

CERTIFICATES OF INSPECTION ISSUED BY THE SECRETARY OR THE UNITED STATES DEPARTMENT OF AGRICULTURE SHALL BE ACCEPTED IN ANY STATE COURT AS PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED.

REVISOR'S NOTE: This section is new language derived from Art. 97, §58 of the Code. The present references to the individual inspectors is to conform to the organization of analogous provisions of this Article which vest functions and responsibilities in a department or department head. This section revises the provisions of Art. 97, §58 so that they are framed as a prohibition not an exemption from prosecution for the performance of affirmative acts.

SEC. 10-906. SALE OF IMMATURE CANTALOUPE NOT IN CLOSED CONTAINERS PROHIBITED.

A PERSON MAY NOT BUY, SELL, SHIP, TRANSPORT, OFFER OR EXPOSE FOR SALE OR SHIPMENT, OR PLACE ON THE MARKET FOR HUMAN CONSUMPTION, ANY CANTALOUPE IN CLOSED CONTAINERS, UNLESS THE CANTALOUPE ARE MATURE.

REVISOR'S NOTE: This section presently appears as Art. 97, §52 of the Code. The last phrase is proposed for deletion because it appears as new language in §10-901(c). The only other changes made are in style.

SEC. 10-907. NONLIABILITY OF PERSONS NOT PARTY TO AND WITHOUT KNOWLEDGE OF WRONG.

NO PERSON, MAY BE PROSECUTED UNDER THIS SUBTITLE, IF HE CAN ESTABLISH BY SATISFACTORY EVIDENCE THAT HE WAS NOT A PARTY TO THE GRADING AND PACKING OF THE CANTALOUPE IN QUESTION, AND HAD NO KNOWLEDGE THAT THEY WERE MISBRANDED OR ILLEGALLY PACKED.

REVISOR'S NOTE: This section presently appears as Art. 97, §59 of the Code. The only changes made are in style.

SEC. 10-908. PROSECUTION.

THE STATE'S ATTORNEY OF THE COUNTY IN WHICH ANY VIOLATION OF THIS SUBTITLE OCCURS, SHALL PROSECUTE THE PERSON ACCUSED OF THE VIOLATION. UPON THE REQUEST OF THE SECRETARY, HE SHALL INSTITUTE AND PROSECUTE ANY VIOLATION.