



CHAPTER 113
ARTICLE 17 - ADMINISTRATIVE PROVISIONS; REGULATORY AUTHORITY OF MARINE FISHERIES COMMISSION AND DEPARTMENT

N.C.G.S. § 113-221.4.

Embargo.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2015-241, s. 14.30(v) — seventh act in the lineage	RETRIEVED 21 September 2026, 02:54 UTC	SOURCE FINGERPRINT e1d8b2da487f23e484de554c - b5417d93ab67c83146fc7d66 - 1a8b3ce050cc8c17
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§ 113-221.4(a) If the Secretary of Environmental Quality or a local health director has probable cause to believe that any scallops, shellfish, or crustacea is adulterated or misbranded, the Secretary of Environmental Quality or a local health director may detain or embargo the article by affixing a tag to it and warning all persons not to remove or dispose of the article until permission for removal or disposal is given by the official by whom it was detained or embargoed or by the court. It shall be unlawful for any person to remove or dispose of the detained or embargoed article without that permission.

§ 113-221.4(b) The official by whom the scallops, shellfish, or crustacea was detained or embargoed shall petition a judge of the district or superior court in whose jurisdiction the article is detained or embargoed for an order for condemnation of the article. If the court finds that the article is adulterated or misbranded, that article shall be destroyed under the supervision of the petitioner. All court costs and fees, storage and other expense shall be taxed against the claimant of the article. If, the article, by proper labelling can be properly branded, the court, after the payment of all costs, fees, expenses, and an adequate bond, may order that the article be delivered to the claimant for proper labelling under the supervision of the petitioner. The bond shall be returned to the claimant after the petitioner represents to the court that the article is no longer mislabelled and that the expenses of supervision have been paid.

END OF SECTION TEXT APPARATUS FOLLOWS — DERIVED, NOT ENACTED

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1983		1999					2015
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT								
Nº	YEAR	ACT					CHARACTER	
01	1983	c. 891, s. 2					ENACTED	
02	1997	S.L. 1997-261, s. 109					AMENDED	
03	1997	S.L. 1997-443, s. 11A.63A					AMENDED	
04	2006	S.L. 2006-80, s. 1					AMENDED	
05	2007	S.L. 2007-7, s. 1					AMENDED	
06	2011	S.L. 2011-145, ss. 13.3(ttt), (uuu)					AMENDED	
07	2015	S.L. 2015-241, s. 14.30(v)					AMENDED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 113-221.4 (2015).

PINPOINT

N.C. Gen. Stat. § 113-221.4(a) (2015).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1983, c. 891, s. 2; 1997-261, s. 109; 1997-443, s. 11A.63A; 2006-80, s. 1; 2007-7, s. 1; 2011-145, ss. 13.3(ttt), (uuu); 2015-241, s. 14.30(v).)

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