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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400 - 22949.92.2] (*Division 8 added by Stats. 1941, Ch. 44.*)

CHAPTER 9. Secondhand Goods [21500 - 21672] (*Chapter 9 added by Stats. 1941, Ch. 50.*)

ARTICLE 1. Watches [21500 - 21509] (*Article 1 added by Stats. 1941, Ch. 50.*)

21500. As used in this article:

(a) "Person" means an individual, firm, partnership, association, limited liability company, or corporation engaged in the business of selling watches.

(b) "Consumer" means an individual, firm, partnership, association or corporation who buys for his or her own use, or for the use of another, but not for resale.

(*Amended by Stats. 1994, Ch. 1010, Sec. 26. Effective January 1, 1995.*)

21501. Except as provided in this article "secondhand watch" means any of the following:

(a) A watch which, as a whole, or the case thereof, or the movement thereof, has been sold to a consumer.

(b) Any watch whose case or movement, serial numbers or other distinguishing numbers or identification marks have been erased, defaced, removed, altered or covered.

(*Added by Stats. 1941, Ch. 50.*)

21502. A watch which is returned to the same person who sold the watch to the consumer, either through an exchange or for credit, within one year from the date of the original sale, if such seller keeps a written record of such sales, is not subject to the provisions of this article, unless the case, movement, serial number or other distinguishing identification marks have been removed.

(*Added by Stats. 1941, Ch. 50.*)

21503. The written record referred to in this article shall contain all of the following information:

(a) The name and address of the consumer.

(b) The date of the sale to the consumer.

(c) The name of the watch or its maker.

(d) The serial number of the watch, if any, on its case or movement or any other distinguishing numbers or identification marks.

(*Added by Stats. 1941, Ch. 50.*)

21504. The written record referred to in this article shall be kept for at least three years from the date of the original sale of the watch. Such record shall be open for inspection during all business hours by the district attorney or his representative, of the county in which the vendor is engaged in business.

(*Added by Stats. 1941, Ch. 50.*)

21505. Any person who sells, exchanges, offers to sell or exchange, exposes for sale or exchange, or possesses with intent to sell or exchange, a secondhand watch, shall affix and keep affixed to the same a tag with the words "secondhand" legibly written or printed thereon in the English language.

(*Added by Stats. 1941, Ch. 50.*)

21506. Any person who sells a secondhand watch shall deliver to the vendee a written invoice setting forth the name and address of the vendor, the name and address of the vendee, the date of the sale, the name of the watch or its maker, and the serial numbers,

if any, or other distinguishing numbers or identification marks on its case and movement. If the serial numbers, or other distinguishing numbers or identification marks have been erased, defaced, removed, altered or covered, this shall be set forth in the invoice.

(Added by Stats. 1941, Ch. 50.)

21507. A duplicate of the invoice required by this article shall be kept on file by the vendor of the secondhand watch for at least one year from the date of the sale thereof and shall be open to inspection during all business hours by the district attorney, or his representative, of the county in which the vendor is engaged in business.

(Added by Stats. 1941, Ch. 50.)

21508. Any person advertising in any manner secondhand watches for sale shall state clearly in such advertising that the watches so advertised are secondhand watches.

(Added by Stats. 1941, Ch. 50.)

21509. Violation of this article is a misdemeanor.

(Added by Stats. 1941, Ch. 50.)