

(C) IF THE SECRETARY FINDS THAT, BECAUSE OF THE SIZE OF THE PACKAGE INVOLVED OR BECAUSE OF THE MINOR HAZARD PRESENTED BY THE SUBSTANCE CONTAINED THEREIN, OR FOR OTHER GOOD AND SUFFICIENT REASON, FULL COMPLIANCE WITH THE LABELING REGULATIONS IS IMPRACTICABLE OR IS NOT NECESSARY FOR THE ADEQUATE PROTECTION OF THE PUBLIC HEALTH AND SAFETY, HE SHALL PROMULGATE REGULATIONS EXEMPTING THE SUBSTANCE FROM THESE REQUIREMENTS TO THE EXTENT HE DETERMINES TO BE CONSISTENT WITH ADEQUATE PROTECTION OF THE PUBLIC HEALTH AND SAFETY.

(D) IF THE SECRETARY FINDS THAT THE HAZARD OF AN ARTICLE SUBJECT TO THIS SUBTITLE IS SUCH THAT LABELING ADEQUATE TO PROTECT THE PUBLIC HEALTH AND SAFETY CANNOT BE DEvised, OR THE ARTICLE PRESENTS AN IMMINENT DANGER TO THE PUBLIC HEALTH AND SAFETY, HE MAY DECLARE THE ARTICLE TO BE A BANNED HAZARDOUS SUBSTANCE AND REQUIRE ITS REMOVAL FROM COMMERCE.

(E) ALL ACTIONS BY THE SECRETARY UNDER THIS SECTION SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 811(C).

811.

(A) A DETERMINATION BY THE SECRETARY THAT A TOY OR OTHER ARTICLE INTENDED FOR USE BY CHILDREN PRESENTS AN ELECTRICAL, MECHANICAL, OR THERMAL HAZARD SHALL BE MADE BY REGULATION IN ACCORDANCE WITH THIS SUBTITLE.

(B) IF, BEFORE OR DURING A PROCEEDING PURSUANT TO THIS SECTION, THE SECRETARY FINDS THAT, BECAUSE OF AN ELECTRICAL, MECHANICAL, OR THERMAL HAZARD, DISTRIBUTION OF THE TOY OR OTHER ARTICLE INVOLVED PRESENTS AN IMMINENT HAZARD TO THE PUBLIC HEALTH AND HE GIVES NOTICE OF THIS FINDING, THE TOY OR OTHER ARTICLE SHALL BE DEEMED TO BE A BANNED HAZARDOUS SUBSTANCE FOR PURPOSES OF THIS SUBTITLE UNTIL THE PROCEEDING HAS BEEN COMPLETED. IF NOT YET INITIATED WHEN THE NOTICE IS GIVEN, THE PROCEEDING SHALL BE INITIATED AS PROMPTLY AS POSSIBLE.

(C) (1) IN THE CASE OF ANY TOY OR OTHER ARTICLE INTENDED FOR USE BY CHILDREN WHICH IS DETERMINED BY THE SECRETARY TO PRESENT AN ELECTRICAL, MECHANICAL, OR THERMAL HAZARD, OR IN ANY ACTION OF THE SECRETARY UNDER SECTION 810, ANY PERSON WHO WILL BE ADVERSELY AFFECTED BY THE DETERMINATION, AT ANY TIME PRIOR TO THE 60TH DAY AFTER THE REGULATION MAKING SUCH DETERMINATIONS IS ISSUED BY THE SECRETARY, MAY FILE A PETITION WITH THE COURT FOR A JUDICIAL REVIEW OF THE DETERMINATION, PROCEEDINGS FOR REVIEW SHALL BE INSTITUTED IN THE CIRCUIT COURT OF THE COUNTY OR IN THE BALTIMORE CITY COURT, AS THE CASE MAY BE, EITHER WHERE ANY PARTY RESIDES OR HAS HIS OR ITS PRINCIPAL PLACE OF BUSINESS. A COPY OF THE PETITION SHALL BE TRANSMITTED BY THE CLERK OF THE COURT TO THE SECRETARY OR OTHER OFFICER DESIGNATED BY HIM FOR THAT PURPOSE. THE SECRETARY SHALL FILE IN THE COURT THE RECORD OF THE