

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 5: ANIMALS, PLANTS AND FOOD**

**§ 5430. Withdrawal of Inspection Services.**

(a) The director may, indefinitely, or for such period as the director deems necessary to effectuate the purposes of this chapter, refuse to provide, or withdraw, inspection services with respect to any establishment if the director determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection under this chapter because the applicant or recipient, or anyone responsibly connected therewith, has been convicted in any court of the Commonwealth, or any United States federal or state court of a violation of any law based upon the acquiring, handling, or distributing of unwholesome, mislabeled or deceptively packaged meat products or upon fraud in connection with transactions in food. This section shall not affect in any way any other provisions of this chapter for the withdrawal of inspection services under this chapter from establishments failing to maintain sanitary conditions or to destroy condemned carcasses, parts, meat or meat food products.

(b) For the purposes of this section, an individual shall be deemed to be responsibly connected with the business if the individual was a partner, officer, director, holder, or owner of 10 percent or more of its voting stock, or an employee thereof in a managerial or executive capacity. The determination and order of the director with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within 30 days after the effective date of such order in the Commonwealth Trial Court as provided in 2 CMC § 5433. Judicial review of any such order shall be upon the record which the determination and order were based.

**Source:** 25 TTC § 69.

**Commission Comment:** With respect to the reference to the “director” of the Department of Natural Resources, see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.

Section 4 of PL 6-25, the “Commonwealth Judicial Reorganization Act of 1989,” provides that “[w]herever the term ‘Commonwealth Trial Court’ appears in the Commonwealth Code, it is henceforth to be interpreted and understood to refer to the Commonwealth Superior Court.”