

249.010 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

- (1) "Commissioner" means the Commissioner of Agriculture.
- (2) "Department" means the Department of Agriculture.
- (3) "Director" means the director of the agricultural experiment station.
- (4) "Pest" means any insect, snail, slug, rodent, nematode, fungus, weed; and any other form of plant or animal life, or virus, bacterium, or other microorganism, except viruses, bacteria, or other microorganisms on or in living man or other living animals, which is normally considered to be a pest, or which the department declares to be a pest.
- (5) "Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class Insecta, comprising six (6) legged, usually winged forms, as for example, beetles, bugs, bees, wasps, flies, and other allied classes of arthropods whose members are wingless and usually have more than six (6) legs, as for example, spiders, mites, ticks, centipedes, and wood lice, and any other invertebrates which are destructive, constitute a liability, and may be classed as pests.
- (6) "Plant disease" means any fungi, bacteria, nematodes, protozoans, and viruses injurious to plants and plant products, and the pathological condition in plants and plant products, caused by fungi, bacteria, nematodes, protozoans, and viruses.
- (7) "Nursery stock" means all field or container-grown and native trees, sod, shrubs, herbaceous perennials, vines, cuttings, grafts, scions, buds, fruit-pits, and other seeds of fruit and ornamental trees and shrubs; also other plants and plant products for, or capable of, propagation, excepting field, vegetable, and flower seeds, bedding plants, bulbs, and roots.
- (8) "Nursery" means any grounds or premises on or in which nursery stock is propagated and grown, or from which nursery stock is collected for sale, or any grounds or premises on or in which nursery stock is being fumigated, treated, packed, or stored.
- (9) "Nurseryperson" means any person who owns, leases, manages, or is in charge of a nursery, and who propagates nursery stock.
- (10) "Nursery dealer" means any person or landscaper not a grower of nursery stock in this Commonwealth who:
 - (a) Buys, sells, ships, or distributes nursery stock for commercial or monetary gain in the Commonwealth of Kentucky;
 - (b) Makes landscape plans or plants nursery stock and negotiates in the purchase of nursery stock for his clients; or
 - (c) Transplants or moves nursery stock from place to place within this state for other persons for a consideration in payment for the nursery stock, for the planting of the nursery stock, or for both nursery stock and planting.
- (11) "Person" means any individual, partnership, association, or any organized group of persons whether incorporated or not.

- (12) "Weed" means any plant which grows where not wanted.
- (13) "Plants and plant products" means any trees, shrubs, vines, forage and cereal plants, and fruit, vegetables, roots, bulbs, seeds, wood, lumber, and all other parts of plants or plant products.

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History: Amended 1996 Ky. Acts ch. 142, sec. 2, effective July 15, 1996. -- Created 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, to clarify chapter.