

CHAPTER 212.

AN ACT to add five (5) new sections to Article 83 of Bagby's Annotated Code of the Public General Laws of Maryland, Edition of 1924, title "Sales and Notices," said new sections to bear the sub-title "Fair Trade Act," to follow immediately after Section 104, and to be known as Sections 105, 106, 107, 108 and 109, respectively, to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That five (5) new sections, be, and the same are hereby, added to Article 83 of Bagby's Annotated Code of the Public General Laws of Maryland, Edition of 1924, title "Sales and Notices," to bear the sub-title "Fair Trade Act," to follow immediately after Section 104, and to be known as Sections 105, 106, 107, 108 and 109, respectively, said new sections to read as follows:

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

"Producer" means grower, baker, maker, manufacturer or publisher.

"Commodity" means any subject of commerce.

106. No contract relating to the sale or resale of a commodity which bears, or the label or content of which bears, the trade-mark, brand, or name of the producer or owner of such commodity and which is in fair and open competition with commodities of the same general class produced by others shall be deemed in violation of any law of the State of Maryland by reason of any of the following provisions which may be contained in such contract:

1. That the buyer will not resell such commodity except at the price stipulated by the vendor.

2. That the vendee or producer require in delivery to whom he may resell such commodity to agree that he will not, in turn, resell except at the price stipulated by such vendor or by such vendee.

Such provisions in any contract shall be deemed to contain or imply conditions that such commodity may be resold without reference to such agreement in the following cases:

1. In closing out the owners' stock for the purpose of discontinuing delivering any such commodity.