

SECRETARY OF AGRICULTURE, STATE OF MARYLAND.

[[(M)]] (P) "REGISTERED EMPLOYEE" MEANS AN EMPLOYEE OF A FIRM ENGAGED IN COMMERCIAL PEST CONTROL WHO APPLIES PESTICIDES OR SELLS PESTICIDE APPLICATION SERVICES AND SALES PERSONNEL WHO RECOMMEND PESTICIDE USAGE IN CONTRACTING FOR THE APPLICATION.

[[(N)]] (Q) "SUPERVISION" UNLESS OTHERWISE PRESCRIBED BY [[THE]] FEDERAL OR STATE LABELING MEANS THE ACT OR PROCESS WHEREBY THE APPLICATION OF A PESTICIDE IS MADE BY A COMPETENT PERSON ACTING UNDER THE INSTRUCTIONS AND CONTROL OF A CERTIFIED APPLICATOR WHO IS RESPONSIBLE FOR THE ACTIONS OF THAT PERSON AND WHO IS AVAILABLE IF AND WHEN NEEDED EVEN THOUGH SUCH CERTIFIED APPLICATOR MAY NOT BE PHYSICALLY PRESENT AT THE TIME AND PLACE THE PESTICIDE IS APPLIED.

[[(O)] "CERTIFIED APPLICATOR" MEANS ANY INDIVIDUAL TO WHOM THE SECRETARY HAS ISSUED A CERTIFICATE UNDER THIS SUBTITLE.]]

[[(P)] "DEFOLIANT" MEANS ANY SUBSTANCE OR MIXTURE OF SUBSTANCES INTENDED TO CAUSE LEAVES OR FOLIAGE TO DROP FROM A PLANT, WITH OR WITHOUT CAUSING ABSCISSION.

(Q) "DESICCANT" MEANS ANY SUBSTANCE OR MIXTURE OF SUBSTANCES INTENDED TO ACCELERATE ARTIFICIALLY THE DRYING OF PLANT TISSUES.]]

5-203.

All fees collected under the provisions of this subtitle shall be placed in a fund, known as the "Pesticide Fund", and used to defray partially the expenses of administering this subtitle. Any unexpended funds [[IN EXCESS OF \$100,000]] shall revert to the general funds of the State at the end of the fiscal year.

5-204.

The Secretary, by suitable administrative procedures including public hearings, if appropriate, shall:

(1) Adopt rules and regulations governing the storage, sale, distribution, exchange, use, and disposal of any pesticide and its container;

(2) Prescribe, when necessary, the time and conditions under which a pesticide may be sold, distributed, exchanged, or used in different areas of the State;

(3) Provide, if necessary, that extremely hazardous