

(XII) BONGS;(XIII) ICE PIPES OR CHILLERS.

(B) IN DETERMINING WHETHER AN OBJECT IS DRUG PARAPHERNALIA, A COURT OR OTHER AUTHORITY SHOULD CONSIDER, IN ADDITION TO ALL OTHER LOGICALLY RELEVANT FACTORS, THE FOLLOWING:

(1) STATEMENTS BY AN OWNER OR BY ANYONE IN CONTROL OF THE OBJECT CONCERNING ITS USE;

(2) PRIOR CONVICTIONS, IF ANY, OF AN OWNER, OR OF ANYONE IN CONTROL OF THE OBJECT, UNDER ANY STATE OR FEDERAL LAW RELATING TO ANY CONTROLLED DANGEROUS SUBSTANCE;

(3) THE PROXIMITY OF THE OBJECT, IN TIME AND SPACE, TO A DIRECT VIOLATION OF THIS ACT OR TO A CONTROLLED DANGEROUS SUBSTANCE;

(4) THE EXISTENCE OF ANY RESIDUE OF CONTROLLED DANGEROUS SUBSTANCES ON THE OBJECT;

(5) DIRECT OR CIRCUMSTANTIAL EVIDENCE OF THE INTENT OF AN OWNER, OR OF ANYONE IN CONTROL OF THE OBJECT, TO DELIVER IT TO PERSONS WHOM HE KNOWS, OR SHOULD REASONABLY KNOW, INTEND TO USE THE OBJECT TO FACILITATE A VIOLATION OF THIS ACT; THE INNOCENCE OF AN OWNER, OR OF ANYONE IN CONTROL OF THE OBJECT, AS TO A DIRECT VIOLATION OF THIS ACT SHALL NOT PREVENT A FINDING THAT THE OBJECT IS INTENDED FOR USE, OR DESIGNED FOR USE AS DRUG PARAPHERNALIA;

(6) INSTRUCTIONS, ORAL OR WRITTEN, PROVIDED WITH THE OBJECT CONCERNING ITS USE;

(7) DESCRIPTIVE MATERIALS ACCOMPANYING THE OBJECT WHICH EXPLAIN OR DEPICT ITS USE;

(8) NATIONAL AND LOCAL ADVERTISING CONCERNING ITS USE;

(9) THE MANNER IN WHICH THE OBJECT IS DISPLAYED FOR SALE;

(10) WHETHER THE OWNER, OR ANYONE IN CONTROL OF THE OBJECT, IS A LEGITIMATE SUPPLIER OF LIKE OR RELATED ITEMS TO THE COMMUNITY, SUCH AS A LICENSED DISTRIBUTOR OR DEALER OF TOBACCO PRODUCTS;

(11) DIRECT OR CIRCUMSTANTIAL EVIDENCE OF THE RATIO OF SALES OF THE OBJECT OR OBJECTS TO THE TOTAL SALES OF THE BUSINESS ENTERPRISE;

(12) THE EXISTENCE AND SCOPE OF LEGITIMATE USES FOR THE OBJECT IN THE COMMUNITY;

(13) EXPERT TESTIMONY CONCERNING ITS USE.