

§452. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1981, c. 139 (NEW).]

1. Agent. "Agent" means any person who sells or distributes licensed commodities in commerce for or on behalf of producers or others and whose operations may include planting, cultivating, harvesting, grading, packing and furnishing containers, supplies or other services.
[PL 1981, c. 139 (NEW).]

2. Applicant. "Applicant" means any person applying for a license under this subchapter.
[PL 1981, c. 139 (NEW).]

3. Broker. "Broker" means any person engaged in the business of negotiating sales of licensed commodities in commerce for or on behalf of the seller or the purchaser, respectively. The term "broker" applies to nonresidents of this State who transact business with respect to licensed commodities produced or processed within this State, whether the broker is licensed in another state or not.
[PL 1981, c. 139 (NEW).]

4. Commissioner. "Commissioner" means the Commissioner of Agriculture, Conservation and Forestry.
[PL 1981, c. 139 (NEW); PL 2011, c. 657, Pt. W, §6 (REV).]

5. Consumer. "Consumer" means any person who purchases a licensed commodity for consumption or use other than sale, storage or retention for the purpose of sale.
[PL 1981, c. 139 (NEW).]

6. Dealer. "Dealer" means any person other than a consumer, engaged in the business of buying or selling licensed commodities in commerce, except as provided in section 458. The term "dealer" applies to nonresidents of this State who transact business of buying and selling licensed commodities produced or processed in this State, whether the dealer is licensed in another state or not.
[PL 1981, c. 139 (NEW).]

7. Licensed commodities. "Licensed commodities" means dry beans and other vegetables listed in rules established pursuant to section 453, but does not mean potatoes, which are governed by chapter 103, subchapter 10, article 3.
[PL 2005, c. 512, §11 (AMD).]

8. Licensee. "Licensee" means any person who holds a commodities license issued under this subchapter.
[PL 1981, c. 139 (NEW).]

9. Processor. "Processor" means any person other than a consumer who purchases or contracts to purchase licensed commodities primarily for manufacture into articles of food by operations which change the physical form the commodities possessed when harvested. The effects of the following operations shall be considered as so changing the physical form possessed when harvested: Chopping, slicing, cutting, dicing, mashing, removal of skin or peel, frying or otherwise cooking, freezing, canning, dehydrating or comparable methods of preparation for marketing in what is generally considered to be a processed form.
[PL 1981, c. 139 (NEW).]

10. Retailer. "Retailer" means a person engaged in the business of buying licensed commodities in wholesale quantities and reselling the licensed commodities bought, primarily to consumers.
[PL 1981, c. 139 (NEW).]

11. Sale. "Sale" includes every contract of purchase or sale, contract to purchase or sell, purchase, sale and disposition of licensed commodities for value.

[PL 1981, c. 139 (NEW).]

12. Seller. "Seller" means any person who sells or contracts to sell licensed commodities in the regular course of business.

[PL 1981, c. 139 (NEW).]

SECTION HISTORY

PL 1981, c. 139 (NEW). PL 2005, c. 512, §11 (AMD). PL 2011, c. 657, Pt. W, §6 (REV).

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