

# HOUSE BILL 716

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8lr2207

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By: **Delegate Burns**

Introduced and read first time: February 4, 2008

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Eating Utensils and Related Items – Identification of**  
3 **Place of Manufacture**

4 FOR the purpose of requiring a manufacturer of eating utensils and related items sold  
5 in the State to identify the name of the manufacturer and the place of  
6 manufacture of the eating utensils and related items on a label placed on the  
7 container or packaging in which the eating utensils and related items are sold  
8 to consumers; requiring that certain information appear in a certain way on the  
9 label; providing that a violation of this Act is an unfair or deceptive trade  
10 practice within the meaning of the Maryland Consumer Protection Act and is  
11 subject to certain enforcement and penalty provisions; defining a certain term;  
12 and generally relating to eating utensils and related items sold in the State.

13 BY adding to

14 Article – Commercial Law

15 Section 14–3601 through 14–3603 to be under the new subtitle “Subtitle 36.  
16 Eating Utensils and Related Items – Place of Manufacture”

17 Annotated Code of Maryland

18 (2005 Replacement Volume and 2007 Supplement)

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

21 **Article – Commercial Law**

22 **SUBTITLE 36. EATING UTENSILS AND RELATED ITEMS – PLACE OF**  
23 **MANUFACTURE.**

24 **14–3601.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **IN THIS SUBTITLE, “EATING UTENSILS AND RELATED ITEMS” INCLUDES**  
2 **PLATES, BOWLS, KNIVES, FORKS, SPOONS, GLASSES, CUPS, NAPKINS, AND**  
3 **STRAWS.**

4 **14-3602.**

5           **(A) A MANUFACTURER OF EATING UTENSILS AND RELATED ITEMS SOLD**  
6 **IN THE STATE SHALL HAVE A LABEL PLACED ON THE CONTAINER OR**  
7 **PACKAGING IN WHICH THE EATING UTENSILS AND RELATED ITEMS ARE SOLD TO**  
8 **CONSUMERS.**

9           **(B) THE LABEL SHALL IDENTIFY:**

10           **(1) THE NAME OF THE MANUFACTURER; AND**

11           **(2) BY CITY AND STATE OR CITY AND COUNTRY, THE LOCATION**  
12 **OF THE PLANT AT WHICH THE EATING UTENSILS AND RELATED ITEMS WERE**  
13 **MANUFACTURED.**

14           **(C) THE INFORMATION REQUIRED BY SUBSECTION (B) OF THIS SECTION**  
15 **SHALL APPEAR PROMINENTLY ON THE LABEL SO THAT IT IS LIKELY TO BE READ**  
16 **AND UNDERSTOOD BY THE ORDINARY INDIVIDUAL UNDER CUSTOMARY**  
17 **CONDITIONS OF PURCHASE AND USE.**

18 **14-3603.**

19           **A VIOLATION OF THIS SUBTITLE:**

20           **(1) IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**  
21 **MEANING OF TITLE 13 OF THIS ARTICLE; AND**

22           **(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY**  
23 **PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE.**

24           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
25 **October 1, 2008.**