

FERTILIZER SHALL REMAIN UNIFORM FOR THE PERIOD OF REGISTRATION. NO PERCENTAGE OF ANY GUARANTEED PLANT NUTRIENT ELEMENT MAY BE CHANGED IN A MANNER THAT LOWERS THE CROP-PRODUCING QUALITY OF THE COMMERCIAL FERTILIZER, EVEN IF THE FERTILIZER IS REGISTERED SUBSEQUENTLY.

REVISOR'S NOTE: This section presently appears as Art. 66C, §474(d) of the Code. The only changes made are in style.

SEC. 6-214. WITHDRAWAL FROM SALE ORDER; CONDEMNATION AND CONFISCATION.

(A) WITHDRAWAL FROM SALE ORDER.

IF THE SECRETARY FINDS ANY LOT OF COMMERCIAL FERTILIZER OR SOIL CONDITIONER IS BEING DISTRIBUTED IN VIOLATION OF ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION UNDER IT, HE MAY ISSUE AND ENFORCE A WRITTEN OR PRINTED "WITHDRAWAL FROM SALE" ORDER WARNING THE DISTRIBUTOR NOT TO DISPOSE OF THE LOT OF FERTILIZER OR SOIL CONDITIONER IN ANY MANNER UNTIL WRITTEN PERMISSION IS OBTAINED FROM THE SECRETARY OR THE COURT. THE SECRETARY SHALL RELEASE THE WITHDRAWN PRODUCT WHEN THE PROVISIONS AND REGULATIONS ARE COMPLIED WITH AND ALL COSTS AND EXPENSES INCURRED IN THE WITHDRAWAL ARE PAID. IF COMPLIANCE IS NOT OBTAINED WITHIN 30 DAYS, THE SECRETARY MAY BEGIN CONDEMNATION PROCEEDINGS. UPON REQUEST OF ANY PERSON AGGRIEVED BY NONCOMPLIANCE, THE SECRETARY IS REQUIRED TO BEGIN CONDEMNATION PROCEEDINGS.

(B) CONDEMNATION AND CONFISCATION.

THE SECRETARY MAY PETITION THE CIRCUIT COURT OF THE COUNTY IN WHICH THE COMMERCIAL FERTILIZER OR SOIL CONDITIONER IS LOCATED, IF THE FERTILIZER IS LOCATED THERE, TO SEIZE ANY LOT OF COMMERCIAL FEED NOT IN COMPLIANCE WITH THIS SUBTITLE. IF THE COURT FINDS THE MATERIAL TO BE IN VIOLATION OF THE PROVISIONS OF THIS SUBTITLE AND ORDERS CONDEMNATION OF THE COMMERCIAL FERTILIZER OR SOIL CONDITIONER, THE MATERIAL SHALL BE DISPOSED OF IN ANY MANNER CONSISTENT WITH THE QUALITY OF THE COMMERCIAL FERTILIZER OR SOIL CONDITIONER AND THE LAWS OF THE STATE. THE COURT MAY NOT DISPOSE OF THE MATERIAL WITHOUT FIRST GIVING THE CLAIMANT AN OPPORTUNITY TO APPLY TO THE COURT FOR RELEASE OF IT OR FOR PERMISSION TO PROCESS OR RELABEL IT SO THAT IT COMPLIES WITH THE PROVISIONS OF THIS SUBTITLE.