

## Part 2 Definitions

### 4-1-8 General definitions.

Subject to additional definitions contained in the chapters of this title which are applicable to specific chapters, as used in this title:

- (1) "Agriculture" means the science and art of the production of plants and animals useful to man including the preparation of plants and animals for human use and disposal by marketing or otherwise.
- (2) "Agricultural product" or "product of agriculture" means any product which is derived from agriculture, including any product derived from aquaculture as defined in Section 4-37-103.
- (3) "Commissioner" means the commissioner of agriculture and food.
- (4) "Department" means the Department of Agriculture and Food created in Chapter 2, Department - State Chemist - Enforcement.
- (5) "Dietary supplement" has the meaning defined in the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Sec. 301 et seq.
- (6) "Livestock" means cattle, sheep, goats, swine, horses, mules, poultry, domesticated elk as defined in Section 4-39-102, or any other domestic animal or domestic furbearer raised or kept for profit.
- (7) "Organization" means a corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.
- (8) "Person" means a natural person or individual, corporation, organization, or other legal entity.

Amended by Chapter 324, 2010 General Session

### 4-1-9 Growing or storing food for personal or family use.

- (1) As used in this section, "family food" means food owned by an individual that is intended for the individual's consumption, or for consumption by members of the individual's immediate family, that:
  - (a) is legal for human consumption;
  - (b) is lawfully possessed; and
  - (c) poses no risk:
    - (i) to health;
    - (ii) of spreading insect infestation; or
    - (iii) of spreading agricultural disease.
- (2) Family food that is grown by an individual on the individual's property is not subject to local or federal regulation if growth of the family food:
  - (a) does not negatively impact the rights of adjoining property owners; and
  - (b) complies with the food safety requirements of this title.
- (3) A government entity may not confiscate family food described in Subsection (2) or family food that is stored by the owner in the owner's home or dwelling.
- (4) If any provision of this section or the application of any provision of this section to any person or circumstance is held invalid by a final decision of a court of competent jurisdiction, the remainder of this section shall be given effect without the invalid provision or application. The provisions of this section are severable.

Enacted by Chapter 401, 2012 General Session