

(VII) If in the case of an insecticide, fungicide, or herbicide, when used as directed or in accordance with commonly recognized practice, it shall be injurious to living man or other vertebrate animals or vegetation, except weeds, to which it is applied, or to the person applying such pesticide.

(VIII) In the case of a plant regulator, defoliant, or desiccant when used as directed it shall be injurious to living man or other vertebrate animals, or vegetation to which it is applied, or to the person applying such pesticide: Provided, that physical or physiological effects on plants or parts thereof shall not be deemed to be injury, when this is the purpose for which the plant regulator, defoliant, or desiccant was applied, in accordance with the label claims and recommendations.

133.

(a) *Authority of State Chemist.*—The State Chemist is authorized, after opportunity for a hearing

(1) To declare as a pest any form of plant or animal life or virus which is injurious to plants, men, domestic animals, articles, or substances;

(2) To determine whether pesticides are highly toxic to man; and

(3) To determine standards of coloring or discoloring for pesticides, and subject pesticides to the requirements of [Section 131(4)] paragraph (4) of subsection (a) of Section 131 of this subtitle.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1972.

Approved April 11, 1972

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## CHAPTER 28

(Senate Bill 228)

AN ACT to repeal and re-enact, with amendments, Sections 59(1a), 240B(b), 240B(c), 240C(b), 242(b), 242(g)(1), 242(l), 243, 518 and 533(3) of Article 48A of the Annotated Code of Maryland (1971 Supplement), title "Insurance Code," subtitles "~~Insurance~~;" "INSURERS: Authorization and General Requirements," "Unfair Trade Practices," "Rates and Rating Organizations," "Maryland Insurance ~~Guarantee~~ GUARANTY Association," and "Life and Health INSURANCE Guaranty Association Act," correcting certain errors in the laws relating generally to insurance.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 59(1a), 240B(b), 240B(c), 240C(b), 242(b), 242(g)(1), 242(l), 243, 518, and 533(3) of Article 48A of the Annotated Code of Maryland (1971 Supplement), title "Insurance Code," subtitles "~~Insurance~~;" "INSURERS: Authorization and General Requirements," "Unfair Trade Practices," "Rates and Rating Organizations," "Maryland Insurance ~~Guarantee~~ GUARANTY Associa-