

4. Appointment of Superintendent *and Inspectors of Weights and Measures*; budget.

(a) There shall be a State Superintendent of Weights and Measures, hereinafter referred to as the Superintendent. The Superintendent of Weights and Measures will be appointed by the State Board of Agriculture and will function under the division of agriculture and related services of the University of Maryland. Such sums as shall be appropriated will be included in the budget of the State Board of Agriculture.

(b) *The Superintendent shall appoint State inspectors of Weights and Measures, and necessary technical and clerical personnel, from eligible lists prepared by the Secretary of Personnel or other authorized source and these personnel shall be included in the State of Merit System as classified employees.*

7. Specific powers and duties of Superintendent—Regulations.

The Superintendent shall issue from time to time reasonable regulations for the enforcement of this subtitle, which regulations shall have the force and effect of law.

(a) These regulations may include, *but are not limited to*, (1) standards of net weight, measure, or count, [and] reasonable standards of fill, *and labeling requirements*, for any commodity in package form, (2) [specifications and tolerances and other technical requirements for weights and measures of the character of those specified in Section 9 designated to eliminate from use, without prejudice to apparatus which conforms as closely as practicable to the official standards those which are not accurate, which are of such construction that they are faulty that is, which are not reasonably permanent in their adjustment or will not repeat their indications correctly or which facilitate the perpetration of fraud, and] *exemptions from the sealing or marking requirements of Section 10 of this subtitle with respect to weights and measures of such character or size that such sealing or marking would be inappropriate, impracticable, or damaging to the apparatus in question*, (3) regulations governing the procedures to be followed by city and county sealers of weights and measures in the discharge of their official duties [.] , (4) *regulations governing the registration of servicemen and service agencies engaged in the maintenance and repair of weighing and measuring devices*, (5) *regulations governing the types of commodities and things to be weighed by licensed weighmasters, the types of weighing devices requiring operation by a licensed weighmaster, rules governing the licensing of weighmasters and applicants' fees for such licensing, and rules governing the maintenance of weight records and inspection of weight records by the Superintendent, any inspector, sealer or deputy sealer.*

(b) *These regulations shall include specifications, tolerances, and other technical requirements for weights and measures of the character of those specified in Section 9 of this subtitle, designed to eliminate from use, without prejudice to apparatus that conforms as closely as practicable to the official standards, those (1) that are not accurate, (2) that are of such construction that they are faulty (that is, that are not REASONABLY PERMANENT IN THEIR ADJUSTMENT OR WILL NOT REPEAT THEIR INDICATIONS CORRECTLY), or (3) facilitate the perpetration of fraud. Pro-*