

(2) *The property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal injunction or forfeiture proceeding under this subheading;*

(3) *There is probable cause to believe that the property is directly or indirectly dangerous to health or safety; or*

(4) *There is probable cause to believe that the property has been used or intended to be used in violation of this subheading.*

*In the event of seizure pursuant to paragraphs (3) and (4) of this subsection, proceedings under subsection (d) of this section shall be instituted promptly.*

(c) *Property taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the person who seized said property subject only to the orders and decrees of the court or the official having jurisdiction thereof. Whenever property is seized under the provisions of this subheading, the person who seized said property may:*

(1) *Place the property under seal;*

(2) *Remove the property to a place designated by the court;*

(d) *Whenever property is forfeited under this subheading, the political subdivision of the law enforcement agency of the political subdivision in which such property was seized, or, if the property was seized by State authorities, the State may:*

(1) *Retain the property for official use;*

(2) *Sell any forfeited property which is not required to be destroyed by law and which is not harmful to the public, provided that the proceeds be disposed of for payment of all proper expenses of the proceedings for forfeiture and sale including expenses of seizure, maintenance of custody, advertising and court costs.*

(3) *Require an appropriate agency take custody of the property and remove it for disposition in accordance with law, or destruction.*

(e) *All substances listed in Schedule I that are possessed, transferred, sold, or offered for sale in violation of the provisions of this subheading shall be deemed contraband and seized and summarily forfeited to the State. Similarly, all substances listed in Schedule I, which are seized or come into the possession of the State, the owners of which are unknown, shall be deemed contraband and summarily forfeited to the State.*

(1) *All species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this Act, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the State.*

(2) *The failure, upon demand by the Department, or their duly authorized agent, of the person in occupancy or in control of land or premises upon which such species of plants are growing or being stored, to produce an appropriate registration, or proof that he is the holder thereof, shall constitute authority for the seizure and forfeiture.*