


Environmental Health Policy & Practice

Lesson 15.
**Embargoes,
Seizures &
Condemnation**

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ENV H 473: EH Policy & Practice 2

Announcements




❖ **Geography's Real To Reel film series:**

- The Garden
- Monday, May 21, 2:30-4:20
- Allen Auditorium, Suzzallo Library

ENV H 311: Lesson 15 3

Announcements



❖ **Geography's Real To Reel film series:**

- The Social Life of Small Urban Spaces
- Monday, May 7, 2:30-4:20
- Allen Auditorium, Suzzallo Library

ENV H 311: Lesson 15 4

Announcements

- ❖ **DEOHS Seminar:**
 - **Title:** *Historic Innovation in Workers' Compensation Health Care Delivery in WA State: Integrating Care to Prevent Long Term Disability*
 - **Speaker:** Gary Franklin, MD, MPH
Medical Director, WA State Labor & Industries,
and Research Professor, DEOHS, SPH, UW
 - **Date:** 12:30, Thursday, 3 May 2012
 - **Location:** T-435 Health Science Center

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Lesson Overview

- ❖ **Nature of powers**
- ❖ **Use and Effect**
- ❖ **Procedures**

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Nature of Powers

- ❖ **Embargo**
 - **Hold Order / Red Tag**
- ❖ **Seizure**
 - **Physical removal**
- ❖ **Condemnation**
 - **Destruction**

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Use and Effect


Government Powers	Property Rights		
	Usage	Possession	Ownership
Embargo	✗		
Seizure	✗	✗	
Condemnation	✗	✗	✗

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- ### Procedures
- ❖ Possession of Authority
 - ❖ Reasonable Grounds
 - ❖ Limits
 - Due Process
 - Equal Protection
 - Probable (Reasonable) Cause
 - Not arbitrary or capricious
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- ### Procedures
- | | |
|--|---|
| <ul style="list-style-type: none"> ❖ OSHA Field Inspection Manual <ul style="list-style-type: none"> ➢ Purpose ➢ Authority ➢ Level of Detail ➢ Penalties | <ul style="list-style-type: none"> ❖ Food Services Sanitation Manual <ul style="list-style-type: none"> ➢ Purpose ➢ Authority ➢ Level of Detail ➢ Penalties |
|--|---|
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Questions



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Cases

- ❖ **Adams v. Milwaukee**
 - Group A
- ❖ **North American Cold Storage v. City of Chicago**
 - Group B
- ❖ **Provimi v. United States**
 - Group C

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Adams v. Milwaukee

- ❖ **Facts & Arguments**
- ❖ **Court History**
- ❖ **Legal Issues**
- ❖ **Decision**
- ❖ **Concurrence and/or Dissent**
- ❖ **Application**

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North American Cold Storage

- ❖ Facts & Argument
- ❖ Court History
- ❖ Legal Issues
- ❖ Decision
- ❖ Concurrence and/or Dissent
- ❖ Application

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Provimi v. United States

- ❖ Facts & Arguments
- ❖ Court History
- ❖ Legal Issues
- ❖ Decision
- ❖ Concurrence and/or Dissent
- ❖ Application

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Next Lesson

Administrative Remedies

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