

This section shall not be construed to require the disclosure of the name of the consignee or the sale price of the commercial fertilizer or any aspect of the operations of any person other than as specifically required herein; and when more than one person is involved in the distribution of a commercial fertilizer, the last registrant who distributes to a non-registrant (dealer or consumer) is responsible for reporting the tonnage, unless the reporting has been made by a prior distributor of the fertilizer.

477. Misbranding.

No person shall distribute misbranded **[fertilizer]** *products*.

A commercial fertilizer or soil conditioner shall be deemed to be misbranded:

(a) If its labeling is false or misleading in any particular.

(b) If it is distributed under the name of another **[fertilizer]** *product*.

(c) If it is not labeled as required in Section 475 of this subtitle and in regulations prescribed under this subtitle.

(d) If **[it]** a fertilizer purports to be or is represented as a commercial fertilizer or if it purports to contain or is represented as containing a fertilizer material, unless such fertilizer material conforms to the definition of identity, if any, prescribed by regulation of the State Chemist; in the 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]** *Plant Food Control Officials, Inc.*

(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. Sampling, inspection, analysis and testing.

(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 fertilizer and soil conditioners distributed within this State at such time and place to such an extent as he may deem necessary to determine whether such **[fertilizer]** *products* 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 soil conditioners 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]** Analytical Chemists or from such methods as will insure representative sampling and accurate examination.