
By: Chairman, Environmental Matters Committee (Departmental - Agriculture)

Introduced and read first time: January 25, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Weights and Measures Law**

3 FOR the purpose of altering the method of sale of certain commodities under the
4 Weights and Measures Law.

5 BY repealing and reenacting, with amendments,
6 Article - Agriculture
7 Section 11-311, 11-312, and 11-313
8 Annotated Code of Maryland
9 (1985 Replacement Volume and 1995 Supplement)

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

12 **Article - Agriculture**

13 11-311.

14 Butter, oleomargarine, and margarine shall be offered and exposed for sale and sold
15 by weight[, and when in package form these commodities shall be packaged only in units
16 of 1/4 pound, 1/2 pound, 1 pound, or multiples of 1 pound, avoirdupois weight].

17 11-312.

18 (a) All fluid dairy products, including whole milk, skimmed milk, cultured milk,
19 sweet cream, and buttermilk shall be [packaged for retail sale only in units of 1 gill,
20 one-half liquid pint, 10 fluid ounces, 12 fluid ounces, 1 liquid pint, 1 liquid quart, or
21 multiples of 1 quart. However, packages in units of less than 1 gill shall be permitted]
22 SOLD BY FLUID VOLUME.

23 (b) [(1) Except as provided in paragraph (2) of this subsection, cottage]
24 COTTAGE cheese, cottage cheese products, sour cream, and yogurt shall be [packaged
25 for retail sale only in the following weights:

26 (i) 8, 12, 16, 24, 32, 64, 80, and 128 ounces avoirdupois;

27 (ii) 250, 375, 500, and 750 grams; and

28 (iii) 1, 2, and 4 kilograms.

2

1 (2) Multipack or single serving sizes of cottage cheese, cottage cheese
2 products, sour cream, and yogurt shall be sold only in the following weights:

3 (i) If in sizes of 6 ounces or less, in whole ounce increments; or

4 (ii) If in sizes of 200 grams or less, in 25 gram increments] SOLD BY
5 WEIGHT.

6 (c) (1) Ice cream, ice milk, French ice cream, French custard ice cream, frozen
7 custard, frozen dietary dairy dessert, frozen yogurt, mellorine, parevine, sherbert, water
8 ice, fruit ice, dietary frozen dessert, quiescently frozen confection, or quiescently frozen
9 dairy confection, and any products which are similar in appearance, odor, or taste to such
10 products or are prepared or frozen as such products are customarily prepared or frozen,
11 whether made with dairy products or nondairy products, together with the mixes used in
12 such products and for which a standard has been promulgated by the Secretary of Health
13 and Mental Hygiene, shall be [deemed a liquid.

14 (2) Except as provided in paragraph (3) of this subsection, the commodities
15 in paragraph (1) of this subsection, when sold or offered for sale in packages or
16 containers containing one-half pint to and including 1 gallon, shall be packaged only in
17 units of one-half pint, 1 pint, 1 quart, one-half gallon, and 1 gallon. However, packages in
18 units of less than one-half pint are allowed] KEPT, OFFERED, AND EXPOSED FOR SALE
19 AND SOLD BY FLUID VOLUME.

20 [(3)] (2) Frozen yogurt shall be sold or offered for sale by weight, whether
21 or not combined with other condiments, if the amount of the frozen yogurt to be
22 purchased is:

23 (i) Determined by the purchaser; and

24 (ii) Dispensed by the purchaser.

25 11-313.

26 [When in package form, and when packed, possessed, offered, or exposed for sale
27 or sold at retail, wheat] WHEAT flour, whole wheat flour, graham flour, self-rising wheat
28 flour, phosphated wheat flour, bromated flour, enriched flour, enriched self-rising flour,
29 enriched bromated flour, corn flour, cornmeal, and hominy grits shall be [packaged only
30 in units of 2, 5, 10, 25, 50, or 100 pounds, or multiples of 100 pounds, avoirdupois weight.
31 However, this section does not apply to prepared ready-mixed flours and meals, and
32 special cake flours in packages the net contents of which are less than 5 pounds] KEPT,
33 OFFERED, AND EXPOSED FOR SALE AND SOLD BY WEIGHT.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 1996.