

TO BE SOLD". HOWEVER, IF A WRITTEN PERMIT IS OBTAINED FROM THE SECRETARY, THE PESTICIDE MAY BE SOLD FOR EXPERIMENTAL PURPOSES SUBJECT TO ANY RESTRICTION SET FORTH IN THE PERMIT.

(B) EXEMPTED ARTICLES.

A PESTICIDE IS NOT IN VIOLATION OF THIS SUBTITLE, IF IT IS INTENDED SOLELY FOR EXPORT TO A FOREIGN COUNTRY, AND IF IT IS PREPARED OR PACKED ACCORDING TO THE SPECIFICATIONS OR DIRECTIONS OF THE PURCHASER. IF THE PESTICIDE IS NOT EXPORTED, ALL THE PROVISIONS OF THIS SUBTITLE APPLY.

REVISOR'S NOTE: This section presently appears as Art. 48, §135 of the Code. The only changes made are in style.

SEC. 5-111. SEIZURE AND CONDEMNATION.

(A) CONFISCATION BY PROCESS OF LIBEL FOR CONDEMNATION.

ANY PESTICIDE DISTRIBUTED, SOLD, OFFERED FOR SALE, DELIVERED FOR TRANSPORTATION, OR TRANSPORTED IN INTRASTATE COMMERCE OR BETWEEN POINTS WITHIN THE STATE THROUGH ANY POINT OUTSIDE OF THE STATE MAY BE PROCEEDED AGAINST IN THE CIRCUIT COURT OF ANY COUNTY, WHERE IT IS FOUND AND SEIZED FOR CONFISCATION BY LIBEL OF INFORMATION, IF THE PESTICIDE:

(1) IS ADULTERATED OR MISBRANDED;

(2) IS NOT REGISTERED;

(3) FAILS TO BEAR ON ITS LABEL THE INFORMATION REQUIRED BY THIS SUBTITLE; OR

(4) IS A WHITE POWDER PESTICIDE AND IS NOT COLORED AS REQUIRED UNDER THIS SUBTITLE.

(B) DISPOSITION OF CONDEMNED PESTICIDE.

AFTER ENTRY OF THE DECREE OF CONDEMNATION, THE PESTICIDE SHALL BE DESTROYED OR SOLD, AS THE COURT DIRECTS. IF THE PESTICIDE IS SOLD, THE PROCEEDS, LESS LEGAL COSTS, SHALL BE PAID TO AND DEPOSITED IN THE [[SPECIAL]] FUND ESTABLISHED IN §5-103. THE PESTICIDE MAY NOT BE SOLD CONTRARY TO THE PROVISION OF THIS SUBTITLE. UPON PAYMENT OF COSTS AND EXECUTION AND DELIVERY OF A GOOD AND SUFFICIENT BOND CONDITIONED