

CHAPTER 239.

AN ACT to repeal Chapter 212 of the Acts of 1935, codified as Sections 105, 106, 107, 108, 109 and 110, respectively, of Article 83 of Flack's 1935 Supplement to the Annotated Code of Public General Laws of Maryland, title "Sales and Notices", sub-title "Fair Trade Act", and to substitute therefor, for the purpose of correcting, clarifying and amplifying the Act so repealed, ten (10) sections, to be added to said Article and bear the same sub-title, to follow immediately after Section 104, and to be known as Sections 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, respectively, to protect trade-mark owners, producers, distributors and the general public against injurious and uneconomic practices in the distribution of competitive commodities bearing a distinguishing trade-mark, brand or name, through the use of voluntary contracts establishing minimum resale prices and providing for refusal to sell unless such minimum resale prices are observed.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Chapter 212 of the Acts of 1935, codified as Sections 105, 106, 107, 108, 109 and 110, respectively, of Article 83 of Flack's 1935 Supplement to the Annotated Code of Public General Laws of Maryland, title "Sales and Notices", sub-title "Fair Trade Act", be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted*, That ten (10) new sections be, and the same are hereby, added to Article 83 of Flack's 1935 Supplement to the Annotated Code of Public General Laws of Maryland, title "Sales and Notices", sub-title "Fair Trade Act", to follow immediately after Section 104, and to be known as Sections 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, respectively, said new sections to read as follows:

105. The following terms, as used in this Act, are hereby defined as follows:

- (A) "Commodity" means any subject of commerce.
- (B) "Producer" means any grower, baker, maker, manufacturer, bottler, packer, converter, processor or publisher.
- (C) "Wholesaler" means any person selling a commodity other than a producer or retailer.
- (D) "Retailer" means any person selling a commodity to consumers for use.
- (E) "Person" means an individual, a corporation, a partnership, an association, a joint-stock company, a business trust or any unincorporated organization.