

CRITERIA OF THIS SECTION AND A STATEMENT TO THIS EFFECT SHALL BE INCLUDED AS PART OF THE APPLICATION.

(C) A JUDGE OF A COURT REFERRED TO IN SUBSECTION (A) OF THIS SECTION MAY ISSUE THE WARRANT ON FINDING THAT:

(1) THE APPLICANT HAS SOUGHT ACCESS TO THE PROPERTY FOR THE PURPOSE OF MAKING AN INSPECTION;

(2) (I) AFTER REQUESTING, AT A REASONABLE TIME, THE OWNER, TENANT, OR OTHER INDIVIDUAL IN CHARGE OF THE PROPERTY TO ALLOW ACCESS, HAS BEEN DENIED ACCESS TO THE PROPERTY; OR

(II) AFTER MAKING A REASONABLE EFFORT, HAS BEEN UNABLE TO LOCATE ANY OF THESE INDIVIDUALS;

(3) THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION ARE MET;

(4) THE SECRETARY OR DESIGNEE OF THE SECRETARY IS AUTHORIZED OR REQUIRED BY LAW TO MAKE AN INSPECTION OF THE PROPERTY FOR WHICH THE WARRANT IS SOUGHT; AND

(5) PROBABLE CAUSE FOR THE ISSUANCE OF THE WARRANT HAS BEEN DEMONSTRATED BY THE APPLICANT BY SPECIFIC EVIDENCE OF AN EXISTING VIOLATION OF ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE ~~OR BY SHOWING:~~

~~(I) THAT A REASONABLE ADMINISTRATIVE INSPECTION PROGRAM EXISTS REGARDING THE REGULATION AND PREVENTION OF INFECTIOUS AND CONTAGIOUS LIVESTOCK AND POULTRY DISEASES; AND~~

~~(II) THAT THE PROPOSED INSPECTION COMES WITHIN THAT PROGRAM.~~

(D) (1) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION SHALL SPECIFY THE PLACE, STRUCTURE, PREMISES, VEHICLE, OR RECORDS TO BE INSPECTED.

(2) THE INSPECTION CONDUCTED MAY NOT EXCEED THE LIMITS SPECIFIED IN THE WARRANT.

(E) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION AUTHORIZES THE SECRETARY OR DESIGNEE OF THE SECRETARY TO ENTER THE SPECIFIED PROPERTY TO PERFORM THE INSPECTION, SAMPLING, AND OTHER FUNCTIONS AUTHORIZED BY LAW TO DETERMINE COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE RELATING TO THE REGULATION AND PREVENTION OF INFECTIOUS AND CONTAGIOUS LIVESTOCK AND POULTRY DISEASES.

(F) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION SHALL BE EXECUTED AND RETURNED TO THE JUDGE BY WHOM IT WAS ISSUED WITHIN:

(1) THE TIME SPECIFIED IN THE WARRANT, NOT TO EXCEED 30 DAYS; OR