

SEC. 2. *And be it further enacted*, That this Act ~~shall take effect July 1, 1970.~~ IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE AND NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY AND HAVING PASSED BY A YEA AND NAY VOTE SUPPORTED BY THREE-FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY, THE SAME SHALL TAKE EFFECT FROM THE DATE OF ITS PASSAGE.

Approved May 21, 1970.

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CHAPTER 735

(House Bill 1167)

AN ACT to repeal and re-enact, with amendments, Sections 85 and 86 of Article 97 of the Annotated Code of Maryland (1969 Supplement), title "Weights and Measures," subtitle "Milk and other Fluid Dairy Products—Cost," providing for the purchase from a cooperative association and for the receiving, weighing, measuring, sampling and testing of milk or other fluid dairy products.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 85 and 86 of Article 97 of the Annotated Code of Maryland (1969 Supplement), title "Weights and Measures," subtitle "Milk and other Fluid Dairy Products—Cost," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

85.

When used in this subtitle:

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 *or the person who pays a cooperative association representing such producers* 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.