

authority to promulgate rules and regulations necessary to regulate the receiving, weighing, measuring, sampling and testing of milk or other fluid dairy products when the results are to be used as a basis for payment for said products purchased from the producer.

85—DEFINITIONS—*When used in this sub-title:*

1. *Maryland State Board of Agriculture is the Board of Regents of the University of Maryland as established by the General Assembly in a law enacted in 1908 and amended in 1916 and 1941.*

2. *Person shall include an individual, a partnership, corporation, company, society, or cooperative association.*

3. *Producer is any person who owns, controls or operates a dairy herd for the production of milk to be sold or offered for sale.*

4. *Receiving Station is any building, milk plant, or mobile unit where milk or other fluid dairy products are received from the producer.*

5. *Purchaser is the person who pays the producer for the milk or other fluid dairy products and is responsible for all the records pertaining to the weights, measures, and tests which are used as a basis for payment of milk or other fluid dairy products.*

6. *Sample is that portion of the producer's shipment that is drawn and placed into an approved container and used for an analysis of milk constituent content on which payment to the producer may be based.*

7. *Test means an official procedure, approved by the Association of Official Agricultural Chemists or American Public Health Association as published in the latest edition of their official publication and adopted by the State Board of Agriculture or its authorized agent, which is used to determine the amount of any milk constituent in any sample of milk or other fluid dairy products. The results of the analysis shall also be referred to as a test.*

86—PERMITS—

Every person who is engaged in any business in the conduct of which he buys or receives milk or other fluid dairy products from the producer shall hold a permit for each receiving station. The permits are to be issued by the Maryland State Board of Agriculture or its authorized agent upon receipt and approval of an application. Any person who, on date of effect of this law, holds a valid permit under the previous law shall not be required to obtain another permit for the same station under the provisions of this section unless the earlier permit has expired or has been revoked.

87—FEE REQUIRED—

With every application for a permit the applicant shall pay a fee based on the volume of milk and/or other fluid dairy products received. The permit shall be valid for the license year for which it is issued unless revoked or suspended. All permits shall be renewable each year upon filing of an appropriate application and the payment of the prescribed fee.