

provisions of that section, which are contained in §14-904.

The present checklist of eating establishments is deleted as unnecessary in light of the language contained in the subsequent provisions.

The words "or food preparation" are deleted as unnecessary since a food preparation would, in any event, be a "food." The word "display" is substituted for "expose" for purposes of clarity.

In item (2) of this section, the more correct term "Jewish" is substituted for the somewhat archaic "Hebrew."

In item (3) of this section, the word "establishment" is deleted as unnecessary in light of the phrase "place of business."

The only other changes are in style.

14-904. PENALTY.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING ONE YEAR OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from the identical penalty provisions of each of Art. 27, §§ 196 and 197.

The alternative minimum penalties of a \$25 fine and 30 days imprisonment are deleted to conform to the statement of legislative policy contained in Art. 27, §643, as repealed and re-enacted by Ch. 181, Acts of 1972. That section sets forth the general rule that, notwithstanding a prescribed minimum penalty, the Court may nevertheless impose a lesser penalty of the same character. Although there are exceptions to the general rule, they would not appear to be at all controlling in this instance. See, e.g., Art. 27, §36B(e); State v. Shearin, ___ Md. ___ (The Daily Record, Oct. 21, 1974). The deletion of minimum penalties follows the revision standard previously adopted by the General Assembly; See, e.g., NR §4-1201.