

REVISOR'S NOTE: This section presently appears as Art. 66C, §482 of the Code. The only changes made are in style.

SEC. 6-219. DEFICIENT PLANT NUTRIENTS.

(A) DETERMINATION AND PUBLICATION OF NUTRIENT VALUES.

TO DETERMINE THE COMMERCIAL VALUE TO BE APPLIED IN SUBSECTION (B), THE SECRETARY SHALL DETERMINE AND PUBLISH ANNUALLY THE VALUES PER POUND OF NITROGEN, AVAILABLE PHOSPHORIC ACID, SOLUBLE POTASH AND OTHER PLANT NUTRIENTS IN COMMERCIAL FERTILIZERS IN THE STATE AS DETERMINED BY THE SECRETARY.

(B) PENALTY FOR DEFICIENCY IN GUARANTEED PRIMARY PLANT NUTRIENT.

IF AN OFFICIAL ANALYSIS OF A LOT SHOWS THAT A COMMERCIAL FERTILIZER IS DEFICIENT IN A GUARANTEED PRIMARY PLANT NUTRIENT, THAT IS NITROGEN, AVAILABLE PHOSPHORIC ACID, AND SOLUBLE POTASH, BEYOND THE INVESTIGATIONAL ALLOWANCE AS ESTABLISHED BY RULE OR REGULATION, THE SECRETARY SHALL ASSESS AGAINST THE REGISTRANT A PENALTY OF THREE TIMES THE COMMERCIAL VALUE OF THE DEFICIENCY IN THE LOT ANALYZED IF THE DEFICIENCY IS CONFIRMED IN A HEARING BEFORE HIM.

(C) OTHER DEFICIENCIES.

THE SECRETARY SHALL EVALUATE OTHER DEFICIENCIES BEYOND THE INVESTIGATIONAL ALLOWANCE ESTABLISHED BY RULE OR REGULATION IN ANY OTHER CONSTITUENT COVERED UNDER §6-201(K) WHICH THE REGISTRANT IS REQUIRED TO OR MAY GUARANTEE, AND HE SHALL PRESCRIBE THE PENALTY FOR ANY DEFICIENCY.

REVISOR'S NOTE: Subsection (a) presently appears as Art. 66C, §483(b) of the Code. Subsections (b) and (c) presently appear as Art. 66C, §483(a) of the Code. The only changes made are in style.

SEC. 6-220. SHORT TITLE.

THIS SUBTITLE MAY BE CITED AS THE "MARYLAND COMMERCIAL FERTILIZER LAW".

REVISOR'S NOTE: This section presently appears as Art. 66C, §471 of the Code. The date of