

*unit, within the scope of his employment or office, shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, association, or other business unit, as well as of such person.*

#### REPORTING OF VIOLATIONS

470Q.

*Before any violation of this subtitle is reported by the Board to the State's Attorney of the political subdivision in which the violation occurred, for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this subtitle shall be construed as requiring the Board to report for criminal prosecution violations of this subtitle whenever the public interest will be adequately served and compliance with the subtitle obtained by a suitable written notice of warning.*

#### REFUSAL OR WITHDRAWAL OF INSPECTION

470R.

*(a) The Board may INDEFINITELY, OR FOR SUCH PERIODS, AS IT DEEMS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS SUBTITLE, refuse to provide, or withdraw, inspection services under this subtitle with respect to any establishment if it determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such services, that:*

*(1) Such applicant or recipient is unfit to engage in any business requiring inspection under this subtitle because:*

*(i) The applicant or recipient, or in case the applicant or recipient is a partnership, any general partner; or in case the applicant or recipient is a corporation, any officer, director, or holder or owner of more than ten (10) per centum of the voting stock, has or has been responsibly connected with any person who has, committed any offense under this subtitle or has been convicted, in any Federal, State, or local court, of any felony, or any violation of law designed to protect the public from unwholesome, adulterated, or misbranded food or from fraud, in connection with transactions in food; or*

*(ii) Such applicant or recipient, or any person conducting a business with which such applicant or recipient was responsibly connected, had inspection services refused or withdrawn under this subtitle for a period which has not expired; or*

*(2) The application for inspection contains a materially false or misleading statement made by the applicant for or recipient of the services, or its representative on its behalf, or there has been concealment or withholding of facts called for by the application form.*

*(b) For purposes of subsection (a), a person shall be deemed to be responsibly connected with a business if he was a partner, officer, director, holder or owner of ten (10) per centum or more of its voting stock, or employee in a managerial or executive capacity.*

*(c) The Board may also, after notice to the operator of the establishment, refuse to provide, or withdraw, inspection services under*