

(c) Fertilizers judged deficient on basis of official sample only.—The State Chemist in determining for administrative purposes whether a commercial fertilizer *or soil conditioner* is deficient in any component, shall be guided solely by the official sample as defined in subsection (1) 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 *or soil conditioner* 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.

480. Disposition of fertilizer distributed in violation of subtitle.

(a) “Withdrawal from sale” orders.—When the State Chemist or his authorized agent finds any lot of commercial fertilizer *or soil conditioner* is being distributed in violation of any of the provisions of this subtitle or any of the prescribed regulations under this subtitle, he may issue and enforce a written or printed “Withdrawal from Sale” order warning the distributor not to dispose of the lot of fertilizer *or soil conditioner* in any manner until written permission is given by the State Chemist or the court. The State Chemist shall release the [lot of commercial fertilizer] *product* so withdrawn when the provisions and regulations have been complied with and all costs and expenses incurred in the withdrawal have been paid by the distributor. If compliance is not obtained within 30 days, the State Chemist may begin or upon request shall begin proceedings for condemnation.

(b) Condemnation and confiscation.—Any lot of commercial fertilizer *or soil conditioner* not in compliance with the provisions of this subtitle or regulations shall be subject to seizure on complaint of the State Chemist to a court of competent jurisdiction in the area in which said [commercial fertilizer] *product* is located. In the event the court finds the said [commercial fertilizer] *material* to be in violation of the provisions of this subtitle and orders the condemnation of said commercial fertilizer *or soil conditioner*, it shall be disposed of in any manner consistent with the quality of the commercial fertilizer *or soil conditioner* and the laws of the State; provided, that in no instance shall the disposition of said [fertilizer] *material* be ordered by the court without first giving the claimant an opportunity to apply to the court for release of said commercial fertilizer *or soil conditioner* or for permission to process or re-label said commercial fertilizer *or soil conditioner* to bring it into compliance with the provisions of this subtitle.

481. Short Weight.

If any commercial fertilizer *or soil conditioner* in the possession of the consumer is found by the State Chemist to be short in weight, the registrant of said [commercial fertilizer] *product* shall within thirty days after official notice from the State Chemist pay to the consumer a penalty equal to two times the value of the actual shortage.