

It shall be unlawful for any individual, representative, or agent, of any corporation or firm, or any corporation or firm itself either directly, or indirectly, to have any communication with the said College, or its chemists, agents or representatives, or the sender of any sample to said College, regarding the analysis of any fertilizer, or fertilizers, sent to the said College by the purchaser or purchasers thereof for analysis until after the report of said analysis. The Maryland State College of Agriculture, the State Chemist, their agents, or representatives, shall not furnish any information, or communicate with any manufacturer of fertilizer, about any such sample submitted for analysis until after a report of the analysis so made shall have been duly furnished to the applicant for such analysis.

1918, ch. 315, sec. 11.

11. Any purchaser of fertilizer who shall be injured, or defrauded, by the failure of the contents of any bag, barrel, or other package of fertilizer, or any fertilizer in bulk, to conform to the statement of the quantity, quality, marks, labels on or accompanying the same, or filed with the Maryland State College of Agriculture, or who shall purchase fertilizer branded, "pure bone" when the same is adulterated with oyster shell, or other foreign matter, even if the analysis corresponds to the guaranteed analysis on the package, may recover from the seller, or sellers, thereof in an action of debt an amount equal to the purchase money of said fertilizer and cost of suit, and in case the purchase is made of an agent, or any person, or persons, residing out of the limits of the State of Maryland, or any company, or corporation, whose principal place of business is out of the State of Maryland, the purchaser may at his, or her, option proceed by attachment as now provided for by law in case of non-resident and absconding debtors, against any property, rights or credits, of any person, or persons, company, or corporation, furnishing said fertilizer when such property rights, or credits, can be found within the State of Maryland; provided, the purchaser of any fertilizer shall not be deemed to be defrauded by a shortage in the constituents of said fertilizer when the said shortage does not exceed 5% of the amount guaranteed, but on account of said shortage shall be entitled to recover as liquidated damages the amount of the commercial value of said shortage, provided however, should said shortage be more than 5% of the commercial value guaranteed that the purchaser shall be entitled to recover as liquidated damages twice the amount of the shortage in commercial value and provided further should a shortage in one or more constituents exceed one-fifth of the guaranteed analysis the purchaser shall be entitled to recover as liquidated damages twice the commercial value of said shortage without any compensation being allowed for any excess in other constituent or constituents except however in no event shall the purchaser be entitled to recover an amount in excess of the purchase price of said fertilizer.