

*vertebrate animals, or vegetation to which it is applied, or to the person applying such pesticide: Provided, That physical or physiological effects on plant or parts thereof shall not be deemed to be injury, when this is the purpose for which the plant regulator, defoliant, or desiccant was applied, in accordance with the label claims and recommendations.*

*(v) The term "nematode" means invertebrate animals of the Phylum Nematelminthes and class Nematoda, that is, unsegmented round worms with elongated, fusiform or saclike bodies covered with cuticle, and inhabiting soil, water, plants, or plant parts; may also be called nemas or eelworms.*

*(w) The term "plant regulator" means any substance or mixture of substances, intended through physiological action, for accelerating or retarding the rate of growth or rate of maturation, or for otherwise altering the behavior of ornamental or crop plants or the produce thereof, but shall not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants and soil amendments.*

*(x) The term "defoliant" means any substance or mixture of substances intended for causing the leaves or foliage to drop from a plant, with or without causing abscission.*

*(y) The term "desiccant" means any substance or mixture of substances intended for artificially accelerating the drying of plant tissues.*

### 131. Prohibited Acts.

(a) It shall be unlawful for any person to distribute, sell, or offer for sale within this State or deliver for transportation or transport in intrastate commerce or between points within this State through any point outside this State any of the following:

(1) any pesticide which has not been registered pursuant to the provisions of Section 132 of this subtitle, or any pesticide if any of the claims made for it or any of the directions for its use differ in substance from the representations made in connection with its registration, or if the composition of a pesticide differs from its composition as represented in connection with its registration; provided, that in the discretion of the State Chemist, a change in the labeling [or formula of a pesticide may be made within a registration period without requiring re-registration of the product.] *other than product name and formulation of any pesticide may be made within a registration period without requiring re-registration of the product.*

(2) any pesticide unless it is in the registrant's or the manufacturer's unbroken immediate container, and there is affixed to such container, and to the outside container or wrapper of the retail package, if there be one through which the required information on the immediate container cannot be clearly read, a label bearing—

(I) the name and address of the manufacturer, registrant, or person for whom manufactured;

(II) the name, brand, or trade mark under which said article is sold; and