

TITLE 2: NATURAL RESOURCES
DIVISION 5: ANIMALS, PLANTS AND FOOD

§ 5435. Miscellaneous Violations.

(a) Any person who violates any provision of this chapter for which no other criminal penalty is provided shall, upon conviction therefor, be subject to imprisonment for not more than one year, or a fine of not more than \$1,000, or both such imprisonment and fine; provided, that if such violation involves an intent to defraud or any distribution or attempted distribution of an article that is adulterated (except as defined in 2 CMC § 5412(a)(9)), such person shall be subject to imprisonment for not more than three years, or a fine of not more than \$10,000, or both; provided further, that no person shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this chapter if such receipt was made in good faith, unless that person refuses to furnish on request of a representative of the director the name and address of the person from whom that person received such article or animal, and copies of all documents, if there are any, pertaining to the delivery of the article or animal to that person.

(b) Nothing in this chapter shall be construed as requiring the director to report for prosecution or for the institution of libel or injunction proceedings minor violations of this chapter whenever the director believes that the public interest will be adequately served by a suitable written notice of warning.

Source: 25 TTC § 74.

Commission Comment: With respect to the references to the “director” of the Department of Natural Resources, see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.