

1935, ch. 282, sec. 420.

**496.** (Validity of Sub-title.) Should any section or part of a section of this sub-title be held to be invalid for any reason, such holding shall not be considered as affecting the validity of any remaining section or part of a section of this sub-title; it being the Legislative intent that the remainder of this sub-title shall stand, notwithstanding the invalidity of such section or part of a section.

### Milk.

1935, ch. 406, sec. 395. 1936 (Sp. Sess.), ch. 53, sec. 435.

**497.** Every creamery, shipping station, milk factory, cheese factory, or milk condensary, or person receiving, buying and paying for milk or cream regardless of the method of settlement shall be required to hold a permit for each and every place where milk or cream is received by weight or measure. Provided, however, that nothing in this sub-title shall apply to individuals buying milk or cream for private use or to persons buying from dealers already holding a permit. The permit shall be issued by the University of Maryland College of Agriculture to such creamery, shipping station, milk factory, cheese factory, ice cream factory, or milk condensary, or person after filing of such information as may be required by the University of Maryland College of Agriculture and upon the payment of the fees as follows: (a) for purchasing or handling not exceeding an equivalent of two thousand (2000) pounds of milk daily, an annual fee of \$5; (b) for purchasing or handling more than the equivalent of two thousand (2000) but not exceeding forty thousand (40,000) pounds of milk daily, an annual fee of \$10; and (c) for purchasing or handling the equivalent of more than forty thousand (40,000) pounds of milk daily, an annual fee of \$25. All moneys so collected shall be used to meet the expenses of the agency enforcing this sub-title. The permit shall be valid for a term of one calendar year and may be revoked by the University of Maryland College of Agriculture for any violation of provisions of this sub-title. This permit issued hereunder shall be posted in plain view of the station for which it was issued.

1935, ch. 406, sec. 396.

**498.** It shall be unlawful for any person, association, copartnership, or corporation, their agents or servants engaged in the business of buying milk or cream on the basis of or in any manner with reference to the amount or percentage of butterfat contained therein, to take, collect or use for testing purposes an unfair or inaccurate sample, to under-read, over-read or erroneously manipulate the test, commonly known as the "Babcock Test" used for determining the percentage of such fat in said milk or cream, or to falsify the record thereof, or to make the "Babcock", reading except when the fat has a temperature of one hundred thirty-five degrees to one hundred forty degrees Fahrenheit, or to use for such test any glassware not complying with the United States Bureau of Standards specifications (May, 1923), or quantities other than nine (9) grams or eighteen (18) grams in the case of cream. In all tests of cream, the cream shall be weighed and not measured into the test bottle, and the tests shall be read with the aid of an approved meniscus remover.