

REVISOR'S NOTE: This section presently appears as Art. 66C, §480 of the Code. In subsection (a) new language is added to indicate that the Secretary is required to begin condemnation proceedings on request of any person aggrieved by noncompliance. This addition incorporates the requirements for standing for judicial review as provided in the Administrative Procedure Act; Art. 41, §255(a).

In subsection (b), new language is added to indicate that the Secretary may petition the circuit court of any county, depending on where the fertilizer is located. These are the courts having jurisdiction in condemnation proceedings.

The only other changes made are in style.

SEC. 6-215. OFFICIAL ANALYSIS PRIMA FACIE EVIDENCE OF COMPOSITION.

IN ANY PROSECUTION UNDER THIS SUBTITLE RELATING TO THE COMPOSITION OF A LOT OF COMMERCIAL FEED, A CERTIFIED COPY OF THE OFFICIAL ANALYSIS SIGNED BY THE SECRETARY OR THE STATE CHEMIST IS PRIMA FACIE EVIDENCE OF THE COMPOSITION.

REVISOR'S NOTE: This section is new language derived from the last sentence of Art. 66C, §483(c) of the Code. A clause is added providing for the signature of either the Secretary or State Chemist for the convenience of the department. This is not a substantive change since the present statute provides for the State Chemist's signature. The reference to the Secretary is included since all duties and responsibilities are vested in him.

SEC. 6-216. REPORT OF VIOLATIONS FOR CRIMINAL PROSECUTION; MINOR VIOLATIONS.

(A) REPORT OF VIOLATIONS FOR CRIMINAL PROSECUTION.

THE STATE'S ATTORNEY TO WHOM ANY VIOLATION IS REPORTED SHALL INSTITUTE APPROPRIATE JUDICIAL PROCEEDINGS WITHOUT DELAY. BEFORE THE SECRETARY REPORTS A VIOLATION FOR PROSECUTION, THE PERSON