

A PERSON WHO FAILS TO MAKE A REPORT REQUIRED BY THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$25.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this section, which is new language derived without substantive change from former Art. 27, § 336A.

In subsection (a) of this section, the former phrase "the Baltimore City police" is deleted as Baltimore City is included in the definition of county in HG § 1-101.

Also in subsection (a) of this section, the phrase "of the injury" is substituted for the former phrase "of such fact" for clarity.

In subsection (c) of this section, the phrase "and on conviction is subject to" is substituted for the former phrase "and punishable in a court of competent criminal jurisdiction" for consistency with similar provisions throughout the revised articles of the Code.

Defined terms: "County" § 1-101

"Person" § 1-101

21-259.1. SAME — OPENING CLOSED FOOD CONTAINER

(A) PROHIBITED.

A PERSON MAY NOT OPEN A SEALED, CLOSED, OR FASTENED FOOD CONTAINER IN A FOOD STORE OR SUPERMARKET IF OPENING THE PACKAGE OR CONTAINER WILL LEAVE THE ITEM IN AN UNSALABLE CONDITION, UNLESS THE PERSON:

(1) INTENDS TO PURCHASE THE ITEM; OR

(2) HAS RECEIVED FROM THE PROPRIETOR AUTHORITY TO OPEN THE ITEM.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$25.

(C) APPLICATION OF SUBTITLE 12.

THE PENALTY PROVISIONS OF SUBTITLE 12 OF THIS TITLE DO NOT APPLY TO THIS SECTION.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this section.

Subsections (a) and (b) of this section are new language derived without substantive change from former Art. 27, § 120B.

In subsection (a) of this section, the former reference to a "package" is deleted as included in the reference to a "container".