

189.1 Definitions.

For the purpose of this subtitle, unless the context otherwise requires:

1. “*Article*” means food, commercial feed, agricultural seed, commercial fertilizer, drug, pesticide, hemp or a hemp product, and paint, in the sense in which they are defined in the various provisions of [this subtitle](#).

2. “*Department*” means the department of agriculture and land stewardship, and if the department is required or authorized to do an act, the act may be performed by a regular assistant or a duly authorized agent of the department.

3. “*Official laboratory*” means a biological, chemical, or physical laboratory which performs testing or analysis pursuant to scientific procedures, to the extent the laboratory is recognized by the department as a reliable indicator of scientific results.

4. “*Package*” or “*container*”, unless otherwise defined, includes wrapper, box, carton, case, basket, can, bottle, jar, tube, cask, vessel, tub, keg, jug, barrel, tank, tank car, and other receptacles of a like nature; and the expression “*offered or exposed for sale or sold in package or wrapped form*” means the offering or exposing for sale, or selling of an article which is contained in a package or container as defined in [this section](#).

5. “*Pasteurization*” or “*pasteurized*” means the procedure of processing milk or a milk product, in order to ensure its safety from contaminants, if the procedure of pasteurization is consistent with standards adopted by the department pursuant to [section 192.102](#).

6. “*Person*” includes a corporation, company, firm, society, or association; and the act, omission, or conduct of any officer, agent, or other person acting in a representative capacity shall be imputed to the organization or person represented, and the person acting in that capacity shall also be liable for violations of this subtitle.

7. “*Rules*” includes regulations and orders by the department.

8. “*Secretary*” means the secretary of agriculture.

9. “*United States Pharmacopoeia*” or “*National Formulary*” means the latest revision of these publications official at the time of a transaction which is in question.

[S13, §2510-o, 3009-a; SS15, §4999-a31c; C24, 27, 31, 35, 39, §3029; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §189.1]

[86 Acts, ch 1245, §636](#); [92 Acts, ch 1163, §44](#); [94 Acts, ch 1023, §17](#); [2003 Acts, ch 69, §24, 25](#); [2012 Acts, ch 1095, §62, 63](#); [2019 Acts, ch 130, §29, 33](#)

Referred to in [§196.1](#)

2019 amendment to subsection 1 effective April 8, 2020; the secretary of agriculture published an advisory notice in IAB Vol. XLII, No. 21 (4/8/20), p. 2630, that the state plan for the production of hemp was certified by the United States department of agriculture and that Code chapter 204 was implemented on that date; see [2019 Acts, ch 130, §18, 33](#)

Subsection 1 amended