

**RCW 15.130.520 Embargo.** (1) If the department has probable cause to believe that a food that violates a provision of this chapter and stopping its movement in intrastate commerce is necessary to protect public health, the department may initiate an embargo prohibiting transportation, distribution, or sale of the food.

(2) The department must provide an opportunity for an emergency adjudicative proceeding under chapter 34.05 RCW within twenty days of initiating the embargo action and provide notice to other governmental authorities having jurisdiction.

(3) The department must initiate the embargo action by (a) posting or affixing an embargo order on or at the location of the food or (b) delivering an embargo order to the party in control of the food. The order must specify the food under embargo, set forth the department's intent for disposition of the food, give notice of emergency hearing rights, and otherwise comply with the requirements for an emergency adjudicative proceeding under chapter 34.05 RCW. Disposition of the food may include, but is not limited to, destruction or correction or cure of the violation.

(4) A person may not transport, distribute, or sell food subject to an embargo order without the department's written approval.

(5) A person may not remove, mutilate, or destroy an embargo order without the department's written approval.

(6) The department must immediately withdraw or remove an embargo order upon discovery that the food does not violate any provision of this chapter.

(7) A court shall not allow recovery of damages in an embargo action if the court finds that there was probable cause for such action. [2018 c 236 s 503.]