

Article – Agriculture

5-105.

(a) Except as provided in subsection (g), a distributor shall register with the Secretary each brand or product name of a pesticide before distributing it in the State. The registration for each pesticide expires December 31 each year.

(b) Each applicant shall file with the Secretary a statement listing:

(1) The name and address of each applicant and the name and address of the person whose name will appear on the label, if other than the registrant;

(2) The name of the pesticide;

(3) A complete copy of the labeling accompanying the pesticide and a statement of every claim to be made for it, including directions for use; and

(4) A full description of every test conducted and the results upon which any claim is based, if requested by the Secretary.

(c) A separate application shall be filed for each person whose name appears on the label. Upon renewal, a person shall file a statement listing any required new information that does not appear on the statement filed when the pesticide was registered or was last reregistered.

(d) The applicant shall pay an annual fee of ~~[\$35]~~ \$60 to the Secretary for each product registered. Unless the Secretary determines otherwise, each applicant also shall pay a terminal registration fee of ~~[\$35]~~ \$60 for each discontinued pesticide each year for two years.

(e) In addition to the annual fee, any person filing a renewal application after January 31 for any product offered for sale shall pay a ten percent per month late registration fee for each pesticide, but not exceeding twice the annual registration fee per pesticide. Late fees apply retroactively to the January 1 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 pesticide, its labeling, and other material required to be submitted comply with the requirements of this subtitle.

(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.