

## **CHAPTER 7-13-08 ENFORCEMENT**

Section	
7-13-08-01	Refusal or Withdrawal of Inspection
7-13-08-02	Regulatory Enforcement Action
7-13-08-03	Criminal Prosecution

### **7-13-08-01. Refusal or withdrawal of inspection.**

For the purpose of enforcing North Dakota Century Code section 4.1-31-19, an offense determined by the commissioner to have a direct bearing on the person's ability to serve the public in a business requiring inspection under North Dakota Century Code chapter 4.1-31 includes any felony conviction in any federal or state court. This section does not limit in any way other provisions of federal or state law for withdrawal of inspection services from official establishments failing to maintain sanitary conditions or destroy condemned carcasses, parts, meat, or meat food products.

**History:** Effective August 1, 2000.

**General Authority:** NDCC 4.1-31-24

**Law Implemented:** NDCC 4.1-31-19

### **7-13-08-02. Regulatory enforcement action.**

The commissioner shall take regulatory control, withholding, or suspension action when necessary, in accordance with the provisions of title 9, Code of Federal Regulations, part 500, except that any complaint or hearing when allowed or required under such action will be conducted in accordance with North Dakota Century Code chapter 28-32.

**History:** Effective August 1, 2000.

**General Authority:** NDCC 4.1-31-24

**Law Implemented:** NDCC 4.1-31-18, 4.1-31-19

### **7-13-08-03. Criminal prosecution.**

If an authorized representative of the commissioner believes that a violation of North Dakota Century Code chapter 4.1-31 or these rules has occurred, the representative shall immediately report the violation to the commissioner. The commissioner may refer the matter to the appropriate authorities for prosecution or injunctive proceedings unless the commissioner believes that a written warning will adequately serve the public interest.

**History:** Effective August 1, 2000.

**General Authority:** NDCC 4.1-31-24

**Law Implemented:** NDCC 4.1-31-18, 4.1-31-26