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

Introduced and read first time: January 25, 1996

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 1996

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CHAPTER \_\_\_\_\_

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~~ 11-311 and 11-312

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.

2

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

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

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

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

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

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

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

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

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

26 [(3)] (2) Frozen yogurt shall be sold or offered for sale by weight, whether  
27 or not combined with other condiments, if the amount of the frozen yogurt to be  
28 purchased is:

29 (i) Determined by the purchaser; and

30 (ii) Dispensed by the purchaser.

31 ~~41-313.~~

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

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