

to §5-102. The reference to "due" public hearings is proposed for deletion because under the Administrative Procedure Act specific hearing procedures are provided which are designed to comply with the constitutional due process requirements of the Fourteenth Amendment.

Subsection (b) is new language derived from the last sentence of Art. 48, §133(a).

Subsection (c) presently appears as Art. 48, §133(c) of the Code.

The only other changes made are in style.

SEC. 5-105. REGISTRATION OF PESTICIDES.

(A) ANNUAL REGISTRATION REQUIRED.

EXCEPT AS PROVIDED IN SUBSECTION (G) A ANY PERSON WHO DESIRES TO DISTRIBUTE, SELL, OFFER FOR SALE, DELIVER FOR TRANSPORTATION, OR TRANSPORT ANY PESTICIDE IN INTRASTATE COMMERCE OR BETWEEN POINTS IN THE STATE THROUGH ANY POINT OUTSIDE THE STATE, FIRST SHALL REGISTER THE PESTICIDE WITH THE SECRETARY. THE REGISTRATION FOR EACH PESTICIDE SHALL BE RENEWED BY JANUARY 1 OF THE YEAR IN WHICH REGISTRATION IS MADE.

(B) STATEMENT OF APPLICANT.

EACH APPLICANT SHALL FILE WITH THE SECRETARY A STATEMENT LISTING:

(1) THE NAME AND ADDRESS OF EACH APPLICANT AND THE NAME AND ADDRESS OF THE PERSON WHOSE NAME WILL APPEAR ON THE LABEL, IF OTHER THAN THE REGISTRANT;

(2) THE NAME OF THE PESTICIDE;

(3) A COMPLETE COPY OF THE LABELING ACCOMPANYING THE PESTICIDE AND A STATEMENT OF EVERY CLAIM TO BE MADE FOR IT, INCLUDING DIRECTIONS FOR USE; AND

(4) A FULL DESCRIPTION OF EVERY TEST CONDUCTED AND THE RESULTS UPON WHICH ANY CLAIM IS BASED, IF REQUESTED BY THE SECRETARY.

(C) SEPARATE APPLICATIONS; RENEWAL STATEMENT.