

## Article - Business Regulation

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§16–601. IN EFFECT

**\*\* CONTINGENCY – IN EFFECT – CHAPTER 497 OF 2007 \*\***

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Cigarette” has the meaning stated in § 16–101 of this title.
- (c) “Commission” means the State Fire Prevention Commission.
- (d) “Consumer testing” means an assessment of cigarettes that is conducted by a manufacturer or conducted under the control and direction of a manufacturer for the purpose of evaluating consumer acceptance of the cigarettes by using only the quantity of cigarettes that is reasonably necessary for the assessment.
- (e) “Manufacturer” has the meaning stated in § 16–201 of this title.
- (f) “Quality control and quality assurance program” means laboratory procedures implemented to ensure that:
  - (1) operator bias, systematic and nonsystematic methodological errors, and equipment–related problems do not affect the results of the testing; and
  - (2) the testing repeatability remains within the required repeatability value for any test trial used to certify cigarettes under this subtitle.
- (g) “Repeatability” means the range of values within which the repeat results of cigarette test trials from a single laboratory fall 95% of the time.
- (h) “Retailer” has the meaning stated in § 16–201 of this title.
- (i) (1) “Sale” means the exchange or transfer, or the agreement to exchange or transfer, title or possession of property in any manner or by any means for consideration.
  - (2) “Sale” includes:
    - (i) the giving or distribution of cigarettes as samples, prizes, gifts, or in connection with consumer testing; and

(ii) the exchange of cigarettes for any consideration other than money.

(j) “Subwholesaler” has the meaning stated in § 16–201 of this title.

(k) “Vending machine operator” has the meaning stated in § 16–201 of this title.

(l) “Wholesaler” has the meaning stated in § 16–201 of this title.

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