

THE SECRETARY MAY SUE TO ENJOIN A PERSON FROM REPEATING A VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of the first sentence and the second clause of the second sentence of former Article 43, § 193(h).

This section appears as a separate section because different penalties are provided for violating this section and § 4-818 of this subtitle. See §§ 4-1205 and 4-1206 of this title. The absence in other parts of this article of a provision similar to this section does not imply that, after revocation or suspension of other licenses governed by this article, the person whose license was revoked or suspended is permitted in any way to continue the activity for which the license was obtained.

4-820. SALE OF PRODUCTS FROM PLANT FOR WHICH NO LICENSE HELD.

(A) IN GENERAL.

A PERSON MAY NOT SELL ANY FROZEN DESSERT OR FROZEN DESSERT MIX THAT WAS MANUFACTURED AT A PLANT FOR WHICH A LICENSE WAS NOT THEN HELD.

(B) INJUNCTIVE RELIEF.

THE SECRETARY MAY SUE TO ENJOIN A PERSON FROM REPEATING A VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of the first sentence and the last clause of the second sentence of former Article 43, § 193(i).

Although the first clause of former Article 43, § 193(i) was limited by its own terms to "the counties of Maryland", it is revised to apply throughout this State, including in Baltimore City. When former Article 43, § 193(i) was enacted originally, Baltimore City had its own mechanism for controlling frozen desserts. However, that mechanism no longer exists, and, in modern practice, this subtitle is applied throughout this State.

The former references to an offer to sell and to possessing with an intention of selling are deleted in light of the provisions of § 4-102(a)