

of this Act or any of the prescribed regulations under this Sub-title, he may issue and enforce a written or printed "withdrawal from sale" order warning the distributor not to dispose of the lot of feed in any manner until written permission is given by the State Chemist or the Court. The State Chemist shall release the lot of commercial feed so withdrawn when the provisions and regulations have been complied with and all costs and expenses incurred in the withdrawal have been paid. If compliance is not obtained within 30 days, the State Chemist may begin or upon request shall begin proceedings for condemnation.

b. *Condemnation and Confiscation.* Any lot of commercial feed not in compliance with the provisions of this Sub-title shall be subject to seizure on complaint of the State Chemist to a court of competent jurisdiction in the area in which said commercial feed is located. In the event the court finds the said commercial feed to be in violation of the provisions of this Sub-title and orders the condemnation of said commercial feed, it shall be disposed of in any manner consistent with the quality of the commercial feed and the laws of the State; Provided that in no instance shall the disposition of said commercial feed be ordered by the court without first giving the claimant an opportunity to apply to the court for release of said commercial feed or for permission to process of re-label said commercial feed to bring it into compliance with the provisions of this Sub-title.

133. Penalties.

a. Any person convicted of violating any of the provisions of this Sub-title or the rules and regulations issued thereunder or who shall impede, obstruct, hinder, or otherwise prevent or attempt to prevent said State Chemist or his duly authorized agent in performance of his duty in connection with the provisions of this Sub-title, shall be adjudged guilty of a misdemeanor and shall be fined not more than \$100 for the first violation, and not less than \$100 or more than \$500 for a subsequent violation. In all prosecutions under this Sub-title involving the composition of a lot of commercial feed, a certified copy of the official analysis signed by the State Chemist shall be accepted as prima facie evidence of the composition.

b. Nothing in the Sub-title shall be construed as requiring the State Chemist or his representative to report for prosecution or for the institution of seizure proceedings as a result of minor violations of the Act when he believes that the public interests will be best served by a suitable notice of warning in writing.

c. It shall be the duty of the state's attorney to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay. Before the State Chemist reports a violation for such prosecution, an opportunity shall be given the distributor to present his view.

d. The State Chemist is hereby authorized to apply for and the court to grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this Sub-title or any rule or regulation promulgated under the Sub-title notwithstanding the existence of other remedies at Law. Said injunction shall be issued without bond.