

## Article - Alcoholic Beverages

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§12–113.

(a) For the prevention and detection of fraud by manufacturers, wholesalers, and retail dealers, the Comptroller and/or the local liquor licensing boards shall be empowered to prescribe for use, and to authorize any of their deputies or inspectors to make use of hydrometers, saccharometers, weighing and gauging instruments or other means, records or devices for ascertaining the quantity and/or quality of alcohol in any alcoholic beverage that they consider necessary, and they may adopt rules and regulations to secure a uniform and correct system of inspection, marking, and gauging of those beverages.

(b) A retail dealer or an agent or employee of a retail dealer may not tamper with, by the addition to, or the change in any manner the quantity or quality of, the contents of any container of alcoholic beverages after the container of alcoholic beverages has been sealed in accordance with the laws of the United States and/or the laws of the State of Maryland, and while the contents remain in the original container.

(c) Except as specifically authorized by this article with respect to refillable beer and wine containers, a retail dealer, or an agent or employee of a retail dealer may not refill any container of alcoholic beverages with any substance after the container has once been emptied of its original contents.

(d) (1) A retail dealer may not keep or possess any container or containers of alcoholic beverages that have been tampered with in violation of subsection (b) of this section.

(2) A retail dealer may not keep or possess any container or containers of alcoholic beverages that have been refilled in violation of subsection (c) of this section.

(e) A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 2 years or both.

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