

**PSEUDORABIES AND SWINE BRUCELLOSIS CONTROL AND ERADICATION ACT
(EXCERPT)
Act 239 of 1992**

287.855 Violations; penalties; enforcement.

Sec. 55. (1) A person who commits 1 or more of the following is guilty of a felony punishable by a fine of not less than \$1,000.00 or more than \$50,000.00, imprisonment of not more than 5 years, or both, and shall not be eligible to receive any indemnification payments, at the discretion of the director:

(a) Intentionally contaminating or exposing livestock to an infectious, contagious, or toxicological disease for the purpose of receiving indemnification from the state or causing the state to destroy affected livestock.

(b) Intentionally making a false statement on an application for indemnification or reimbursement from the state.

(c) Intentionally violating a condition of quarantine.

(d) Intentionally importing into this state, without permission from the director, diseased livestock or livestock exposed to an infectious, contagious, or toxicological disease.

(e) Intentionally misrepresenting the health, medical status, or prior treatment for an infectious, contagious, or toxicological disease of livestock to facilitate movement or transfer of ownership to another person.

(2) A person who violates this act or a rule promulgated under this act other than subsection (1) is guilty of a misdemeanor, punishable by a fine of not less than \$300.00 or imprisonment of not less than 30 days, or both.

(3) A person authorized by the director to enforce this act may issue an appearance ticket, as described and authorized by sections 9a to 9g of chapter 4 of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being sections 764.9a to 764.9g of the Michigan Compiled Laws, for any violation of this act classified as a misdemeanor.

(4) Notwithstanding the provisions of this act, the department may bring an action to do either of the following:

(a) Obtain a declaratory judgment that a method, act, or practice is a violation of this act.

(b) Obtain an injunction against a person who is engaging, or about to engage, in a method, act, or practice that violates this act.

History: 1992, Act 239, Eff. Mar. 31, 1993.