

Approved April 26, 1973.

CHAPTER 92

(Senate Bill 608)

AN ACT to repeal and re-enact, with amendments, Sections 162, 167, 168, 169, 170 and 173 of Article 43 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Health," subtitle "Adulteration of Food and Drink," subheading "Soft Drinks," to change the maximum annual inspection fee for soft drinks, to provide for an inspection fee for each [brand or] flavor of soft drinks, to include bottled water within the soft drink licensing laws, to correct certain language therein, and relating generally to the licensing of manufacturers of soft drinks by the Department of Health and Mental Hygiene.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 162, 167, 168, 169, 170 and 173 of Article 43 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Health," subtitle "Adulteration of Food and Drink," subheading "Soft Drinks," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

162.

No person, firm or corporation shall manufacture for sale within this State in bottles, jugs or any other container any soft drink or other nonalcoholic beverage, INCLUDING BOTTLED WATER, (except apple cider) without having first applied for and having received a license from the [State Board of Health] SECRETARY OF HEALTH AND MENTAL HYGIENE FOR EACH MANUFACTURING PLANT. [Said] THE application shall contain the name of the applicant, his address, and the location of his manufacturing plant or plants, the name of the beverage or beverages manufactured, and such other pertinent information as shall be prescribed by the [State Board of Health] SECRETARY OF HEALTH AND MENTAL HYGIENE in pursuance of the provisions of this section and §§163-174. The application shall be accompanied by a fee [of twenty-five dollars (\$25.00)] [[AS PROVIDED FOR HEREIN]] OF ONE HUNDRED DOLLARS (\$100.00), upon receipt of which application and fee the [State Board of Health] DEPARTMENT OF HEALTH AND MENTAL HYGIENE shall issue to [said] THE applicant a license for the manufacture of the beverages mentioned in this section. [Said] THE license shall extend for one year from the date of its issue, unless sooner revoked, as herein provided, and shall be renewed annually thereafter. A license may be denied at the time of application if the establishment of the applicant is known to be in an unsanitary condition or if the water supply is known to be dangerously polluted. No soft drink or other non-alcoholic beverage, INCLUDING BOTTLED WATER, (except apple cider) [not manufactured in this State] shall be sold or offered for sale in the State of Maryland, unless same is first inspected and registered with the [State Board of Health] DEPARTMENT, and an inspection fee of [five dollars (\$5.00)] [[TWENTY DOLLARS (\$20.00)]] TWENTY-FIVE DOLLARS (\$25.00) for each [[brand]] FLAVOR of such drink [for other nonalcoholic beverage bearing a distinguishing flavor or name] shall be paid by [said] THE manufacturer, his agent or dealer, to the [State Board of Health] DEPARTMENT, same to be renewed annually. [provided that no one manufacturer (either personally or