

482. Cancellation or refusal or registration.

The State Chemist is authorized and empowered to cancel the registration [of any brand of commercial fertilizer] or to refuse to register any brand of commercial fertilizer or soil conditioner as herein provided, upon satisfactory evidence that the registrant has used fraudulent or deceptive practices in the evasions or attempted evasions of the provisions of this subtitle or any rules and regulations promulgated thereunder; provided, that no registration shall be revoked or refused until the registrant shall have been given the opportunity to appear for a hearing by the State Chemist.

483. Violations of subtitle.

(a) *If an official analysis of a lot shows that a commercial fertilizer is deficient in one or more of its guaranteed primary plant nutrients (nitrogen, available phosphoric acid, and soluble potash) beyond the investigational allowance as established by regulation, a penalty of three times the commercial value of such deficiency in the lot analyzed shall be assessed by the State Chemist against the registrant if the deficiency(ies) are confirmed in a hearing before the Director of the State Board of Agriculture.*

Deficiencies beyond the investigational allowances as established by regulation in any other constituent(s) covered under Section 473, Par. (P) 2, 3 and 4 of this Act, which the registrant is required to or may guarantee, shall be evaluated and penalties prescribed therefore by the State Chemist.

(b) *For the purpose of determining the commercial value to be applied under Section 483(A) of this Act, the State Chemist shall determine and publish annually the values per pound of nitrogen, available phosphoric acid, soluble potash and other plant nutrients as determined by the State Chemist in commercial fertilizers in this State.*

[(a)] (c) *Fines; prima facie evidence of composition.*—Any person convicted of violating any of the provisions of this subtitle or the rules and regulations issued thereunder or who shall impede, obstruct, hinder, or otherwise prevent or attempt to prevent said State Chemist, or his duly authorized agent in performance of his duty in connection with the provisions of this subtitle, shall be adjudged guilty of a misdemeanor and shall be fined not more than \$100 for the first violation, and not less than \$100 or more than \$500 for a subsequent violation. In all prosecutions under this subtitle involving the composition of a lot of commercial fertilizer, a certified copy of the official analysis signed by the State Chemist shall be accepted as prima facie evidence of the composition.

[(b)] (d) *Minor violations.*—Nothing in this subtitle shall be construed as requiring the State Chemist or his representative to report for prosecution or for institution of seizure proceedings as a result of minor violations of the subtitle when he believes that the public interests will be best served by a suitable notice of warning in writing.

[(c)] (e) *Duty of State's attorney; opportunity to be given distributor.*—It shall be the duty of the State's attorney to whom any violation is reported to cause appropriate proceedings to be