

(b) Unless otherwise provided, the Secretary may inspect and test to ascertain if they are correct, every weight and measure possessed, offered, or exposed for sale. [Except in cities and counties where the appointment of a local inspector is permitted by this subtitle, the] THE Secretary shall inspect and test every weight and measure commercially used in determining:

(1) The weight, measurement, or count of any commodity sold, or offered or exposed for sale, on the basis of weight, measure, or count;

(2) Any charge or payment for services rendered on the basis of weight, measure, or count;

(3) Weight, measurement, or count when a charge is made for the determination.

(c) The Secretary may test with representative samples any single-service device or mass-produced device. The lot of which any sample is representative shall be held to be correct or incorrect upon the basis of the results of the inspections and tests on the samples. For the purposes of this section, a single-service device is a device designed to be used commercially only once and then discarded; and a mass-produced device is a device produced by means of a mold or die and not susceptible of individual adjustment.

[11-212.] 11-207.

(a) The Secretary shall approve for use and seal or mark with the appropriate device any weight and measure that he finds to be "correct" as defined in § [11-207(d)] 11-203(D) but sealing or marking of weights and measures exempted under § [11-207] 11-203 is not required.

(b) The Secretary shall reject and mark or tag as "condemned for repair", in a manner to preclude further use, any weight and measure he finds to be "incorrect" as defined in § [11-207(d)] 11-203(D), but which he determines can be repaired satisfactorily. He shall condemn and may seize and destroy weights and measures found to be incorrect which he determines cannot be repaired satisfactorily. The owners or users of weights and measures condemned for repair shall have them made correct within a reasonable period specified by the Secretary, or may dispose of them in a manner specifically authorized by the Secretary.

(c) Weights and measures which have been condemned for repair may not be used commercially until reexamined by the Secretary and found to be correct, until the Secretary issues written permission for use, or until the weight or measure is adjusted, repaired, and determined to be "correct" by some person authorized by rule or regulation of the Secretary. Any weights and measures condemned for repair may be confiscated by the