



Ohio Administrative Code Rule 901:4-5-01 Definitions.

Effective: July 27, 2024

(A) "Affected commodity" means the agricultural commodity for which a marketing program is under consideration and upon which assessments would be made.

(B) "Collection agent" means a person or agency designated by an operating committee to have the authority to solicit and collect, and forward to the treasurer of state, assessments from producers.

(C) "Director" means the director of agriculture of the state of Ohio.

(D) "Marketing year" means the time period, defined by the U.S.D.A. at <http://www.usda.gov/wps/portal/usda/usdahome>, when the affected commodity is marketed. In the absence of a marketing year defined by the U.S.D.A., the director shall define the marketing year.

(E) "Producer" means any person who is in the business of producing, or causing to be produced, any agricultural commodity for commercial sale during the current or preceding marketing year, except that when used in reference to nursery stock, "producer" also means a distributor, processor, handler, or retailer of nursery stock.

(F) "Agricultural commodity" means any food, fiber, feed, animal, or plant, or group of foods, fibers, feeds, animals, or plants that the director of agriculture determines to be of the same nature, in either a natural or processed state. Agricultural commodity does not include any of the following:

(1) Grain, as defined in section 924.20 of the Revised Code;

(2) Soybeans; or

(3) Hemp, as defined in section 928.01 of the Revised Code.

(G) "Person" means any natural person, partnership, sole proprietorship, limited liability company,



corporation, society, agricultural cooperative as defined in section 1729.01 of the revised code, association, or fiduciary.

(H) "Commercial quantity" means quantities subject to assessments as defined in the proposed marketing program.

(I) "Marketed" means any quantities, as defined in the proposed marketing program, that are sold, bartered, or for which other items of value are exchanged.

(J) "Nursery stock" means any winter hardy, perennial plant.

(K) "Commercial sales" means any commercial quantity marketed.

(L) "District" means a geographic area of Ohio, except if the proposed program includes out-of-state geographic areas. All Ohio districts must be composed of contiguous counties, and counties shall not be subdivided.

(M) "Category" means a classification of production, ownership, or other characteristics to qualify persons for marketing committee membership.

(N) "Continuance hearing" means a hearing held once in every five-year period to determine whether or not a marketing program should continue in existence for another five-year period.

(O) "Teller's committee" means a committee appointed by the director to certify the results of the referendum and/or election.

(P) "Producing" means the process that begins at that point in time in which the animal is born or the seed or plant is placed in the growing media. If a commodity cannot be defined as described above, the director may define that point in time where production begins.