

BY repealing and reenacting, with amendments,

Article - Agriculture

Section 11-312

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Agriculture

11-312.

(a) All fluid dairy products, including whole milk, skimmed milk, cultured milk, sweet cream, and buttermilk shall be sold by fluid volume.

(b) Cottage cheese, cottage cheese products, sour cream, and yogurt shall be sold by weight.

(c) (1) Ice cream, ice milk, French ice cream, French custard ice cream, frozen custard, frozen dietary dairy dessert, frozen yogurt, mellorine, parevine, sherbert, water ice, fruit ice, dietary frozen dessert, quiescently frozen confection, or quiescently frozen dairy confection, and any products which are similar in appearance, odor, or taste to such products or are prepared or frozen as such products are customarily prepared or frozen, whether made with dairy products or nondairy products, together with the mixes used in such products and for which a standard has been promulgated by the Secretary of Health and Mental Hygiene, shall be kept, offered, and exposed for sale and sold by fluid volume.

(2) Frozen yogurt shall be sold or offered for sale by weight, whether or not combined with other condiments, if the amount of the frozen yogurt to be purchased is:

- (i) Determined by the purchaser; and
- (ii) Dispensed by the purchaser.

(3) ~~HAND-DIPPED ICE CREAM~~

(D) IF HAND DIPPED, ANY OF THE ITEMS LISTED IN SUBSECTION (C) OF THIS SECTION MAY BE SOLD BY WEIGHT, FLUID VOLUME, OR THE SERVING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.