

65-674. Same; free access to establishments and vehicles for inspections and samples. (a) The secretary shall have free access at all reasonable hours to any location in which foods, drugs, devices or cosmetics are processed, stored or distributed, or to enter any vehicle being used to transport or hold such foods, drugs, devices or cosmetics in commerce, for the following purposes:

- (1) To inspect any location, products or equipment subject to the provisions of the food, drug and cosmetic act and rules and regulations adopted thereunder;
- (2) to inspect or sample food, drugs, devices or cosmetics reported to be adulterated or a threat to public health;
- (3) to inspect or investigate complaints of violations of the provisions of the food, drug and cosmetic act and rules and regulations adopted thereunder; or
- (4) to sample products.

(b) If the secretary is denied access to any location where such access is sought for the purposes as provided in subsection (a), the secretary may apply to any court of competent jurisdiction for a search warrant authorizing access to such location for such purpose. Upon such application and a showing of cause therefor, the court shall issue such search warrant.

History: L. 1953, ch. 286, § 20; L. 1974, ch. 352, § 113; L. 2012, ch. 145, § 20; July 1.