

~~WHO HAS RECEIVED THE CONTAINERS WITH BAKERY PRODUCTS OF THE OWNER OF THE CONTAINERS AND HAS NOT RETAINED THE CONTAINERS FOR THE PERSON'S OWN USE, SHALL BE PRIMA FACIE EVIDENCE THAT THE PERSON IS GUILTY OF THE OFFENSES CHARGED.~~

478.

A returnable container as used in this subtitle is hereby defined to be any device made of any material whatsoever, used for the purpose of holding, containing or converting into a package, goods, wares or merchandise, or packages thereof, either of necessity or for convenience of delivery or sale, INCLUDING BASKETS, TRAYS AND ANY OTHER TYPE OF CONTAINER WHICH IS USED BY A BAKERY, ~~DISTRIBUTER~~ DISTRIBUTOR, RETAILER, FOOD SERVICE ESTABLISHMENT, OR ITS AGENT TO TRANSPORT, STORE, OR CARRY BAKERY PRODUCTS, and which container is, by its very nature, susceptible of repeated use for such purpose, and the title to which container the vendor does not intend to pass with the sale of the contents; or any bag, box, basket or any other device made of any material whatsoever, used for the purpose of holding or containing any article, material or thing being sent, conveyed or transported to any laundry, dry cleaning or dyeing establishment to be washed, laundered, dry cleaned or dyed, or holding or containing any such article, material or thing being returned to the person, partnership or body corporate entitled to the return thereof, and which container is by its very nature susceptible of or intended for repeated use for such purposes, and the title to which the owner thereof does not intend to pass by its use as aforesaid; and for the purpose of this subtitle requiring, taking or accepting of any deposit for any purpose upon any registered returnable container shall not be deemed to constitute a sale of such container, whether optional, conditional or otherwise, in any proceeding had under this subtitle.

480A.

~~(A) THE OWNER OF BAKERY TRAYS, BASKETS, AND ANY OTHER TYPE OF BAKERY CONTAINER, AS DESCRIBED IN § 478 OF THIS SUBTITLE, MAY BRING A CIVIL ACTION TO RECOVER DAMAGES OR TO TAKE AND RECOVER THE OWNER'S BAKERY CONTAINERS FROM ANY PERSON UNLAWFULLY POSSESSING THE OWNER'S EQUIPMENT AND MAY MAINTAIN ANY APPROPRIATE ACTION TO PRESERVE THE OWNER'S RIGHTS.~~

~~(B) THE COURT MAY GRANT AN INJUNCTION RESTRAINING A PERSON FROM DOING ANY OF THE ACTS DESCRIBED AS UNLAWFUL UNDER § 474 OF THIS SUBTITLE, UPON THE GRANTING OF AN INJUNCTION RESTRAINING A PERSON, THE COURT SHALL ASSESS ALL COSTS OF THE PROCEEDING, INCLUDING ATTORNEY FEES, AGAINST THAT PERSON.~~

(A) NOTHING CONTAINED IN THIS SUBTITLE SHALL BE CONSTRUED AS PROHIBITING THE OWNER OF ANY TYPE OF RETURNABLE CONTAINER OR ARTICLE DESCRIBED IN THIS SUBTITLE FROM BRINGING A CIVIL ACTION, INCLUDING AN ACTION FOR INJUNCTIVE RELIEF, TO PRESERVE THE