

proposed for deletion for the reasons set forth in the revisor's note to §5-102. New language is added to provide that the Baltimore City Court has jurisdiction if the product is found in Baltimore City. The only other changes made are in style.

SEC. 5-109. PROHIBITED ACTS.

(A) SALE OR DISTRIBUTION IN INTRASTATE COMMERCE OF CERTAIN PESTICIDES.

A PERSON MAY NOT DISTRIBUTE, SELL, OR OFFER FOR SALE, DELIVER FOR TRANSPORTATION, OR TRANSPORT IN INTRASTATE COMMERCE OR BETWEEN POINTS WITHIN THE STATE THROUGH ANY POINT OUTSIDE THE STATE ANY OF THE FOLLOWING PESTICIDES:

(1) ANY UNREGISTERED PESTICIDE;

(2) ANY ADULTERATED OR MISBRANDED PESTICIDE;

OR

(3) ANY PESTICIDE, IF ANY CLAIM MADE FOR IT OR ANY DIRECTION FOR ITS USE DIFFERS IN SUBSTANCE FROM ANY REPRESENTATION MADE IN ITS REGISTRATION STATEMENT, OR IF ITS COMPOSITION DIFFERS FROM THE COMPOSITION REPRESENTED IN THE REGISTRATION STATEMENT, UNLESS THE DEPARTMENT PERMITS A CHANGE IN THE LABELING, AND THE CHANGE MAY BE MADE WITHIN A REGISTRATION PERIOD WITHOUT REQUIRING REREGISTRATION. HOWEVER, THE DEPARTMENT MAY NOT PERMIT A CHANGE IN THE PRODUCT NAME OR IN THE FORMULATION OF ANY PRODUCT.

(B) INTERFERENCE WITH LABELS OR LABELING PROHIBITED.

A PERSON MAY NOT DETACH, ALTER, DEFACE, OR DESTROY, WHOLLY OR PARTIALLY, ANY LABEL OR LABELING PROVIDED FOR IN THIS SUBTITLE OR IN DEPARTMENTAL RULES AND REGULATIONS ADOPTED PURSUANT TO IT.

(C) PROHIBITED ADDED SUBSTANCE.

A PERSON MAY NOT ADD ANY SUBSTANCE TO, OR TAKE ANY SUBSTANCE, FROM A PESTICIDE IN A MANNER THAT MAY DEFEAT THE PURPOSE OF THIS SUBTITLE.

(D) USING OR REVEALING PESTICIDE FORMULAS PROHIBITED.