

OF ANY FEDERAL AGENCY, STATE AGENCY, OR ANY AGENCY OF ANOTHER STATE WHICH IS AUTHORIZED BY LAW TO CONDUCT PESTICIDE RESEARCH.

REVISOR'S NOTE: This subsection presently appears as Art. 48, §130(s) of the Code. The present reference to specific departments of state and federal government is proposed for deletion and a general reference to state and federal agencies authorized to conduct pesticide research is substituted for organizational purposes. The only other changes made are in style.

(P) A PESTICIDE IS "MISBRANDED" IF:

(1) ITS LABELING BEARS ANY STATEMENT, DESIGN, OR GRAPHIC REPRESENTATION RELATIVE TO THE PESTICIDE OR ITS INGREDIENTS WHICH IS FALSE OR MISLEADING IN ANY PARTICULAR;

(2) IT IS AN IMITATION OF ANOTHER PESTICIDE OR IS OFFERED FOR SALE UNDER THE NAME OF ANOTHER PESTICIDE;

(3) ITS LABELING BEARS ANY REFERENCE TO REGISTRATION UNDER THIS SUBTITLE;

(4) THE LABELING ACCOMPANYING IT DOES NOT CONTAIN INSTRUCTIONS FOR USE WHICH ARE NECESSARY AND ADEQUATE IF COMPLIED WITH, FOR THE PROTECTION OF THE PUBLIC AND THE ENVIRONMENT;

(5) THE LABEL DOES NOT CONTAIN A WARNING OR CAUTION STATEMENT WHICH MAY BE NECESSARY AND ADEQUATE IF COMPLIED WITH, TO PREVENT INJURY TO LIVING MAN AND OTHER VERTEBRATE ANIMALS;

(6) THE LABEL OF THE RETAIL PACKAGE DOES NOT BEAR AN INGREDIENT STATEMENT ON THE IMMEDIATE CONTAINER AND ON ANY OUTSIDE CONTAINER OR RETAIL PACKAGE WRAPPER, THROUGH WHICH THE INGREDIENT STATEMENT ON THE IMMEDIATE CONTAINER CANNOT BE CLEARLY READ AS PRESENTED OR DISPLAYED UNDER CUSTOMARY CONDITIONS OF PURCHASE;

(7) ANY WORD, STATEMENT, OR OTHER INFORMATION REQUIRED BY THIS SUBTITLE TO APPEAR ON THE LABELING IS NOT PLACED PROMINENTLY AND CONSPICUOUSLY, AS COMPARED WITH OTHER WORDS, STATEMENTS, DESIGNS, OR GRAPHIC MATTER IN THE LABELING AND IN TERMS THAT