

**§776. Definitions**

As used in this subchapter, unless the context indicates otherwise, the following terms shall have the following meanings. [PL 1979, c. 491, §1 (NEW).]

**1. Brand name.** "Brand name" means the term, designation, trademark, product name or other specific designation under which individual plant or soil amendments are distributed.

[PL 1979, c. 491, §1 (NEW).]

**2. Bulk.** "Bulk" means in nonpackaged form.

[PL 1979, c. 491, §1 (NEW).]

**3. Commissioner.** "Commissioner" means the Commissioner of Agriculture, Conservation and Forestry.

[PL 1979, c. 491, §§1,2 (NEW); PL 1979, c. 731, §19 (AMD); PL 2011, c. 657, Pt. W, §6 (REV).]

**4. Distribute.** "Distribute" means to import, consign, manufacture, produce, compound, mix or blend plant or soil amendments, or offer for sale, sell, barter or otherwise supply plant or soil amendments in this State.

[PL 1979, c. 491, §1 (NEW).]

**5. Distributor.** "Distributor" means any person who distributes.

[PL 1979, c. 491, §1 (NEW).]

**6. Ingredient form.** "Ingredient form" means the chemical compound such as salt, chelate, oxide, acid, etc., of an ingredient or the physical form of an ingredient.

[PL 1979, c. 491, §1 (NEW).]

**7. Investigational allowance.** "Investigational allowance" means an allowance for variations inherent in the taking, preparation, analysis or testing of an official sample of a plant or soil amendment.

[PL 1979, c. 491, §1 (NEW).]

**8. Label.** "Label" means any written, printed or graphic matter upon the immediate container or accompanying a plant or soil amendment.

[PL 1979, c. 491, §1 (NEW).]

**9. Labeling.** "Labeling" means any written, printed or graphic matter, upon or accompanying any plant or soil amendment, or advertisements, brochures, posters or television or radio announcements used in promoting the sale of the plant or soil amendment.

[PL 1979, c. 491, §1 (NEW).]

**10. Net weight.** "Net weight" means the weight of amending ingredients plus other ingredients as offered for sale, exclusive of the weight of any package or container.

[PL 1979, c. 491, §1 (NEW).]

**11. Official sample.** "Official sample" means any sample of plant or soil amendment taken by the commissioner and designated as "official" by the commissioner.

[PL 1979, c. 491, §1 (NEW).]

**12. Other ingredients.** "Other ingredients" means any ingredients present in plant or soil amendments which are not plant-amending ingredients or soil-amending ingredients, respectively.

[PL 1979, c. 491, §1 (NEW).]

**13. Percent or percentage.** "Percent" or "percentage" means percent or percentage by weight.

[PL 1979, c. 491, §1 (NEW).]

**14. Person.** "Person" means individual, partnership, association, firm or corporation, municipality or quasi-municipal entity.

[PL 1985, c. 10 (AMD).]

**15. Plant-amending ingredients.** "Plant-amending ingredients" means any substance applied to plants or seeds which is intended to improve germination, growth, yield, product quality, reproduction, flavor or other desirable characteristics of plants, except commercial fertilizers, soil amendments, agricultural liming materials, animal and vegetable manures, pesticides, plant regulators and other like materials, which may be exempted by rule.

[PL 1979, c. 491, §1 (NEW).]

**16. Plant amendment.** "Plant amendment" means any product distributed consisting of a plant-amending ingredient and other ingredients.

[PL 1979, c. 491, §1 (NEW).]

**17. Registrant.** "Registrant" means the person who registers plant or soil amendments under the provisions of this subchapter.

[PL 1979, c. 491, §1 (NEW).]

**18. Soil-amending ingredient.** "Soil-amending ingredient" means any substance which is intended to improve the chemical, biological or physical characteristics of the soil, except commercial fertilizers, plant-amending ingredients, agricultural liming materials, unmanipulated animal and vegetable manures, pesticides and other like material, exempted by rule.

[PL 1979, c. 491, §1 (NEW).]

**19. Soil amendment.** "Soil amendment" means any product distributed consisting of a soil-amending ingredient and other ingredients.

[PL 1979, c. 491, §1 (NEW).]

**20. Ton.** "Ton" means a net weight of 2,000 pounds avoirdupois.

[PL 1979, c. 491, §1 (NEW).]

#### SECTION HISTORY

PL 1979, c. 491, §§1,2 (NEW). PL 1979, c. 731, §19 (AMD). PL 1985, c. 10 (AMD). PL 2011, c. 657, Pt. W, §6 (REV).

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