

CHAPTER 152

(House Bill 358)

AN ACT concerning

Weights and Measures - Fluid Dairy Products

FOR the purpose of requiring certain persons involved in weight, measurement, or sampling of fluid dairy products to be licensed by the Secretary of Agriculture; giving to the Secretary discretion in suspension or revocation of a license on failure of a licensee or permittee to appear at a hearing; enabling the Secretary to modify or rescind certain standards for weighing and measuring devices; and generally relating to weight and measurement of fluid dairy products.

BY repealing and reenacting, with amendments,

Article - Agriculture
Section 11-405(a), 11-406, and 11-408(b)
Annotated Code of Maryland
(1974 Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Agriculture

11-405.

(a) Every [permit holder who is a] purchaser or hauler of milk or other fluid dairy products [and] WHO is involved in the determination of weight or measurement or the collection, transporting or testing of samples shall have these operations performed only by individuals licensed by the Secretary.

11-406.

The Secretary may revoke or suspend any permit or license issued under the provisions of this subtitle upon satisfactory proof that the permit or license holder has violated any provisions of this subtitle or any rules and regulations adopted under it. However, no permit or license may be revoked or suspended until the holder is given a hearing by the Secretary after reasonable notice. If the permit or license holder fails to appear at the hearing after notice and contrary to rules and regulations, the permit or license [shall] MAY be suspended or revoked. This section does not limit the right of the Secretary to proceed as authorized by other sections of this title.