

REVISOR'S NOTE: This section formerly appeared as Article 43, § 892(a).

Item (2) of this section is new language added to conform to the legislative intent that the federal standards for carpets and rugs not be adopted in this State. The regulations adopted by the Department under former Article 43, § 892(a) do not incorporate all of the federal regulations relating to flammable fabrics. COMAR 10.19.05.01B specifically excludes 16 CFR 1630 and 1631, which relate to the flammability of carpets and rugs.

In the introductory language of this section, the phrase "rules and regulations" is substituted for "standard" to conform to legislative intent and practice.

As to the federal Flammable Fabrics Act of 1967, see 15 U.S.C. §§ 1191 through 1204.

6-203. RIGHT OF ENTRY, INSPECTIONS, AND SAMPLES.

(A) ENTRY FOR PURPOSE OF INSPECTION.

AT ANY REASONABLE TIME, A REPRESENTATIVE OF THE DEPARTMENT MAY ENTER ANY FACTORY, WAREHOUSE, OR ESTABLISHMENT IN WHICH A PRODUCT IS MANUFACTURED, PROCESSED, PACKAGED, OR STORED AND INSPECT ANY PERTINENT EQUIPMENT, LABELING, OR FINISHED OR UNFINISHED PRODUCTS.

(B) CONDITIONS FOR ENTRY.

ON ENTERING ANY FACTORY, WAREHOUSE, OR ESTABLISHMENT TO MAKE AN INSPECTION UNDER THIS SECTION, THE REPRESENTATIVE OF THE DEPARTMENT SHALL PRESENT APPROPRIATE CREDENTIALS TO THE OWNER, OPERATOR, OR AGENT IN CHARGE.

(C) SAMPLES.

(1) DURING ANY INSPECTION UNDER THIS SECTION, THE REPRESENTATIVE OF THE DEPARTMENT MAY OBTAIN A SAMPLE OF ANY PRODUCT, PACKAGE, OR LABELING.

(2) WHEN OBTAINING A SAMPLE UNDER THIS SECTION, THE REPRESENTATIVE OF THE DEPARTMENT SHALL:

(I) PAY OR OFFER TO PAY FOR THE SAMPLE;
AND

(II) GIVE THE OWNER, OPERATOR, OR AGENT IN CHARGE A RECEIPT THAT DESCRIBES THE SAMPLE OBTAINED.

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