

MANUFACTURERS OR EXCHANGE BETWEEN THEM IS EXEMPTED.

REVISOR'S NOTE: Subsection (a) is new language derived from Art. 66C, §476(a)(1) of the Code. Subsection (b) is new language derived from Art. 66C, §476(a)(1)(I)(II) of the Code.

Art. 66C, §476(a) is proposed for deletion, infra.

SEC. 6-209. SEMIANNUAL STATEMENT OF TONNAGE SOLD.

(A) SEMINANNUAL STATEMENT REQUIRED.

ANY PERSON WHO DISTRIBUTES ANY COMMERCIAL FERTILIZER OR SOIL CONDITIONER IN THE STATE SHALL FURNISH THE SECRETARY WITH A SEMIANNUAL WRITTEN STATEMENT OF THE TONNAGE OF EACH GRADE OF COMMERCIAL FERTILIZER OR EACH SCIL CCNDITIONER SOLD BY HIM TO DISTRIBUTEES IN THE STATE. THIS STATEMENT SHALL INCLUDE EVERY SALE FOR THE PERIODS OF JANUARY 1 THROUGH JUNE 30 AND JULY 1 THROUGH DECEMBER 31 OF EACH YEAR. IF MORE THAN ONE PERSON IS INVOLVED IN THE DISTRIBUTION OF THESE MATERIALS, THE PERSON WHO DISTRIBUTED TO THE CONSUMER IS RESPONSIBLE FOR PAYING THE INSPECTION FEE, UNLESS PAYMENT HAS BEEN MADE BY A PRIOR DISTRIBUTOR OF THE PRODUCT.

(B) FAILURE TO FILE OR PAY FEE WITHIN 30 DAYS.

IF THE TONNAGE REPORT IS NOT FILED AND THE INSPECTION FEE IS NOT PAID WITHIN 30 DAYS AFTER THE END OF THE SEMIANNUAL PERIOD, A COLLECTION FEE AMOUNTING TO 10 PERCENT OF THE AMOUNT, OR A MINIMUM OF \$10, SHALL BE ASSESSED AGAINST THE REGISTRANT. THE AMOUNT OF FEES DUE CONSTITUTE A DEBT AND MAY BECOME THE BASIS OF A JUDGMENT AGAINST THE REGISTRANT.

(C) DISTRIBUTOR TO KEEP RECORDS.

ANY PERSON WHO DISTRIBUTES ANY COMMERCIAL FERTILIZER OR SOIL CCNDITIONER SHALL KEEP RECORDS NECESSARY OR REQUIRED BY THE SECRETARY TO INDICATE ACCURATELY THE TONNAGE OF COMMERCIAL FERTILIZER AND SOIL CONDITIONER DISTRIBUTED IN THE STATE. THE SECRETARY HAS THE RIGHT TO EXAMINE THE RECORDS TO VERIFY ANY STATEMENT OF TONNAGE.

(D) MONTHLY REPORT OF SALES AND DISTRIBUTION TO NONREGISTRANT.