

2018 Kansas Statutes

2-1208a. Notice before prosecution; hearing; cancellation of registration; reports to county attorney.

If it shall appear to the secretary or an authorized representative of the secretary from examination or analysis of an official sample of a commercial fertilizer that the commercial fertilizer is falsely labeled or fails to comply with the provisions of this act, the secretary shall have power to cancel the registration of such brand or brands of commercial fertilizer after notice and opportunity for a hearing in accordance with the Kansas administrative procedure act. The secretary may report the facts, the results of any analysis or other examination and the record of any proceedings to the proper prosecuting attorney. Prosecution may be instituted under the provisions of this act in the district court of the county where the offense is alleged to have been committed, upon complaint of the secretary or an authorized representative of the secretary or any citizen of this state, or by any county attorney and shall be prosecuted by the county attorney in the name of the state of Kansas.

History: L. 1927, ch. 14, § 7; L. 1949, ch. 2, § 7; L. 1988, ch. 356, § 28; L. 2004, ch. 145, § 7; L. 2017, ch. 23, § 3; July 1.