

thereby procure all of the benefits of such registration, guaranteed under the provisions of this subtitle, as to all like containers, or clean laundered or soiled articles similarly marked, whether such containers or such articles were actually in existence or not at the time of registration. Any such owner or dealer desiring to register such returnable container, or such clean laundered articles, shall cause to be prepared a clear statement of the character of such container, or such clean laundered articles, with a comprehensive description of such distinguishing name, mark or device, so affixed, attached, impressed or imprinted thereto or thereon, the same to be subscribed and acknowledged by the said owner or dealer, or by an officer thereof, should such owner or dealer be a body corporate; such subscription and acknowledgment to be made before any officer qualified to take acknowledgments to deeds in the State of Maryland. After such description shall have been so made, subscribed and acknowledged, it shall be published in two successive issues not in the same week, in some newspaper published in the county where the principal office, place of business or agency of the said owner or dealer is located; or, if the same be located in the City of Baltimore, then by causing such description to be printed twice a week for two successive weeks in some daily paper published therein. Thereupon, the said description, together with the certificate of publication, certified to by the owner or manager of the newspaper in which the same shall have been published, shall be recorded in the clerk's office of the circuit court of the county in which the principal office, place of business or agency of the said owner or dealer is located.

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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 [other] 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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.