

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2771. Inspection, Seizure and Forfeiture.

(a) The secretary may designate any person employed by the Department of Public Health as an inspector and, in coordination with the Secretary of Finance, request employees in customs service, to act on his or her behalf, as an inspector for the purpose of the enforcement of this chapter.

(b) An inspector shall be furnished with a prescribed certificate or credentials of his or her designation as an inspector and upon entering any place pursuant to subsection (c) of this section, an inspector shall, if so required, produce the certificate or credentials to the person in charge of that place.

(c) Subject to the limitation of 3 CMC § 2772, an inspector may enter any place during any reasonable time of operations where the inspector believes on reasonable grounds any article to which this Act or the regulations apply is manufactured, prepared, preserved, packaged, distributed, or stored, and may:

(1) Examine any such article and take samples thereof and examine anything that the inspector believes on reasonable grounds is used or capable of being used for the manufacture, preparation, preservation, packaging or storing.

(2) Enter any conveyance that the inspector believes on reasonable grounds is used to carry any article to which 3 CMC § 2714 applies and examine any such article found therein and take samples thereof.

(3) Open and examine any receptacle or package that the inspector believes on reasonable grounds contains any article to which this chapter or the regulations apply.

(4) Examine and make copies of, or extracts from, any books, documents or other records found in any place referred to in this subsection that the inspector believes on reasonable grounds contains any information relevant to the enforcement of this chapter with respect to any article to which this chapter or the regulations apply; and

(5) Seize and detain for such time as may be necessary any article by means of or in relation to which the inspector believes on reasonable grounds any provision of this chapter or any regulations promulgated thereunder has been contravened.

Source: PL 11-40, § 2 (§ 501), modified.

Commission Comment: In subsection (c) of this section, after the words “. . . article to which this Act” the word “or” has been added to correct a manifest clerical or typographical error.