

(C) SHIPMENT OF OYSTERS LESS THAN THREE INCHES PROHIBITED. — A PERSON MAY NOT TRANSPORT OR ATTEMPT TO TRANSPORT OUTSIDE THE STATE OYSTERS MEASURING LESS THAN THREE INCHES IN LENGTH FROM HINGE TO MOUTH REGARDLESS OF WHETHER THEY ARE CAUGHT ON THE NATURAL BARS OF THE STATE OR FROM PRIVATE BEDS AND LOTS IN THE STATE.

(D) APPLICABILITY OF CULL LAW. — THE PROVISIONS OF THIS SUBTITLE RELATING TO THE INSPECTION AND CULLING OF OYSTERS AND THE IMPOSITION OF PENALTIES FOR ANY VIOLATION OF THE CULL LAW APPLY TO OYSTERS IN THE SHELL FOUND ANYWHERE WITHIN THE STATE, WHETHER AFLOAT OR ASHORE, AND WHETHER SAID OYSTERS HAVE BEEN CAUGHT WITHIN THE WATERS OF THE STATE OR SHIPPED OR BROUGHT INTO THE STATE. HOWEVER, OYSTERS CONTAINING MORE THAN FIVE PERCENT SHELLS OR SMALL OYSTERS LEGALLY TAKEN FROM PRIVATELY OWNED BEDS OUTSIDE THE STATE MAY BE ADMITTED IF

(1) INSPECTED BY THE DEPARTMENT PRIOR TO STORAGE IN A SHUCKING HOUSE, AND

(2) ACCOMPANIED BY A BILL OF SALE OR BILL OF LADING ISSUED BY THE PRIVATE PLANTERS SELLING THE CARGO OR AN APPROPRIATE CERTIFICATE FROM THE AUTHORITIES OF THE STATE OF ORIGIN, CERTIFYING THAT THE CARGO WAS CAUGHT FROM PRIVATELY OWNED OYSTER BEDS IN THE STATE OF ORIGIN AND THAT THE OYSTERS WERE CAUGHT IN FULL COMPLIANCE WITH THE LAWS OF THAT STATE.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 699(a) of the Code. The initial reference to "merchantable and unmerchantable" is proposed for deletion as unnecessary since all oysters are either merchantable or unmerchantable. References to "bed," meaning oyster bed, in this and subsequent subsections also are proposed for deletion because "oyster bed" has the same meaning as "oyster bar".

Subsection (b) presently appears as Article 66C, section 699(b) of the Code. Here, the word "unmerchantable" is proposed for deletion because it is synonymous with "unmarketable". "Marketable" has a specific meaning, set forth in section 4-901(j), and is used exclusively throughout this title instead of synonyms such as "merchantable." The last provisions of section 699(b) are proposed for deletion in