

THE INSECT PEST AND PLANT DISEASE ACT (EXCERPT)
Act 189 of 1931

286.202 Definitions.

Sec. 2.

As used in this act:

(a) "Agent" means a person that solicits, takes orders, or sells nursery stock in this state for a grower or dealer of nursery stock, but not on the premises or place of business of the grower or dealer of nursery stock.

(b) "Department" means the department of agriculture and rural development.

(c) "Director" means the director of the department or an employee of the department authorized by the director.

(d) "Insect pests" means insects or other invertebrates injurious to plants or plant products.

(e) "Nursery" means any grounds or premises on or in which nursery stock is propagated, grown, or cultivated for the purpose of distributing or selling nursery stock as a business.

(f) "Nursery dealer" means a person that is not a grower or an original producer of nursery stock in this state, that buys nursery stock for the purpose of reselling or reshipping independently of the control of any nursery grower or nursery dealer, or that is engaged with a nursery grower or nursery dealer in handling nursery stock on a consignment basis.

(g) "Nursery grower" or "nurseryman" means a person owning, leasing, managing, or in charge of a nursery.

(h) "Nursery stock" means all domesticated or wild botanically classified hardy perennial or biennial trees, shrubs, vines, and other plants; cuttings, grafts, scions, buds, bulbs, rhizomes, or roots of any of these; and fruit pits. Nursery stock includes plants and plant parts for, or capable of, propagation, excepting field, vegetable, and flower seeds, corms, and tubers.

(i) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

(j) "Places" means vessels, cars and other vehicles, buildings, docks, nurseries, orchards, and other premises where plants or plant products are grown, kept, or handled.

(k) "Plant diseases" means fungi, bacteria, nematodes, and viruses, injurious to plants or plant products, and the pathological condition in plants or plant products caused by fungi, bacteria, nematodes, and viruses.

(l) "Plant grower" or "plant dealer" means a person growing or offering for sale herbaceous perennials, or biennial nursery stock, small-fruited plants, or asparagus or rhubarb roots.

(m) "Plants or plant products" means trees, shrubs, vines, fruit, forage and cereal plants, and all other plants, cuttings, grafts, scions, buds, and all other parts of plants; including fruit, vegetables, roots, bulbs, pips, seeds, wood, lumber, and all other plant products.

(n) "Property" means real estate, personal property, and any thing or substance connected with real estate or personal property whether or not it has value.

History: 1931, Act 189, Eff. Sept. 18, 1931 ;-- Am. 1933, Act 246, Imd. Eff. July 10, 1933 ;-- Am. 1939, Act 332, Eff. Sept. 29, 1939 ;-- CL 1948, 286.202 ;-- Am. 1955, Act 255, Eff. Oct. 14, 1955 ;-- Am. 1956, Act 172, Imd. Eff. Apr. 16, 1956 ;-- Am. 1961, Act 239, Eff. Sept. 8, 1961 ;-- Am. 1962, Act 114, Eff. Mar. 28, 1963 ;-- Am. 1976, Act 235, Imd. Eff. Aug. 4, 1976 ;-- Am. 2012, Act 106, Imd. Eff. Apr. 24, 2012