

137. Seizures.

(a) Any pesticide that is distributed, sold, or offered for sale within this State or delivered for transportation or transported in intrastate commerce or between points within this State through any point outside of this State shall be liable to be proceeded against in the proper Court in any county of the State or *Baltimore City* where it may be found and seized for confiscation by process of libel for condemnation.

~~(1)~~ ~~in~~ IN the case of a pesticide

(I) if it is adulterated or misbranded;

(II) if it has not been registered under the provisions of Section 132 of this subtitle;

~~(II)~~ III if it fails to bear on its label the information required by this subtitle;

(IV) if it is a white powder pesticide and is not colored as required under this subtitle.

(b) If the article is condemned, it shall, after entry of decree, be disposed of by destruction or sale as the court may direct and the proceeds, if such article is sold, less legal costs, shall be paid to the University of Maryland, and deposited in the special fund established in Section 132(b); provided, that the article shall not be sold contrary to the provision of this subtitle; and provided further, that upon payment of costs and execution and delivery of a good and sufficient bond conditioned that the article shall not be disposed of unlawfully, the court may direct that said article be delivered to the owner thereof for relabeling or reprocessing as the case may be.

(c) When a decree of condemnation is entered against the article, court costs and fees and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article.

139. Cooperation.

The State Chemist is authorized and empowered to cooperate with, and enter into agreements with any other agency of this State, **[the United States Department of Agriculture,]** or *the United States, the Association of American Pesticide Control Officials, Inc.*, and any other state or agency thereof for the purpose of carrying out the provisions of this subtitle and securing uniformity of regulations.

SEC. 2. *And be it further enacted,* That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this Act which can be given effect without the invalid provisions or application, and to this end all the provisions of this Act are declared to be severable.

SEC. 3. *And be it further enacted,* That jurisdiction in all matters pertaining to the distribution, sale and transportation of pesticides is by this Act vested exclusively in the State Chemist and all acts and parts of acts inconsistent with this Act are hereby expressly repealed.