

476.

If any owner or dealer so registering any returnable container or any clean, laundered article, or his or its officer, agent or employee, or the assignee of any such or his, or its officer, agent or employee, shall make an affidavit before any District Court judge, averring that he has reason to believe and does believe that the provisions of § 474 hereof have been violated, and that evidence of such violation may be obtained by a search of premises specified by him, the said District Court judge shall issue his search warrant to any sheriff, deputy sheriff, or other officer of the law to whom such warrant may be properly directed and thereby cause the premises so to be designated in the warrant to be searched; and if any one or more of any such registered returnable containers, or any parts of the same, or of any one or more of any clean laundered or soiled articles, shall be found in, upon or about the premises so designated, the officer executing such search warrant shall thereupon report the same under his oath to the said District Court judge, who shall upon the said report, and upon charging a violation of such § 474 issue his warrant for the arrest of such person against whom such charge or charges shall be so made, and cause him to be brought before him for trial.

477.

If any person or persons shall be found guilty of a violation of any of the provisions of § 474 hereof, the court imposing the punishment therein prescribed shall also award to the rightful owner or dealer possession of all of the property involved in such violation.

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, milk crates, and any type of container which is used by a bakery, dairy, distributor, retailer, food service establishment, or its agent to transport, store, or carry goods, wares, or merchandise, including but not limited to, bakery products and dairy 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.