

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 105C.

105E. 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 performance of their official duties, or (4) any employee of any of the foregoing while acting within the scope of his employment.

105F. Penalties. Any person violating any provision of this sub-title shall, upon conviction, be fined not more than \$25.00 for the first offense, nor more than \$100.00 for any subsequent offense.

105G. Separability. If any provision of this sub-title, or the application thereof to any person or circumstance, is held invalid, the remainder of the sub-title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

SEC. 2. *And be it further enacted*, That all laws or parts of laws inconsistent with this Act be and they are hereby repealed to the extent of such inconsistency.

SEC. 3. *And be it further enacted*, That this Act shall take effect January 1, 1940.

Approved May 3, 1939