

fertilizer or fertilizer material except that sold in bulk to manufacturers, manipulators or mixers for resale without having attached thereto or printed thereon the statement as required by the provisions of this Article, or who shall impede, obstruct, hinder or otherwise prevent or attempt to prevent said State Chemist or his authorized agent in the performance of his duty in connection with the provisions of this Article, or who shall sell, offer or expose for sale or distribute in this State any fertilizer as defined in Section 1 without complying with the requirements of the provisions of this Article, or who shall sell, offer or expose for sale or distribute in this State any fertilizer or fertilizer material containing a substantially smaller per cent, of nitrogen, phosphoric acid or potash than is certified to be contained therein, or who shall fail to properly state at the time of registration the ingredients and the percentages thereof used in its manufacture shall be deemed guilty of a violation of the provisions of this Article and upon conviction thereof shall be fined not more than one hundred (\$100.00) dollars for the first violation and not less than fifty (\$50.00) dollars for each subsequent violation. It shall be the duty of the State's Attorneys of the several counties of this State, assisted by the State Chemist or his authorized agent, to prosecute all violations of any of the provisions brought to their attention, said prosecutions to be in the name of the State of Maryland. It shall be the duty of the State Chemist to furnish upon request to any importer, manufacturer, manipulator, dealer or agent, or his or their duly authorized representative, a duplicate sample of any material declared by him to be deficient.

1931, ch. 540, sec. 11.

11. If it appears that any of the provisions of this Article have been violated, the State Chemist shall certify the facts to the proper prosecuting attorney and furnish that officer with a copy of the result of the analysis or other examination of such fertilizer, duly authenticated by the analyst or other officer making the determination, under the oath of such officer; provided, that it shall appear from any such examination that any of the provisions of this Article have been violated the State Chemist shall cause notice to be given to the manufacturer or dealer from whom said sample was taken; any party so notified shall be given an opportunity to be heard in his defense under such rules and regulations as may be prescribed by the State Chemist before the facts shall be certified to the proper prosecuting attorney. In all prosecutions arising under the provisions of this Article certificates of the analyst or other officer making the examination or analysis, when duly sworn to by such officer, shall be *prima facie* evidence of the fact or facts therein certified.

1931, ch. 540, sec. 12.

12. The inspection and brand fees provided for in this Article shall be paid to the University of Maryland and disbursed by it to cover the cost of the analysis, inspection, sampling, printing and for the dissemination of information regarding the contents and the analysis of fertilizers subject to this Article, the use and compounding of commercial fertilizers, and the administration and the enforcement of the provisions of this Article, and such other expenses as may be incurred in the development of the chemical work at the University of Maryland in relationship to this Article.