

250.591 "Withdrawal from distribution" orders -- Condemnation and confiscation.

- (1) When the director has reasonable cause to believe any lot of commercial feed is being distributed in violation of any of the provisions of KRS 250.491 to 250.631 or of any of the prescribed administrative regulations under KRS 250.491 to 250.631, he may issue and enforce a written or printed "withdrawal from distribution" order, warning the distributor not to dispose of the lot of commercial feed in any manner until written permission is given by the director or the court. The director shall release the lot of commercial feed so withdrawn when the statutes and administrative regulations have been complied with. If compliance is not obtained within thirty (30) days, the director may begin, or upon request of the distributor or registrant shall begin, proceedings for condemnation.
- (2) Any lot of commercial feed not in compliance with statutes and administrative regulations shall be subject to seizure on complaint of the director to a court of competent jurisdiction in the area in which the feed is located. In the event the court finds the commercial feed to be in violation of KRS 250.491 to 250.631 and orders its condemnation, the feed shall be disposed of in any manner consistent with its quality and the laws of the state. However, in no instance shall the disposition of the feed be ordered by the court without first giving the owner an opportunity to apply to the court for release of the feed or for permission to process or relabel the feed to bring it into compliance with KRS 250.491 to 250.631.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 68, sec. 11, effective July 15, 1996. -- Created 1972 Ky. Acts ch. 24, sec. 12.