

adopting of such regulations the State Chemist shall give due regard to commonly-accepted definitions such as those issued by the Association of American Fertilizer Control Officials.

(e) If any word, statement, or other information required by or under authority of this subtitle to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

478.

*Inspection, Sampling, Analysis.*

(a) *Duty of State Chemist; Right of Entry.* It shall be the duty of the State Chemist who may act through his authorized agent, to sample, inspect, make analyses of, and test commercial fertilizers distributed within this State at such time and place to such an extent as he may deem necessary to determine whether such fertilizers are in compliance with the provisions of this subtitle. The State Chemist individually or through his agent, is authorized to enter upon any public or private premises including any vehicle of transport during regular business hours in order to have access to commercial fertilizers and to records relating to their distribution.

(b) *Methods of Sampling and Analysis.* The methods of sampling and analysis shall be those adopted by the State Chemist from sources such as the Journal of the Association of Official Agricultural Chemists, or from such methods as will insure representative sampling and accurate examination.

(c) *Fertilizers Judged Deficient on Basis of Official Sample Only.* The State Chemist in determining for administrative purposes whether a commercial fertilizer is deficient in any component, shall be guided solely by the official sample as defined in Subsection (L) of Section 473 and obtained and analyzed as provided for in Subsection 478 (b) of this subtitle.

(d) *Procedure When Inspection and Analysis Indicate Adulteration or Misbranding.* When the inspection and analysis of an official sample indicates a commercial fertilizer has been found deficient or misbranded, the results of analysis shall be forwarded by the State Chemist to the distributor at least ten days before the report is submitted to the distributee. Upon request within thirty days, the State Chemist shall furnish to the distributor a portion of the sample concerned.

479.

*Rules and Regulations.*

The State Board of Agriculture or authorized agent is hereby charged with the enforcement of this subtitle and after due notice and due public hearing is empowered to promulgate and adopt such reasonable rules and regulations as may be necessary in order to secure the efficient administration of this subtitle.