

THE SECRETARY MAY REQUIRE ALL OFFICIAL MARKS TO BE REMOVED FROM THE ARTICLE BEFORE IT IS RELEASED UNLESS THE DEPARTMENT DECIDES THE ARTICLE IS ELIGIBLE TO RETAIN THE MARKS.

REVISOR'S NOTE: Subsection (a) is new language derived from the first sentence of Art. 43, §197-19 of the Code.

Subsection (b) is new language derived from the last clause of the first sentence of Art. 43, §197-19. The present reference to §197-20 is omitted and a general reference to its subject matter, condemnation proceedings is substituted. In addition, the present reference to "representative" is omitted and "Secretary" is substituted therefor because the Secretary releases all articles.

Subsection (c) is new language derived from the last sentence of Art. 43, §197-19 of the Code.

SEC. 4-220. SEIZURE AND CONDEMNATION.

(A) SEIZURE AND CONDEMNATION.

ANY POULTRY PRODUCT, OR ANY DEAD, DYING, DISABLED, OR DISEASED POULTRY, THAT IS TRANSPORTED IN INTRASTATE COMMERCE OR IS HELD FOR SALE, OR DONATION IN THE STATE AFTER TRANSPORTATION, AND THAT (1) IS OR HAS BEEN PROCESSED, SOLD, TRANSPORTED, OR OTHERWISE DISTRIBUTED OR OFFERED OR RECEIVED FOR DISTRIBUTION IN VIOLATION OF THIS SUBTITLE; (2) IS CAPABLE OF USE AS HUMAN FOOD AND IS ADULTERATED OR MISBRANDED; OR (3) IN ANY OTHER WAY VIOLATES THIS SUBTITLE, SHALL BE LIABLE TO BE PROCEEDED AGAINST, SEIZED, AND CONDEMNED, AT ANY TIME, ON A LABEL OF INFORMATION IN ANY CIRCUIT COURT OF ANY COUNTY WITHIN WHOSE JURISDICTION THE ARTICLE IS FOUND.

(B) CONDEMNATION SUPPORTED BY SCIENTIFIC FACT; UNIFORM INSPECTION STANDARDS.

IF POULTRY OR POULTRY PRODUCTS ARE CONDEMNED BECAUSE OF DISEASE, THE REASON FOR CONDEMNATION SHALL BE SUPPORTED BY SCIENTIFIC FACT, INFORMATION, OR CRITERIA. CONDEMNATION UNDER THIS SUBTITLE SHALL BE ACHIEVED THROUGH UNIFORM INSPECTION STANDARDS AND UNIFORM APPLICATION.