**Article - Agriculture**

[Previous][Next]

§6–101.

(a) In this subtitle the following words have the meanings indicated.

(b) A commercial feed is "adulterated" if:

(1) The feed contains any poisonous or deleterious substance that may render the feed injurious to human or animal health, except when the substance is not added to the feed and the quantity of the substance does not ordinarily render it injurious to human or animal health;

(2) A valuable constituent is omitted or abstracted wholly or partially from it or any less valuable substance is substituted for it;

(3) Its composition or quality falls below or differs from that which it is purported or is represented to possess by its labeling;

(4) The feed contains any added poisonous, added deleterious, or added nonnutritive substance which is unsafe;

(5) The feed consists, in whole or part, of any filthy, putrid, or decomposed substance, or is otherwise unfit for feed; or

(6) The feed has been prepared, packed, or held under unsanitary conditions where the feed may have become contaminated with filth or rendered injurious to human or animal health.

(c) "Brand" means the term, design, trademark, or other specific designation under which individual commercial feed is distributed in the State.

(d) "Commercial feed" means a material or combination of materials distributed, or intended for distribution, for use as feed, or for mixing in feed for any animal other than man including feed prepared and distributed for consumption by dogs and cats, or any domesticated animal normally maintained in a cage or tank, including gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes, and turtles, except:

(1) Unmixed whole seeds and physically altered entire unmixed seeds that are not chemically altered or adulterated;

(2) Commodities such as hay, straw, stover, silage, cobs, husks, hulls, and individual chemical compounds or substances when the commodities, compounds, or substances are not intermixed with other materials or adulterated; or

(3) A material or combination of materials that is exempt from this definition in regulations adopted by the Secretary.

(e) "Contract feed" means a commercial feed which is formulated according to an agreement between a distributor and a contract feeder.

(f) "Contract feeder" means an independent contractor who feeds commercial feed to animals pursuant to a contract whereby commercial feed is supplied, furnished, or otherwise provided to him and his remuneration is determined wholly or partially by feed consumption, mortality, profits, amount, or quality of the product.

(g) "Customer–formula feed" means a mixture of commercial feed, each batch of which is mixed according to the specific instructions of any distributee.

(h) "Distribute" means to exchange, offer for sale, sell, or barter, supply, furnish, or provide commercial feed, customer–formula feed, or contract feed to a contract feeder, or otherwise to supply, furnish, or provide commercial feeds as part of a commercial enterprise.

(i) "Feed ingredient" means each of the constituent materials making up a commercial feed.

(j) "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, customer–formula feed, or contract feed is distributed.

(k) "Manufacture" means to grind, mix, or blend or further process a commercial feed.

(l) A commercial feed is "misbranded" if:

(1) Its labeling is false or misleading in any particular;

(2) It is distributed under the name of another feed;

(3) It is not labeled as required in §§ 6–109, 6–110, and 6–111 of this subtitle and in the departmental rules and regulations;

(4) It purports to be or is represented as a feed ingredient, or if it purports to contain or is represented as containing a feed ingredient, unless the feed ingredient conforms to any definition of identity, prescribed by departmental rules and regulations, which shall give due regard to commonly accepted definitions, such as those issued by the Association of American Feed Control Officials, Inc.; or

(5) Any word, statement, or other information, required to appear on the label or labeling, is not placed on it prominently and conspicuously, as compared with other words, statements, designs, or devices in the labeling, and it is not in terms that render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(m) "Official sample" means any sample of feed taken and designated as "official" by the Secretary.

(n) "Percent" or "percentage" means percentage by weight.

(o) "Ton" means a net weight of two thousand pounds avoirdupois.

[Previous][Next]