

filing date. Late fees are not applicable to new products which are registered before being distributed, sold, or offered for sale.

(f) The Secretary may require the submission of TOXICOLOGICAL, ENVIRONMENTAL, OR HEALTH EFFECTS DATA THAT THE SECRETARY CONSIDERS APPROPRIATE, OR the complete formula of any pesticide whenever he deems this action necessary to effectuate the purposes of this subtitle. The Secretary shall register the pesticide if he determines that the [composition of it warrants the proposed claims for it and if the] pesticide, its labeling, and other material required to be submitted comply with the requirements of [§ 5-105] THIS SUBTITLE.

~~(g) Notwithstanding any other provisions of this subtitle, registration is not required when a pesticide is shipped from one plant within the State to another plant within the State operated by the same person.~~

(G) PROVIDED THE PRODUCT LABEL HAS NOT BEEN ALTERED OR CHANGED, A DISTRIBUTOR SHALL NOT BE REQUIRED TO REGISTER THE BRAND OR TRADE NAME OF A PESTICIDE WHICH HAS BEEN REGISTERED BY ANOTHER PERSON UNDER THIS SUBTITLE.

(H) BEFORE A PESTICIDE MAY BE REGISTERED BY THE SECRETARY, THE PESTICIDE SHALL COMPLY WITH THE PROVISIONS OF FEDERAL PESTICIDE LAWS AND REGULATIONS.

5-106.

(a) A pesticide is subject to the requirements of this section if it is distributed, sold, offered for sale, delivered for transportation or transported in intrastate commerce or between points in the State through any point outside the State.

(b) Any pesticide subject to this section shall be in the registrant's or manufacturer's unbroken, immediate container.

(c) In addition to any other requirement of this section, any pesticide subject to this section shall have a label affixed to the unbroken, immediate container and to the outside container or wrapper of any retail package, if the label on the immediate container cannot be clearly read through the outside container or wrapper. The label shall bear the following information:

(1) The name and address of the manufacturer, registrant, or person for whom the pesticide is manufactured;

(2) The name, brand, or trademark under which the pesticide is sold; ~~and~~

(3) The net weight or measure of the content subject to any reasonable variations the Department permits; ~~AND~~