

AGRICULTURE CODE

TITLE 5. PRODUCTION, PROCESSING, AND SALE OF HORTICULTURAL PRODUCTS

SUBTITLE D. HANDLING AND MARKETING OF HORTICULTURAL PRODUCTS

CHAPTER 104. ACREAGE CONTRACTS AND QUANTITY CONTRACTS

Sec. 104.001. DEFINITIONS. In this chapter:

(1) "Acreage contract" means a contract that requires a producer to deliver to a purchaser all of the production of a specified agricultural product grown on land described in the contract, unless clearly and conspicuously stated otherwise in the contract's language. The term does not include a contract that requires a producer to deliver a specified quantity of an agricultural product.

(2) "Producer" means a person who produces an agricultural product and sells the product under an acreage contract or a quantity contract.

(3) "Purchaser" means a person who purchases an agricultural product under an acreage contract or a quantity contract.

(4) "Quantity contract" means a contract that requires a producer to deliver to a purchaser a specified quantity of an agricultural product, regardless of the amount of the product grown by the producer.

Added by Acts 2017, 85th Leg., R.S., Ch. 1140 (H.B. 338), Sec. 2, eff. September 1, 2017.

Sec. 104.002. CONTRACT TYPE DISCLOSURE. A contract between a producer and a purchaser regarding an agricultural product must clearly and conspicuously state on its face that it is an acreage contract or a quantity contract, as applicable.

Added by Acts 2017, 85th Leg., R.S., Ch. 1140 (H.B. 338), Sec. 2, eff. September 1, 2017.

Sec. 104.003. SUIT BY PURCHASER UNDER ACREAGE CONTRACT. A purchaser may not file suit against a producer under an acreage contract unless the producer knowingly fails to deliver to the purchaser all of an agricultural product grown on specified land as

provided by the acreage contract.

Added by Acts 2017, 85th Leg., R.S., Ch. 1140 (H.B. [338](#)), Sec. 2,
eff. September 1, 2017.