

§712. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms shall have the following meanings. [PL 1979, c. 541, Pt. A, §51 (AMD).]

1. Brand name. "Brand name" means a word, name, symbol or device, or any combination thereof, that identifies the commercial feed of a distributor or registrant and distinguishes it from that of others.

[PL 2005, c. 512, §36 (AMD).]

2. Commercial feed. "Commercial feed" means all materials except unmixed seed, whole or processed, when not adulterated within the meaning of section 717, subsections 1 to 4 which are distributed for use as feed or for mixing in feed, provided that the commissioner by regulation may exempt from this definition, or from specific provisions of this Act, 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 717, subsection 1, paragraph A.

[PL 1971, c. 77, §1 (NEW).]

3. Contract feeder. "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.

[PL 1971, c. 77, §1 (NEW).]

4. Customer-formula feed. "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.

[PL 1971, c. 77, §1 (NEW).]

5. Distribute. "Distribute" means to offer for sale, sell, exchange or barter commercial feed; or to supply, furnish or otherwise provide commercial feed to a contract feeder.

[PL 1971, c. 77, §1 (NEW).]

6. Distributor. The term "distributor" means any person who distributes.

[PL 1971, c. 77, §1 (NEW).]

7. Drug. "Drug" means any article intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in animals other than humans and articles other than feed intended to affect the structure or any function of the animal body.

[RR 2021, c. 1, Pt. B, §93 (COR).]

8. Feed ingredient. "Feed ingredient" means each of the constituent materials making up a commercial feed.

[PL 1971, c. 77, §1 (NEW).]

8-A. Home-based manufacturer of pet food. "Home-based manufacturer of pet food" means a person who manufactures 10 or fewer product names in that person's home and sells the products directly to consumers.

[PL 2007, c. 459, §1 (NEW).]

9. Label. "Label" means a display of written, printed or graphic matter upon or affixed to the container in which a commercial feed is distributed, or in the case of a bulk shipment the information shall accompany delivery.

[PL 1971, c. 77, §1 (NEW).]

10. Labeling. "Labeling" means all labels and other written, printed or graphic matter upon a commercial feed or any of its containers or wrapper, or accompanying such commercial feed.

[PL 1971, c. 77, §1 (NEW).]

11. Manufacture. "Manufacture" means to grind, mix or blend, or further process a commercial feed for distribution.

[PL 1971, c. 77, §1 (NEW).]

12. Mineral feed. "Mineral feed" means a commercial feed intended to supply primarily mineral elements or inorganic nutrients.

[PL 1971, c. 77, §1 (NEW).]

13. Official sample. "Official sample" means a sample of feed taken by the commissioner or the commissioner's agent in accordance with section 720, subsections 3, 5 or 6.

[RR 2021, c. 1, Pt. B, §94 (COR).]

14. Percent. "Percent" or "percentages" means percentages by weights.

[PL 1971, c. 77, §1 (NEW).]

15. Person. "Person" includes individual, partnership, corporation and association.

[PL 1971, c. 77, §1 (NEW).]

16. Pet. "Pet" means any domesticated animal normally maintained in or near the household of the owner thereof.

[PL 1971, c. 77, §1 (NEW).]

17. Pet food. "Pet food" means any commercial feed prepared and distributed for consumption by pets.

[PL 1971, c. 77, §1 (NEW).]

18. Product name. "Product name" means the name of the commercial feed that identifies it as to kind, class or specific use and distinguishes it from all other products bearing the same brand name.

[PL 2005, c. 512, §37 (AMD).]

18-A. Specialty pet. "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.

[PL 1973, c. 43 (NEW).]

18-B. Specialty pet food. "Specialty pet food" means any commercial feed prepared and distributed for consumption by specialty pets.

[PL 1973, c. 43 (NEW).]

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

[PL 1971, c. 77, §1 (NEW).]

SECTION HISTORY

PL 1971, c. 77, §1 (NEW). PL 1973, c. 43 (AMD). PL 1979, c. 541, §A51 (AMD). PL 2005, c. 512, §§36,37 (AMD). PL 2007, c. 459, §1 (AMD). RR 2021, c. 1, Pt. B, §§93, 94 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.