

### 198.3 Definitions.

For the purposes of this chapter:

1. "*Advertise*" means to present a commercial message in any medium, including but not limited to print, radio, television, sign, display, label, tag, or articulation.
2. "*Brand name*" means any word, name, symbol, or device or any combination thereof, identifying the commercial feed of a distributor and distinguishing it from that of others.
3. "*Broker*" means a person, other than a licensed manufacturer, who distributes commercial feed or commercial feed ingredients to a manufacturer.
4. "*Commercial feed*" means all materials or a combination of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted. Except as otherwise provided in this chapter, unmixed whole seeds and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of section 198.7, subsection 1, are exempt. The secretary by rule may exempt from this definition, or from specific provisions of this chapter, commodities such as hay, straw, stover, silage, cobs, husks, hulls and individual chemical compounds or substances when such commodities, compounds or substances are not intermixed or mixed with other materials, and are not adulterated within the meaning of section 198.7, subsection 1.
5. "*Contract feeder*" means a person who as an independent contractor, feeds commercial feed to animals pursuant to a contract whereby such commercial feed is supplied, furnished or otherwise provided to such person and whereby such person's remuneration is determined all or in part by feed consumption, mortality, profits or amount or quality of product.
6. "*Customer-formula feed*" means commercial feed which consists of a mixture of commercial feeds or feed ingredients, or both, each batch of which is manufactured according to the specific instructions of the final purchaser.
7. "*Distribute*" means either of the following:
  - a. To offer for sale, sell, exchange, or barter commercial feed.
  - b. To supply, furnish, or otherwise provide commercial feed to a contract feeder.
8. "*Distributor*" means any person who distributes.
9. "*Drug*" means any article intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in animals other than man and articles other than feed intended to affect the structure or any function of the animal body.
10. "*Feed ingredient*" means each of the constituent materials making up a commercial feed.
11. "*Label*" means a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a commercial feed is distributed.
12. "*Labeling*" means all labels and other written, printed, or graphic matter upon a commercial feed or any of its containers or wrappers or, accompanying such commercial feed.
13. "*Manufacture*" means to grind, mix or blend or further process a commercial feed for distribution.

14. "*Mineral feed*" means a commercial feed intended to supply primarily mineral elements or inorganic nutrients.
15. "*Official sample*" means a sample of feed taken by the secretary or the secretary's agent in accordance with the provisions of section 198.11, subsection 3, 5, or 6.
16. "*Percent*" or "*percentages*" means percentages by weight.
17. "*Pet*" means any domesticated animal normally maintained in or near the household of the owner thereof.
18. "*Pet food*" means any commercial feed prepared and distributed for consumption by dogs or cats.
19. "*Product name*" means the name of the commercial feed which identifies it as to kind, class, or specific use.
20. "*Specialty pet*" means any domesticated animal pet normally maintained in a cage or tank, such as, but not limited to, gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes, and turtles.
21. "*Specialty pet food*" means any commercial feed prepared and distributed for consumption by specialty pets.
22. "*Ton*" means a net weight of two thousand pounds avoirdupois.

[S13, § 5077-a8; C24, 27, 31, 35, 39, § **3113**; C46, 50, 54, 58, 62, § 198.1; C66, 71, 73, 75, 77, 79, 81, § 198.3]

86 Acts, ch 1245, § 642; 90 Acts, ch 1165, § 24; 91 Acts, ch 97, §24; 98 Acts, ch 1046, § 1; 2004 Acts, ch 1082, §8, 9

## **Footnotes**

Further definitions, see § 189.1