

*is advertised in any manner and the retail price of the package is stated in the advertisement, there shall be closely and conspicuously associated with such statement of price a declaration of the basic quantity of contents of the package as is required by law or regulation to appear on the package. Provided that, where the law or regulation requires a dual declaration of net quantity to appear on the package, only the declaration that sets forth the quantity in terms of the smaller unit of weight or measure need appear in the advertisement. And provided further, that there shall not be included as part of the declaration required under this section such qualifying terms as "when packed," "minimum," "not less than," or any other terms of similar import, nor any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of commodity in the package.*

21. Commodity in package form defined.

The term "commodity in package form" as used in this subtitle shall be understood to mean commodity put up or packaged in any manner including barrels, bags, sacks, cartons, or other container, in advance of sale, so as to constitute a unit quantity of the commodity, for either wholesale or retail use [exclusive, however, of an auxiliary shipping container enclosing packages which individually conform to the requirements of this subtitle]. An individual item or lot of any commodity not in package form as defined in this section but on which there is marked a selling price based on an established price per unit of weight or of measure shall be construed to be commodity in package form. *Where the term "package" is used in this subsection, it shall be construed to mean "commodity in package form" as herein defined.*

22. Sale by net weight.

The word "weight" as used in this subtitle in connection with any commodity shall be understood to mean net weight. [Provided, however, that the word "weight" and the words "net weight" and "net quantity," as used in this subtitle in connection with rope, twine and cordage products, shall be understood to include gross weight, and rope, twine and cordage products may be marked and sold under this subtitle according to gross weight, under such reasonable rules as the Superintendent may establish, consistent with trade practices existing in the rope and twine industry.] Whenever any commodity is sold on the basis of weight, the net weight of the commodity shall be employed, and all contracts concerning commodities shall be so construed.

23. Misrepresentation of price.

Whenever any commodity or service is sold, or is offered, exposed, or advertised for sale by weight, measure or count, the price shall not be misrepresented, nor shall the price be represented in any manner calculated or tending to mislead or deceive an actual or prospective purchaser. *Whenever an advertised, posted, or labeled price per unit of weight, measure, or count, includes a fraction of a cent, all elements of the fraction shall be prominently displayed and the numeral or numerals expressing the fraction shall be immediately adjacent to, of the same general design and style, as, and at least one-half the height and width of the numerals representing the whole cents.*