

§150A-2 Definitions. As used in this chapter the term:

"Aggregate bulk freight" means manmade, unpackaged, pre-processed, inspected and certified, homogenous particulate material, without mark or count, that is usually free-flowing and bought and sold by weight or volume, such as clean sand, gravel, crushed stone, slag, recycled concrete, and geosynthetic aggregates.

"Algae" means any plant containing chlorophyll, which lacks true roots, stems, and leaves, and typically inhabits moist habitats, except those algae on or in humans or animals in Hawaii and those in or on processed foods, beverages, or pharmaceuticals.

"Animal" means any invertebrate or vertebrate species of the animal kingdom including but not limited to mammal, bird, fish, reptile, mollusk, crustacean, insect, mite, and nematode, other than common domestic animal such as dog and cat.

"Bacteria" means any prokaryotic or archaeobacterial organism, except those bacteria on or in humans or animals in Hawaii, and those in or on processed foods, beverages, or pharmaceuticals.

"Board" means the board of agriculture.

"Cement bulk freight" means unpackaged, homogenous cement, without mark or count, that is usually free-flowing and bought and sold by weight or volume.

"Chairperson" means the chairperson of the board of agriculture, or the chairperson's duly authorized agents.

"Coal bulk freight" means unpackaged, homogenous coal, without mark or count, that is usually free-flowing, bought and sold by weight or volume, and used as a fuel.

"Department" means the department of agriculture.

"Freight" means nonpassenger goods, cargo, or lading, transported for pay.

"Fungus" means all nonchlorophyll-bearing thallophytes, except those fungi on or in humans or animals in Hawaii, and those on or in processed foods, beverages, or pharmaceuticals.

"Import" means shipment to the State from any point outside of the State.

"Insect" means an invertebrate animal belonging to the class Insecta, including beetle, bug, fly, and other arthropods, such as spider, mite, tick, centipede, and wood louse.

"Inspect" means to examine material to ascertain the presence or absence of quarantine pests and to otherwise determine compliance with the provisions of this chapter or any rule adopted under this chapter.

"Inspector" means any employee or official of the department authorized by the board to administer and enforce the provisions of this law.

"Label" means the written, printed, or graphic matter upon the container of any article as pertaining to plant quarantine laws and regulations.

"Liquid bulk freight" means unpackaged, homogenous liquid goods, without mark or count, that are usually free-flowing and bought and sold by weight or volume, such as oil, or other complex mixture of petroleum hydrocarbons, bituminous liquids such as asphalt, gasoline, and fuel oils.

"Microbial product" means any product manufactured with known cultures of microorganisms for the purpose of bioremediation or bioaugmentation, including products such as microbial pesticides.

"Microorganism" means any unicellular microscopic organism including but not limited to algae, bacteria, fungi, protozoa, and viruses.

"Net weight" means the gross weight of the freight minus the container weight, if any.

"Passed" means the clearance status for entry given an article for import after inspection or quarantine requirements have been met.

"Pest" means any animal, insect, disease agent or other organism in any stage of development that is detrimental or potentially harmful to agriculture, or horticulture, or animal or public health, or natural resources

including native biota or has an adverse effect on the environment as determined by the board.

"Protozoa" means any nonphotosynthetic eukaryotic organisms, either unicellular or composed of a group of more or less identical cells, generally motile by means of appendages or movements of the cell itself at some or all stages of their life cycle, except those protozoa on or in humans or animals in Hawaii, and those in or on processed foods, beverages, or pharmaceuticals.

"Soil" means that part of the upper layer of earth in which plants can grow; this material may or may not contain organic matter and includes such planting media as deteriorated peat, except clean coral, sand, pottery and industrial clay, volcanic cinders and other similar soil-free material.

"Unlisted microorganism" means any microorganism not on the lists of nonrestricted or restricted microorganisms or on the list of select human pathogen microorganisms.

"Vehicle" means any automobile, truck, tractor and similar equipment.

"Virus" means any or a class of noncellular submicroscopic obligate parasite, chiefly nucleoprotein in composition but often reducible to crystalline form, except those viruses on or in humans, or animals in Hawaii, and those on or in processed foods, beverages, or pharmaceuticals. [L 1973, c 69, pt of §1; gen ch 1985; am L 1990, c 243, §1; am L 1991, c 104, §1; gen ch 1993; am L 1995, c 193, §1; am L 1996, c 153, §2; am L 1997, c 63, §1; am L 1999, c 177, §2; am L 2000, c 211, §2; am L Sp 2008, c 3, §2; am L 2010, c 173, §3]

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