

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.7507 Administrative inspections of controlled premises.

Sec. 7507. (1) The department of commerce may make administrative inspections of controlled premises in accordance with this section.

(2) When authorized by an administrative inspection warrant, an officer or employee designated by the department of commerce, upon presenting the warrant and appropriate credentials to the owner, operator, or agent in charge, may enter controlled premises for the purpose of conducting an administrative inspection.

(3) When authorized by an administrative inspection warrant, an officer or employee designated by the department of commerce may:

(a) Inspect and copy records required to be kept by this article.

(b) Inspect, within reasonable limits and in a reasonable manner, controlled premises and all pertinent equipment, finished and unfinished material, containers, and labeling found therein and, except as provided in subsection (5) all other things therein, including records, files, papers, processes, controls, and facilities bearing on violation of this article.

(c) Inventory any stock of a controlled substance therein and obtain samples thereof.

(4) This section does not prevent the inspection without a warrant of books and records pursuant to an administrative subpoena issued in accordance with law, nor does it prevent entries and administrative inspections, including seizures of property, without a warrant:

(a) If the owner, operator, or agent in charge of the controlled premises consents.

(b) In situations presenting imminent danger to health or safety.

(c) In situations involving inspection of conveyances if there is reasonable cause to believe that the mobility of the conveyance makes it impracticable to obtain a warrant.

(d) In any other exceptional or emergency circumstance where time or opportunity to apply for a warrant is lacking.

(e) In any other situation in which a warrant is not constitutionally required.

(5) An inspection authorized by this section shall not extend to financial data or sales data, other than shipment data or pricing data, unless the owner, operator, or agent in charge of the controlled premises consents in writing.

(6) For purposes of this section only, "controlled premises" means:

(a) A place where a person licensed or exempted from licensure requirements under this article is required to keep records.

(b) A place including a factory, warehouse, establishment, and conveyance in which a person licensed or exempted from licensure requirements under this article is permitted to hold, manufacture, compound, process, sell, deliver, or otherwise dispose of a controlled substance.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 80, Imd. Eff. Apr. 1, 1994.

Popular name: Act 368