

because it duplicates the provisions of §2-103 and §2-104.

The reference to herb is added in this and subsequent sections because this subtitle also is intended to apply to herbs.

The present references to "due" public notice in paragraphs (3), (4), and (5) are proposed for deletion and "reasonable" public notice is substituted to avoid disparate interpretations surrounding the concept of "due" notice.

In paragraph (4), the present provision authorizing the Secretary to add to or subtract from the rules and regulations is proposed for deletion because both concepts are encompassed within the word "amend".

Section 157(b)(1) and (2) are proposed for deletion because they appear as new language in §9-203.

The only other changes made are in style.

SEC. 9-203. RIGHT OF ENTRY; ISSUANCE AND ENFORCEMENT OF "STOP SALE" ORDER.

(A) RIGHT OF ENTRY.

THE SECRETARY MAY ENTER UPON ANY PRIVATE OR PUBLIC PREMISES DURING REGULAR BUSINESS HOURS IN ORDER TO HAVE ACCESS TO SEEDS SUBJECT TO THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER IT.

(B) ISSUANCE AND ENFORCEMENT OF STOP SALE ORDER.

THE SECRETARY MAY ISSUE AND ENFORCE A WRITTEN OR PRINTED STOP SALE ORDER TO THE OWNER OR CUSTODIAN OR ANY LOT OF SEED THE SECRETARY FINDS IN VIOLATION OF ANY PROVISION OF THIS SUBTITLE. THE ORDER PROHIBITS SALE OF THE SEED UNTIL THE SECRETARY HAS EVIDENCE THAT THE SEED IS IN COMPLIANCE WITH THE LAW.

REVISOR'S NOTE: This section is new language derived from Art. 48, §157(b)(1) and (2) of the Code. These subsections are revised so that they are discretionary in nature. Subsection (a) derived from §157(b)(1) is a provision that generally is discretionary.