

SUBTITLE 3. RETURNABLE CONTAINERS AND RETURNABLE TEXTILES.

19-301. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also enacted this subsection, which is new language added as the standard introductory language to a definition section.

(B) RETURNABLE CONTAINER.

(1) "RETURNABLE CONTAINER" MEANS A DEVICE MADE OF ANY MATERIAL:

(I) THAT IS USED TO HOLD, CONTAIN, OR CONVERT GOODS INTO A PACKAGE, EITHER BY NECESSITY OR FOR CONVENIENCE OF DELIVERY OR SALE;

(II) THAT IS SUITABLE FOR REPEATED USE; AND

(III) THE TITLE TO WHICH THE SELLER DOES NOT INTEND TO PASS WITH THE SALE OF THE GOODS OR THE TRANSPORT OR RETURN OF THE GOODS, AS PROVIDED IN ITEM (2)(II) OF THIS SECTION.

(2) "RETURNABLE CONTAINER" INCLUDES:

(I) A BASKET, TRAY, MILK CRATE, OR ANY TYPE OF CONTAINER THAT IS USED BY A BAKERY, DAIRY, DISTRIBUTOR, RETAILER, FOOD SERVICE ESTABLISHMENT, OR ITS AGENT, TO TRANSPORT, STORE, OR CARRY GOODS INCLUDING BAKERY OR DAIRY PRODUCTS; AND

(II) A BAG, BOX, BASKET, OR ANY OTHER DEVICE:

1. THAT IS INTENDED FOR REPEATED USE;

2. THAT IS USED TO HOLD OR CONTAIN GOODS THAT ARE BEING:

A. TRANSPORTED TO A LAUNDRY, DRY CLEANING, OR DYEING ESTABLISHMENT TO BE WASHED, LAUNDERED, DRY CLEANED, OR DYED; OR

B. RETURNED TO THE PERSON ENTITLED TO THE RETURN; AND

3. THE TITLE TO WHICH THE SELLER DOES NOT INTEND TO PASS BY THE TRANSPORT OR RETURN OF THE GOODS.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this subsection, which is new language derived without substantive change from the first clause of former Art. 27, § 478, which defined "returnable container".

Throughout this subsection, the references to "goods that are" transported