

§714. Registration

1. Application for registration. A person may not distribute in this State a commercial feed, except a customer-formula feed, that has not been registered pursuant to this section. The application for registration must be submitted in the manner prescribed by the commissioner on forms furnished by the commissioner. The annual fee is \$80 per product name for pet food and the total annual fee for a home-based manufacturer of pet food is \$80. The annual fee is \$80 per product name for all other commercial feed. Upon approval by the commissioner the registration must be issued to the applicant. All registrations expire on the 31st day of December. The commissioner may issue a registration for a one-year, 2-year or 3-year period. Registrations for a period in excess of one year may only be issued with the agreement of or at the request of the applicant. The fee for a 2-year registration is 2 times the annual fee. The fee for a 3-year registration is 3 times the annual fee.

[PL 2007, c. 702, §2 (AMD).]

2. Fees. The commissioner shall deposit 20% of the fees collected pursuant to subsection 1 in the General Fund and 80% of the fees collected in the Animal Welfare Fund established under section 3906-B.

[PL 2021, c. 696, §1 (AMD).]

3. Refusal. The commissioner is empowered to refuse registration of any commercial feed not in compliance with this subchapter and to cancel any registration subsequently found not to be in compliance with any provision of this subchapter. Registration, refusal and cancellation are rulemaking as that term is defined in the Maine Administrative Procedure Act and notice and opportunity for a hearing must be provided prior to refusal or cancellation in a manner consistent with the Maine Administrative Procedure Act. In any case, no registration may be refused or canceled, unless the registrant has been given an opportunity to amend the application in order to comply with the requirements of this subchapter.

[RR 2007, c. 1, §3 (COR).]

4. Surcharge on registration of pet food. For each product name of pet food registered in accordance with subsection 1, the applicant shall pay a \$20 surcharge in addition to the registration fee, except that a home-based manufacturer of pet food shall pay a total annual surcharge of \$20. The commissioner shall deposit the surcharge directly into the Companion Animal Sterilization Fund established under section 3910-B as it is received until the total of the surcharges received for that registration year equals \$100,000.

The commissioner shall deposit all surcharges received for a registration year in excess of \$100,000 up to \$157,000 into the Animal Welfare Fund established under section 3906-B, subsection 2. The commissioner shall deposit all surcharges received for a registration year in excess of \$157,000 into the Companion Animal Sterilization Fund established under section 3910-B.

[PL 2017, c. 263, §1 (AMD).]

SECTION HISTORY

PL 1971, c. 77, §1 (NEW). PL 1977, c. 694, §69 (AMD). PL 1979, c. 672, §A19 (AMD). PL 1989, c. 888, §1 (AMD). PL 1993, c. 410, §§3 (AMD). PL 1997, c. 454, §1 (AMD). PL 2001, c. 422, §§1,2 (AMD). PL 2005, c. 281, §1 (AMD). PL 2005, c. 512, §§38,39 (AMD). RR 2007, c. 1, §3 (COR). PL 2007, c. 459, §2 (AMD). PL 2007, c. 702, §2 (AMD). PL 2009, c. 148, §1 (AMD). PL 2017, c. 263, §1 (AMD). PL 2021, c. 696, §1 (AMD).

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