

such rules and regulations relating to the sale of commercial feeding stuffs as it may deem necessary to carry into effect the full intent and meaning of this sub-title. <sup>1</sup>

### **Insecticides and Fungicides.**

1939, ch. 141, sec. 105A.

**114.** (Definitions.) Certain terms appearing in this sub-title shall be defined as follows:

(a) The term "person" shall include any individual, firm, corporation, partnership, association, trust, joint stock company or unincorporated organization.

(b) The term "insecticide or fungicide" shall be construed to mean and include any and all substances intended for agricultural use in preventing, destroying, repelling or mitigating insects, rodents, fungi, bacteria, weeds or other pests, but to exclude drugs, poisons, chemicals or other preparations sold or intended for medicinal or toilet purposes or for use in the arts or sciences.

(c) The term "professed standard of quality" shall be construed to mean either a statement of the name and percentage of each active ingredient together with the total percentage of all inert ingredients contained in an insecticide or fungicide, or, in lieu thereof, a statement of the name and percentage of each inert ingredient together with the total percentage of all active ingredients contained in an insecticide or fungicide.

(d) The term "adulterated" shall apply to any insecticide or fungicide, the strength of purity of which falls below its professed standard of quality.

(e) The term "misbranded" shall apply to any insecticide or fungicide, the package or label of which shall bear any statement regarding such article or its ingredients which does not conform to the requirements of this sub-title.

(f) The term "registrant" shall apply to the person registering any insecticide or fungicide pursuant to the provisions of Section 116.

1939, ch. 141, sec. 105B.

**115.** (Sale.) It shall be unlawful for any person to deliver, distribute, sell, expose, or offer for sale, either at wholesale or retail within this State:

(a) Any insecticide or fungicide unless the same shall be enclosed in the registrant's or the manufacturer's original unbroken container or package to each of which is affixed a label bearing: (1) the name and address of the manufacturer, registrant, or person for whom manufactured; (2) the name, brand, or trade-mark under which said article is sold; (3) its professed standard of quality; and (4) the net weight or measure of the contents.

(b) Any insecticide or fungicide which contains arsenic, any of its combinations, or any other substance or substances highly toxic to man, unless the same shall be enclosed in the original unbroken container of the manufacturer, registrant, or person for whom manufactured, to which is affixed a label bearing in addition to the foregoing: (5) the skull and cross-bones; (6) the word "poison" in red on a background of distinctly contrasting color; and (7) an antidote therefor.

(c) Any insecticide or fungicide, the contents of which do not conform to its professed standard of quality.

<sup>1</sup> Sec. 3 of ch. 124 of acts of 1920 repeals all laws in conflict with said act.