

*plaints made to him concerning violations of this subtitle, and shall, upon his own initiative, conduct such investigations as he deems appropriate and advisable to develop information on prevailing procedures in commercial quantity determinations and on possible violations of the provisions of this subtitle and to promote the general objective of accuracy in the determination and representation of quantity in commercial transactions. 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. When such packages or amounts of commodities are found to be kept, offered, or exposed for sale in violation of law, the Superintendent may order them off sale and may so mark or tag them as to show them to be illegal. In carrying out the provisions of this section, the Superintendent may employ recognized sampling procedures under which the compliance of a given lot of packages will be determined on the basis of the result obtained on a sample selected from and representative of such lot. For the purpose of this subtitle, proof of the existence of a weight or measure or a weighing or measuring device in or about any building, enclosure, stand, or vehicle in which or from which it is shown that buying or selling is commonly carried on, shall be presumptive evidence of the regular use of such weight or measure or weighing or measuring device for commercial purposes and of such use by the person in charge of such building, enclosure, stand, or vehicle. Provided, that in cities or counties for which the appointment of a sealer of weights and measures is [required] permitted by this subtitle, the Superintendent shall have concurrent authority to enforce the provisions of this subtitle.*

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 [.] , *but such sealing or marking shall not be required with respect to such weights and measures as may be exempted therefrom by a regulation of the Superintendent issued under the authority of Section 7. The Superintendent shall reject and mark or tag as "condemned for repair," in a manner to preclude further use, 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 reexamined by the Superintendent and found to be correct, or until specific written permission for such use is issued by the Superintendent, or until the weight or measure is adjusted, repaired and determined to be "correct" by some person authorized by the*