

FERTILIZER OR SOIL CONDITIONER, IDENTIFIED BY NAME, GRADE, OR CODE DESIGNATION AS CERTIFIED BY THE SECRETARY.

REVISOR'S NOTE: This subsection presently appears as Art. 66C, §473(s) of the Code. The only changes made are in style.

(O) A COMMERCIAL FERTILIZER OR SOIL CONDITIONER IS "MISERANDED", IF:

(1) ITS LABELING IS FALSE OR MISLEADING IN ANY PARTICULAR;

(2) IT IS DISTRIBUTED UNDER THE NAME OF ANOTHER [[PARTICULAR]] PRODUCT;

(3) IT IS NOT LABELED AS REQUIRED IN §6-210 AND IN RULES AND REGULATIONS PRESCRIBED UNDER THIS SUBTITLE;

(4) A FERTILIZER PURPORTS TO BE OR IS REPRESENTED AS A COMMERCIAL FERTILIZER OR IF IT PURPORTS TO CONTAIN OR IS REPRESENTED AS CONTAINING A FERTILIZER MATERIAL, UNLESS THE FERTILIZER MATERIAL CONFORMS TO ANY DEFINITION OF IDENTITY, PRESCRIBED BY DEPARTMENTAL RULES AND REGULATIONS WHICH GIVE DUE REGARD TO COMMONLY ACCEPTED DEFINITIONS, SUCH AS, THOSE ISSUED BY THE ASSOCIATION OF AMERICAN PLANT FOOD CONTROL OFFICIALS, INC.; OR

(5) ANY WORD, STATEMENT, OR OTHER INFORMATION, REQUIRED TO APPEAR ON THE LABEL OR LABELING, IS NOT PLACED ON IT PROMINENTLY AND CONSPICUOUSLY AS COMPARED WITH OTHER WORDS, STATEMENTS, DESIGNS, OR DEVICES IN THE LABELING, AND IT IS NOT IN TERMS THAT RENDER IT LIKELY TO BE READ AND UNDERSTOOD BY THE ORDINARY INDIVIDUAL UNDER CUSTOMARY CONDITIONS OF PURCHASE AND USE.

REVISOR'S NOTE: This subsection is new language derived from Art. 66C, §477 of the Code and set forth here because it applies to the subtitle.

(P) "MIXED FERTILIZER" MEANS A COMMERCIAL FERTILIZER CONTAINING ANY COMBINATION, BLEND, OR MIXTURE OF FERTILIZER MATERIALS DESIGNED FOR USE OR CLAIMED TO HAVE VALUE IN PROMOTING PLANT GROWTH.

REVISOR'S NOTE: This subsection presently appears