

CHAPTER 438

(Senate Bill 661)

AN ACT to repeal and re-enact, with amendments, Sections 110A-1 through 110A-6 of Article 66C of the Annotated Code of Maryland (1970 Replacement Volume), title "Natural Resources," subtitle "Agriculture," subheading "Pesticides," authorizing the licensing and regulation of pest control operators, and regulating the sale, distribution, and exchange of pesticides and containers. AND GENERALLY CONCERNING LICENSING OF THOSE IN THE PEST CONTROL BUSINESS.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 110A-1 through 110A-6 of Article 66C of the Annotated Code of Maryland (1970 Replacement Volume), title "Natural Resources", subtitle "Agriculture", subheading "Pesticides", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

110A-1.

As used in this subtitle:

(a) "*Board*" means the State Board of Agriculture.

(b) "*Agent or authorized agent*" means an agent of the State Board of Agriculture.

(c) "*Pesticide*" means (1) any substance or mixture of substance intended to prevent, destroy, control, repel, or mitigate any insect or related arthropod, rodent nematode, predatory animal, snail, slug, fungus, bacterium, weed and any other form of plant or animal life or virus, except virus on or in living man or other animal, that may infest, infect or be detrimental to vegetation, man, animal, structure, or household or be present in any environment, or which the Board may declare to be a pest, and (2) any substance or mixture of substances intended to be used as a plant regulator, defoliant or desiccant, (3) any spray adjuvant, such as a wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own, intended to be used with any other pesticide as an aid to the application or effect thereof, and sold in a package or container separate from that of the pesticide with which it is to be used, and (4) any other substances which the Board may identify as pesticides by formal action.

(d) "*Pest*" means any insect or related arthropod, rodent, nematode, snail, slug, weed, and any form of plant or animal life or virus, except virus on or in living man or other animal, which is normally considered to be a pest or which the Board may declare to be a pest.

(e) "*Application*" means the spreading of pesticides, by contract or otherwise, for any person owning or renting property.

(f) "*Device*" means any instrument or contrivance intended to trap, destroy, control, repel or mitigate pests, or to destroy, control, repel or mitigate fungi nematodes or such other pests as may be designated by the Board.