

1916, ch. 627, sec. 7.

35. It shall be unlawful for any person, unless he regrades and repacks the apples, to erase the original size, grade or variety of apples branded upon the package and in its place substitute a size, grade or variety-name different from the one marked upon the barrel by the packer of the apples.

1916, ch. 627, sec. 8.

36. No person shall pack, or shall sell, or offer, expose, or have in his possession for sale any apples packed in any package in which the face or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than fifteen per centum of such fruit is substantially smaller in size than, or inferior in grade to, or different in variety from, the faced or shown surface of such packing.

1916, ch. 627, sec. 9.

37. Any person who misbrands or adulterates, or falsely represents apples within the meaning of this sub-title, or who violates any of the provisions of this sub-title shall, upon conviction thereof, forfeit and pay to the people of the State of Maryland a sum of not less than twenty-five dollars nor more than fifty dollars for the first violation and not less than fifty dollars nor more than one hundred dollars for each subsequent violation.

1916, ch. 627, sec. 10.

38. No person shall be prosecuted under the provisions of this sub-title when he can establish satisfactory evidence to the effect that he was not a party to the packing and grading of such articles and had no knowledge that the same were misbranded or illegally packed, or when he can establish a guaranty, signed by the person from whom he received such articles, to the effect that the same are not adulterated or misbranded within the meaning of this sub-title. Said guaranty, or said satisfactory evidence, to afford protection, shall contain the true name and address of the party or parties from whom said articles were received, or who made the sale or shipment of such articles to such person.

1916, ch. 627, sec. 11.

39. Definitions. The word "person" as used herein shall be construed to include both the singular and plural, individuals, corporations, co-partnerships, companies, societies and associations. The act, omission or failure of any officer, agent, servant or employee acting within the scope of his employment or office shall be deemed the act, omission or failure of the principal. The words "closed package" shall mean a box, barrel, basket, hamper, or other package covered with burlap, tarlatan, slat or other covers, the contents of which cannot be seen or inspected when such package is closed.