

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 26, 1973.

CHAPTER 103

(Senate Bill 753)

AN ACT to repeal and re-enact, with amendments, Sections 56(a), 83, and 96 of Article 48 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Inspections," subtitles, respectively, "State Tobacco Authority," "Secretary of Agriculture," and "'The Yellows'"; to correct certain errors in the laws relating generally to inspections.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 56(a), 83, and 96 of Article 48 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Inspections," subtitles, respectively, "State Tobacco Authority," "Secretary of Agriculture," and "'The Yellows'"; are hereby repealed and re-enacted, with amendments, to read as follows:

56.

(a) The Tobacco Authority of the State of Maryland, hereinafter referred to as the Authority, is hereby created as part of the Department of Agriculture and constituted a body corporate, with authority to have and use a common seal, to sue and be sued in a court of law, and to DO any and all things as empowered by this subtitle or reasonably necessary and proper for accomplishing the purposes thereof, subject to the authority of the Secretary of Agriculture as set forth in Article 41 of this Code or elsewhere in the laws of Maryland.

83.

Whenever any agent of a transportation company, firm or person shall receive a carload, box, bale or package of trees, plants, shrubs, vines, buds or cuttings, without a certificate attached, as provided for in [§ 90]§ 82 of this subtitle, and shall fail to notify the Secretary of Agriculture of this fact immediately upon the arrival of such nursery stock, and before delivering the same to the consignee, said agent of the transportation company, firm or person shall be adjudged guilty of a misdemeanor, and shall upon conviction before a court be fined a sum not less than ten dollars (\$10) nor more than one hundred dollars (\$100) and costs of prosecution for each and every offense. If any nurseryman, dealer or agent sell, ship or deliver any trees, plants, shrubs or vines into or in this State, which are infected with San Jose scale, peach yellow, pear blight or other injurious diseases, and upon examination by the Secretary of Agriculture, are condemned by being so infected, the said trees, plants, vines and shrubs shall be destroyed, and the nurseryman, dealer or agent shall forfeit the value of such stock and shall not collect the same from the purchaser or consignee.

96.

The Secretary of Agriculture shall examine or cause to be examined any trees or fruit supposed to be infected with the disease known as "the yellows" and if the disease is found after such examination to exist, a distinguishing mark shall be