

(3) To which reference is made on the label or in literature accompanying the pesticide, except when accurate, nonmisleading reference is made to current official publications of the United States Departments of Agriculture or Interior, the United States Public Health Service, State Experiment Stations; State Agricultural Colleges, or other similar federal institutions or official agencies of this State or other states authorized by law to conduct research in the field of pesticides.

(t) The term "*adulterated*" shall apply to any pesticide if its strength or purity falls below the professed standard or quality as expressed on labeling or under which it is sold, or if any substance has been substituted wholly or in part for the article, or if any valuable constituent of the article has been wholly or in part abstracted.

(u) The term "*misbranded*" shall apply—

(1) To any pesticide if its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(2) To any pesticide—

(I) If it is an imitation of or is offered for sale under the name of another pesticide;

(II) If its labeling bears any reference to registration under this subtitle;

(III) If the labeling accompanying it does not contain instructions for use which are necessary and, if complied with, adequate for the protection of the public **;** and the environment.

(IV) If the label does not contain a warning or caution statement which may be necessary and, if complied with, adequate to prevent injury to living man and other vertebrate animals;

(V) If the label does not bear an ingredient statement on that part of the immediate container and on the outside container or wrapper, if there be one, through which the ingredient statement on the immediate container cannot be clearly read, on the retail package which is presented or displayed under customary conditions of purchase;

(VI) If any word, statement, or other information required by or under the authority of this subtitle to appear on the labeling is not prominently placed thereon which such conspicuousness (as compared with other words, statements, designs, or graphic matter 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, or

(VII) If in the case of an insecticide, fungicide, or herbicide, when used as directed or in accordance with commonly recognized practice, it shall be injurious to living man or other vertebrate animals or vegetation, except weeds, to which it is applied, or to the person applying such pesticide.

(VIII) *in the case of a plant regulator, defoliant, or desiccant when used as directed it shall be injurious to living man or other*