AGRICULTURE

IN THE HOUSE

January 22, 1985	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 26, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
January 29, 1985	Second reading, do pass.  Considered correctly engrossed.
January 30, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 4, 1985	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
February 9, 1985	Committee recommend bill be concurrent in. Report adopted.
February 13, 1985	Second reading, concurred in.
February 15, 1985	Third reading, concurred in. Ayes, 49; Noes, 0.  Returned to House.

IN THE HOUSE

February 16, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 350

INTRODUCED BY *[Signature]* *[Signature]*  
BY REQUEST OF THE DEPARTMENT OF AGRICULTURE *[Signature]*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE FEES FOR COMMERCIAL FEED REGISTRATION AND DISTRIBUTION PERMITS ARE NONREFUNDABLE; TO REQUIRE APPLICANTS FOR REGISTRATION OF COMMERCIAL FEEDS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF AGRICULTURE; AND AMENDING SECTION 80-9-201, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 80-9-201, MCA, is amended to read:

"80-9-201. Permits and registration. (1) No person may manufacture for distribution or distribute a commercial feed in this state unless he has obtained a permit by filing with the department, on forms provided by the department, his name, place of business, and location of manufacturing facility, distribution point, or point of invoicing. The applicant shall pay a nonrefundable fee of \$25 per calendar year for each facility, distribution point, or point of invoicing. A permit will remain in force until the end of the calendar year for which it is issued or until canceled by the permit holder or canceled for cause by the department. No refund may be made at the time of

cancellation. No transfer of permits will be made. A distributor who distributes only pet foods or specialty pet foods is exempt from this provision.

(2) No person may distribute in this state a commercial feed, except a custom-mixed feed, which has not been registered under this section by the manufacturer. The application for registration shall be accompanied by a nonrefundable fee of \$5 for each product other than a pet food or specialty pet food and a nonrefundable fee of \$25 each for each pet food or specialty pet food.

(3) An applicant for registration shall file with the department the following information:

- (a) his name and address;
- (b) a complete copy of the label or label facsimile that will appear on the product;
- (c) when requested by the department, promotional material and claims made about the product; and
- (d) any other necessary information requested by the department.

(4) Upon approval by the department, a certificate of registration shall be continuous, provided that the annual fee is paid not later than December 31 of each year.

(3)(5) The department may refuse registration of any commercial feed not in compliance with this chapter and may cancel any registration subsequently found not to be in



1 compliance with this chapter. No registration may be refused  
2 or canceled unless the registrant has been given an  
3 opportunity to be heard before the department and to amend  
4 his application in order to comply with this chapter."

5 NEW SECTION. Section 2. Extension of authority. Any  
6 existing authority of the department of agriculture to make  
7 rules on the subject of the provisions of this act is  
8 extended to the provisions of this act.

-End-

APPROVED BY COMMITTEE  
ON AGRICULTURE LIVESTOCK  
& IRRIGATION

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 2 INTRODUCED BY *[Signature]* *Cooper* *in* *the* *House*  
 3 BY REQUEST OF THE DEPARTMENT OF AGRICULTURE *[Signature]*  
 4 *[Signature]*  
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