

9. Same: General Testing: Inspection of Packages.—When not otherwise provided by law, the superintendent shall have the power to inspect and test, to ascertain if they are correct, all weights and measures kept, offered, or exposed for sale. It shall be the duty of the superintendent, except in cities and counties for which the appointment of a sealer of weights and measures is required by this Act, at least annually and as much oftener as he may deem necessary, to inspect and test, to ascertain if they are correct, all weights and measures commercially used (1) in determining the weight, measurement, or count of commodities or things sold, or offered or exposed for sale, on the basis of weight or of measure, (2) in computing any charge or payment for services rendered on the basis of weight or of measure, or (3) in determining weight or measurement when a charge is made for such determination. The superintendent shall, from time to time, weigh or measure and inspect packages or amounts of commodities kept, offered, or exposed for sale, sold, or in the process of delivery, to determine whether the same contain the amounts represented and whether they be kept, offered, or exposed for sale, or sold, in accordance with law. *Provided*, That in cities and counties for which the appointment of a sealer of weights and measures is required by this Act, the superintendent shall have concurrent authority to enforce the provisions of this Act.

10. Same: Disposition of Correct and Incorrect Apparatus. Duty of Owners of Incorrect Apparatus.—The superintendent shall approve for use and seal or mark with appropriate devices such weights and measures as he finds upon inspection and test to be “correct” as defined in Section 7. The superintendent shall reject and mark or tag as “condemned for repair” such weights and measures as he finds, upon inspection or test, to be “incorrect” as defined in Section 7, but which in his best judgment are susceptible of satisfactory repair; but he shall condemn, and may seize and destroy, weights and measures found to be incorrect which, in his best judgment, are not susceptible of satisfactory repair. The owners or users of weights and measures which have been condemned for repair shall cause the same to be made correct within such reasonable period as may be specified by the superintendent, or in lieu of this, may dispose of the same, but only in such a manner as is specifically authorized by the superintendent. Weights and measures which have been condemned for repair (1) shall not again be used commercially until re-examined by the superintendent and found to be correct, or until specific written permission for such