

473.

Definitions. When used in this subtitle:

(a) *Person.* The term "person" includes individual, partnership, firm, corporation and association.

(b) *Distribute; Distributor; Distributee.* The term "distribute" means to import, manufacture, produce, compound, mix, blend, barter, sell, offer for sale, consign, furnish, provide or otherwise supply commercial fertilizer as part of a commercial enterprise. The term "distributor" means any person who distributes. The term "distributee" means any person to whom commercial fertilizer is distributed.

(c) *Commercial Fertilizer.* The term "commercial fertilizer" means any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use or claimed to have value in promoting plant growth except: Unmanipulated animal and vegetable manures, marl, lime, wood ashes and gypsum.

(d) *Fertilizer Material.* The term "fertilizer material" means a commercial fertilizer containing one or more of the recognized plant nutrients, which is used primarily for its plant nutrient content.

(e) *Mixed Fertilizer.* The term "mixed fertilizer" means a commercial fertilizer containing any combination, blend, or mixture of fertilizer materials designed for use or claimed to have value in promoting plant growth.

(f) *Bulk Fertilizer.* The term "bulk fertilizer" means commercial fertilizer distributed in a non-packaged form.

(g) *Mixed-to-Order Fertilizer.* The term "Mixed-to-Order," "Buyer's Mixture" or "Custom-Mix" means commercial fertilizer mixed on a specific request of a purchaser according to a formula furnished by him.

(h) *Specialty Fertilizer.* The term "specialty fertilizer" means a commercial fertilizer distributed primarily for nonfarm use, such as home gardens, lawns, shrubbery, flowers, golf courses, municipal parks, cemeteries, greenhouses, and nurseries and may include commercial fertilizers used for research or experimental purposes.

(i) *Brand.* The term "brand" means the term, design, trademark or other specific designation under which one or more commercial fertilizers are distributed in this State.

(j) *Grade.* The term "grade" means only the percentage of total nitrogen (N), available phosphoric acid (P₂O₅), and soluble potash (K₂O) stated in whole numbers in the same terms, order and percentages as in the "guaranteed analysis." In the case of "specialty fertilizers" and "mixed-to-order fertilizers" guarantees may be stated in decimal fractions of whole numbers.

(k) *Ton.* The term "ton" means a net weight of two thousand pounds avoirdupois.

(l) *Official Sample.* The term "official sample" means any sample of fertilizer taken by the State Chemist or his agent and designated as "official" by the State Chemist.