

## **02 NCAC 48A .1002      DEFINITIONS**

For the purpose of this Section, the following shall apply:

- (1) Compliance Agreement. Means a written contract between an individual, firm or corporation engaged in shipping and/or selling vegetable plants and the North Carolina Department of Agriculture, Plant Industry Division, wherein the party agrees to handle or dispose of vegetable plants, crates or labels only in a specified manner.
- (2) Inspector. Means an authorized employee of the North Carolina Department of Agriculture, Plant Industry Division, or any other person authorized by the Commissioner of Agriculture to enforce the provisions of these rules.
- (3) Seed Potato. Means a tuber of the white potato (*Solanum tuberosum* L.) or any part thereof, sold or represented for sale for the purpose of propagation.
- (4) Variety. Means a subdivision of a kind characterized by growth, plant, fruit, seed, or other constant characteristics by which it can be differentiated in successive generations from other sorts of the same kind.
- (5) Hybrid. Means the first generation seed of a cross produced by controlling cross-fertilization and combining:
  - (a) two or more inbred lines or clones; or
  - (b) one or more inbred lines or clones with an open-pollinated variety; or
  - (c) two or more varieties or species, clonal or otherwise, except open-pollinated varieties of normally cross-fertilized species.

The second generation or subsequent generation seed from such a cross shall not be designated as hybrids. A hybrid designation when applicable, shall satisfy the requirement for variety name in these rules.

*History Note:*      *Authority G.S. 106-65.45; 106-65.46; 106-284.18; 106-420;*  
*Eff. January 1, 1985;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 24,*  
*2019.*