

**250.581 Officers and employees authorized to enter premises and make inspections
-- Taking and disposition of samples -- Notification.**

- (1) For the purpose of enforcement of KRS 250.491 to 250.631, and in order to determine whether its provisions have been complied with, including whether or not any operations may be subject to the provisions, officers or employees duly designated by the director, upon presenting appropriate credentials, and a written notice to the owner, operator, or agent in charge, are authorized (a) to enter, during normal business hours, any factory, warehouse, or establishment within the state in which commercial feeds are manufactured, processed, packed, or held for distribution, or to enter any vehicle being used to transport or hold the feeds; and (b) to inspect at reasonable times and within reasonable limits and in a reasonable manner, the factory, warehouse, establishment or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein. The inspection may include the verification of only the records and production and control procedures necessary to determine compliance with good manufacturing practice administrative regulations for Type A medicated articles and Type B and C medicated feeds.
- (2) A separate notice shall be given for each inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each inspection shall be commenced and completed with reasonable promptness. Upon completion of the inspection, the person in charge of the facility or vehicle shall be so notified.
- (3) If the officer or employee making the inspection of a factory, warehouse, or other establishment has obtained a sample in the course of the inspection, upon completion of the inspection and prior to leaving the premises he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained.
- (4) If the owner of any factory, warehouse, or establishment described in subsection (1) of this section, or his agent, refuses to admit the director or officer to inspect in accordance with subsections (1) and (2) of this section, the director is authorized to obtain from any state court a warrant directing the owner or his agent to submit the premises described in the warrant to inspection.
- (5) For the purpose of the enforcement of KRS 250.491 to 250.631, the director or his duly designated agent is authorized to enter upon any public or private premises including any vehicle of transport during regular business hours to have access to, and to obtain samples, and to examine records relating to distribution of commercial feeds.
- (6) Sampling and analysis shall be conducted in accordance with methods published by the AOAC International, or in accordance with other generally recognized methods.
- (7) The results of all analyses of official samples shall be forwarded by the director to the person named on the label and to the purchaser. When the inspection and analysis of an official sample indicates a commercial feed has been adulterated or misbranded and upon request within thirty (30) days following receipt of the analysis the director shall furnish to the registrant a portion of the sample concerned.

- (8) The director, in determining for administrative purposes whether a commercial feed is deficient in any component, shall be guided by the official sample as defined in subsection (16) of KRS 250.501 and obtained and analyzed as provided for in subsections (3), (5), and (6) of this section.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 68, sec. 10, effective July 15, 1996. -- Created 1972 Ky. Acts ch. 24, sec. 11.