

(d) Any insecticide or fungicide or any material represented to be an insecticide or fungicide which has not been registered pursuant to the provisions of Section 116.

1939, ch. 141, sec. 105C.

**116.** (Registration.) Every insecticide or fungicide manufactured, compounded, delivered, distributed, sold, offered or exposed for sale, either at wholesale or retail within this State shall be registered each year by its manufacturer, or some distributor thereof, with the State Board of Agriculture of this State by filing with said State Board of Agriculture a statement of (1) the name and address of the registrant; (2) the name, brand or trade-mark of the insecticide or fungicide registered, and (3) the matter to appear upon its labels. Every registrant shall pay a fee of \$5.00 for each brand of insecticide or fungicide, accompanying each registration statement in the calendar year beginning January 1, but in any event no registrant shall be required to pay more than seventy-five dollars as fees in any one calendar year, regardless of the number of brands of insecticides or fungicides registered, said fees to constitute a fund for the payment of the cost of the inspections, sampling, analysis and other expenses incident to the enforcement of this sub-title.

1939, ch. 141, sec. 105D.

**117.** (Enforcement.) The provisions of this sub-title shall be enforced and administered by the State Board of Agriculture of this State, which is hereby authorized and empowered (1) to register insecticides or fungicides manufactured, compounded, delivered, distributed, sold, offered or exposed for sale, either at wholesale or retail, within this State; (2) to collect labels and samples thereof for analysis, examination or test by existing agencies of this State; and if it shall appear upon such examination that any insecticide or fungicide is adulterated or misbranded within the meaning of this sub-title, the Chairman of the State Board of Agriculture shall cause notice thereof to be given to its registrant. Any person so notified shall be given an opportunity to be heard at a designated time and place; and, if it appears that any of the provisions of this sub-title have been violated, the Chairman of the State Board of Agriculture may cause the certification of such fact to the proper State's Attorney with a copy of the results of analysis, examination or test as made by the analyst, examiner, or expert under oath, which may be published under the directions of the State Board of Agriculture; (3) to promulgate such rules and regulations in conformity with this sub-title as may be necessary for its administration. A copy of such rules or regulations shall be mailed to every person registering an insecticide or fungicide under Section 116.

1939, ch. 141, sec. 105E.

**118.** (Exemptions.) The provisions of this sub-title prohibiting delivery and distribution of any insecticide or fungicide shall not apply to transactions of (1) manufacturers, processors or packers which relate to improvement, production and preparation of said commodities for lawful sale within the meaning of this sub-title; (2) common or private carriers and warehousemen while engaged in lawfully transporting and storing insecticide or fungicide; (3) public officers while engaged in the perform-