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A BILL FOR AN ACT

To further amend title 41 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-21, 6-9, 6-38, 8-45 and 8-128, by adding a new chapter 10 to further promote, preserve and protect the public's health, safety and welfare by regulating the marketing of certain foods, feeding bottles, teats and pacifiers to ensure safe and adequate nutrition for infants and young children, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Title 41 of the Code of the Federated States of
2 Micronesia, as amended by Public Laws Nos. 5-21, 6-9, 6-38, 8-45
3 and 8-128, is hereby further amended by adding a new section
4 1001 of chapter 10 to read as follows:

5 "Section 1001. Short Title.

6 This act shall be known and may be cited as the
7 'Federated States of Micronesia Infant Formula and
8 Food Act'."

9 Section 2. Title 41 of the Code of the Federated States of
10 Micronesia is hereby further amended by adding a new section
11 1002 of chapter 10 to read as follows:

12 "Section 1002. Definitions. In this chapter, unless
13 the context otherwise requires, the following words
14 and phrases shall have the following meanings:

15 (1) 'To advertise' means to make any
16 representation by any means whatsoever for the purpose
17 of promoting the sale or disposal of a designated
18 product including but not limited to:

19 (a) written publication, television, radio,
20 film, electronic transmission, video or telephone;

21 (b) display of signs, billboards, notices;
22 or

23 (c) exhibition of pictures or models.

24 (2) 'Advisory board' means a board established
25 pursuant to section 1016 of this chapter.

1 (3) 'Complementary food' means any food suitable
2 or represented as suitable as an addition to
3 breastmilk, infant formula or follow-up formula.

4 (4) 'Container' means any form of packaging of a
5 designated product for sale as a retail unit,
6 including wrappers.

7 (5) 'Designated product' means:

8 (a) infant formula;

9 (b) any other product marketed or otherwise
10 represented as suitable for feeding infants;

11 (c) follow-up formula;

12 (d) feeding bottles, teats, pacifiers; and

13 (e) such other products as the Secretary
14 may, by regulation, declare to be a 'designated
15 product' for purposes of this chapter.

16 (6) 'Distributor' means a person, corporation or
17 other entity in the business, whether wholesale or
18 retail, of marketing any designated product.

19 (7) 'Follow-up formula' means an animal or
20 vegetable-based milk product formulated industrially
21 and marketed or otherwise represented as suitable for
22 feeding infants and young children older than six
23 months of age.

24 (8) 'Health care facility' means a public or
25 private institution or organization or private

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practitioner engaged directly or indirectly in the
provision of health care or in health care education.
It also includes day-care centers, nurseries or other
infant-care facilities.

(9) 'Health professional' means a medical
practitioner, nurse, midwife, nutritionist, hospital
administrator or such other person as may be specified
by the Secretary.

(10) 'Health worker' means a person providing or
in training to provide health care services in a
health care facility, whether professional or non-
professional, including voluntary unpaid workers.

(11) 'Infant' means a child from birth up to the
age of 12 months.

(12) 'Infant formula' means an animal or
vegetable-based milk product formulated industrially
in accordance with the Codex Alimentarius Standard for
infant formula and intended to: satisfy the
nutritional requirements of infants from birth and/or
during the first six months; or be used as the sole
source of nourishment for infants up to the age of 6
months.

(13) 'Inspector' means a person appointed under
section 1020 of this chapter.

(14) 'Label' means a tag, mark, pictorial, or

other descriptive matter written, printed, stenciled, marked, embossed, attached, or otherwise appearing on a container of a designated product.

(15) 'Manufacturer' means a person, corporation or other entity engaged in the business of manufacturing a designated product whether directly, through an agent, or through a person controlled by or under an agreement with such entity.

(16) 'To market' means to promote, distribute, sell, or advertise a designated product and includes product public relations and information services.

(17) 'Pacifier' means an artificial teat for babies to suck.

(18) 'To promote' means to employ any method of directly or indirectly encouraging a person to purchase or use a designated product.

(19) 'Sample' means a single or small quantity of a designated product provided without cost.

(20) 'Secretary' means the Secretary of the Department of Health, Education and Social Affairs.

(21) 'Young Child' means a child from the age of 12 months up to the age of three years (36 months)."

Section 3. Title 41 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 1003 of chapter 10 to read as follows:

1 "Section 1003. Sale of a designated product.

2 (1) A person shall not distribute for sale,
3 sell, stock or exhibit for a sale any designated
4 product that:

5 (a) is not registered or is not in
6 accordance with the conditions of its registration;

7 (b) has reached its expiration date; or

8 (c) is not in its original container."

9 Section 4. Title 41 of the Code of the Federated States of
10 Micronesia is hereby further amended by adding a new section
11 1004 of chapter 10 to read as follows:

12 "Section 1004. Promotion.

13 (1) A manufacturer or distributor shall not
14 himself, or by any other person on his behalf, promote
15 any designated product at the point of sale, in a
16 health care facility or elsewhere. Prohibited
17 promotional practices include, but are not limited to:

18 (a) advertising;

19 (b) sales devices such as special displays,
20 discount coupons, premiums, rebates, special sales,
21 loss leaders, tie-in sales, prizes or gifts; PROVIDED,
22 that this section shall not restrict the establishment
23 of pricing policies and practices intended to provide
24 designated products at lower prices on a long-term
25 basis;

1 (c) giving of one or more samples of a
2 designated product to any person;

3 (d) donation or distribution of information
4 or educational material regarding infant or young
5 child feeding or performance of educational functions
6 related to infant or young child feeding; PROVIDED,
7 that manufacturers and distributors may provide
8 information about designated products to health
9 professionals if such information is restricted to
10 scientific and factual matters regarding the technical
11 aspects and methods of use of designated products, and
12 is otherwise in accordance with this chapter.

13 (2) A manufacturer or distributor shall not
14 himself, or by any other person on his behalf:

15 (a) donate or provide at lower than the
16 published wholesale price, where one exists, and in
17 its absence, lower than 80 percent of the retail
18 price, any quantity of a designated product to a
19 health care facility;

20 (b) donate to or distribute within a health
21 care facility equipment or services, or materials,
22 including but not limited to pens, calendars, posters,
23 note pads, growth charts, and toys, which may promote
24 the use of a designated product;

25 (c) offer or give any gift, contribution

or benefit to a health worker or associations of
health workers engaged in maternal and child health,
including but not limited to fellowships, research
grants or funding for attendance of meetings or
seminars, continuing education courses, or
conferences;

(d) sponsor events, contests, or campaigns
aimed at pregnant or lactating women, parents of
infants or young children, or members of their
families, nor sponsor events, contests, or campaigns
related to fertility, pregnancy, childbirth, infant or
young child feeding, or related topics; or

(e) include the volume of sales of
designated products when calculating employee
remuneration or bonuses, nor set quotas for sales of
designated products.

(3) A health worker engaged in maternal and
child health shall not:

(a) accept any gift, contribution or
benefit, financial or otherwise, of whatever value
from a manufacturer or distributor or any person on
his behalf;

(b) accept or give samples of designated
products to any persons; or

(c) demonstrate the use of infant formula

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1 except to individual mothers or members of their
2 families in very special cases of need, and in such
3 cases, shall give a clear explanation of the hazards
4 of the use of infant formula as well as the other
5 information required by this chapter."

6 Section 5. Title 41 of the Code of the Federated States of
7 Micronesia is hereby further amended by adding a new section
8 1005 of chapter 10 to read as follows:

9 "Section 1005. Prohibitions related to labels of
10 designated products. A manufacturer or distributor
11 shall not offer for sale or sell a designated product,
12 other than a feeding bottle, teat, or pacifier, unless
13 the container or label affixed thereto does not have
14 pictures or graphics of infants, women, or other
15 graphics that may idealize the use of the product, and
16 indicates in a clear, conspicuous, and easily readable
17 manner the following particulars:

18 (1) Instructions for appropriate preparation and
19 use in words and in easily understood graphics;

20 (2) The age for which the product is recommended
21 in easily understood symbols according to rules as may
22 be prescribed by the Secretary;

23 (3) A warning about the health hazards of
24 improper preparation and of introducing the product
25 prior to the recommended age;

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(4) The ingredients used, specifying the origin of any milk product;

(5) The composition and analysis;

(6) The required storage conditions both before and after opening;

(7) The batch number, date of manufacture, and date before which the product is to be consumed, taking into account climatic and storage conditions;

(8) The name and address of the manufacturer and the distributor; and

(9) Such other particulars as may be prescribed by the Secretary."

Section 6. Title 41 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 1006 of chapter 10 to read as follows:

"Section 1006. Prohibitions related to labels of infant formula and follow-up formula.

(1) A manufacturer or distributor shall not offer for sale or sell infant formula or follow-up formula for infants up to 1 year of age unless the container or label affixed thereto, in addition to the requirements of section 1005 of this chapter:

(a) contains the words 'important notice' in capital letters and indicated thereunder is the statement 'Breastmilk is the best food for infants.'

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1 it protects against diarrhea and other illnesses.'
2 in characters no less than one-third the size of the
3 characters in the product name, and in no case less
4 than 3 mm in height;

5 (b) contains the warning, 'This product
6 should only be used upon the advice of a health
7 professional. It is important for your baby's health
8 that you follow all preparation instructions
9 carefully. If you use a feed bottle, your baby may
10 refuse to feed from the breast. It is safer to feed
11 from a cup.' In characters no less than one-third the
12 size of the letters of the product name, and in no
13 case less than 1.5 mm in height; and

14 (c) includes a feeding chart in the
15 preparation instructions and states that leftover
16 formula should be discarded.

17 (2) A manufacturer or distributor shall not
18 offer for sale or sell infant formula or follow-up
19 formula if the container or label affixed thereto:

20 (a) includes the terms 'materialized',
21 'humanized', or their equivalent, or any comparison
22 with breastmilk;

23 (b) uses text that may tend to discourage
24 breastfeeding; or

25 (c) includes a photograph, drawing, or

1 other graphic representation other than for
 2 illustrating methods of preparation."

3 Section 7. Title 41 of the Code of the Federated States of
 4 Micronesia is hereby further amended by adding a new section
 5 1007 of chapter 10 to read as follows:

6 "Section 1007. Prohibitions related to labels of
 7 skimmed or condensed milk. A manufacturer or
 8 distributor shall not offer for sale or sell skimmed
 9 or condensed milk in powder or liquid form, unless the
 10 container or label affixed thereto contains the words
 11 'This product should not be used to feed infants.' in
 12 characters no less than 2 mm in height."

13 Section 8. Title 41 of the Code of the Federated States of
 14 Micronesia is hereby further amended by adding a new section
 15 1008 of chapter 10 to read as follows:

16 "Section 1008. Prohibitions related to labels of low-
 17 fat and standard milk. A manufacturer or distributor
 18 shall not offer for sale or sell low-fat or standard
 19 milk in powder or liquid form, unless the container or
 20 label affixed thereto contains the words 'This product
 21 should not be used as an infant's sole source of
 22 nourishment.' in characters no less than 2 mm in
 23 height."

24 Section 9. Title 41 of the Code of the Federated States of
 25 Micronesia is hereby further amended by adding a new section

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1 1009 of chapter 10 to read as follows:

2 "Section 1009. Prohibitions related to labels of
3 bottles and teats. A manufacturer or distributor
4 shall not offer for sale or sell a feeding bottle or
5 teat unless it has a label that:

6 (1) Does not contain pictures or other graphics
7 of infants, women, or any other graphic that may
8 idealize the use of the product; and

9 (2) Indicates in a clear, conspicuous, and
10 easily readable manner the following particulars:

11 (a) instructions for cleaning and
12 sterilization in words and graphics;

13 (b) the words 'important notice' in capital
14 letters and indicated thereunder the statement
15 'Breastmilk is the best food for infants. It protects
16 against diarrhea and other illnesses.' in characters
17 no less than one-third the size of the letters of the
18 product name, and in no case less than 3 mm in height;

19 (c) the statement 'It is important for your
20 baby's health that you follow the cleaning and
21 sterilization instructions very carefully. If you use
22 a feeding bottle, your baby may no longer want to feed
23 from the breast.' in characters no less than 1.5 mm
24 in height;

25 (d) a statement explaining that feeding

1 with a cup is safer than bottle feeding;

2 (e) a warning that use with sweetened
3 liquids, including infant formula, may cause tooth
4 decay; and

5 (f) the name and address of the
6 manufacturer and the distributor."

7 Section 10. Title 41 of the Code of the Federated States
8 of Micronesia is hereby further amended by adding a new section
9 1010 of chapter 10 to read as follows:

10 "Section 1010. Prohibitions related to labels of
11 pacifiers. A manufacturer or distributor shall not
12 offer for sale or sell a pacifier unless it is labeled
13 with the words 'Warning: use of pacifier can interfere
14 with breastfeeding.' in characters no less than
15 1.5 mm in height."

16 Section 11. Title 41 of the Code of the Federated States
17 of Micronesia is hereby further amended by adding a new section
18 1011 of chapter 10 to read as follows:

19 "Section 1011. Health worker responsibilities.

20 (1) Heads of health care facilities and national
21 and local health authorities shall take the
22 appropriate and necessary measures to encourage and
23 protect breastfeeding and to promote this chapter.
24 They shall give information and advice to health
25 workers regarding their responsibilities and ensure

1 that health workers are familiar with all of the
 2 information specified in this chapter.

3 (2) Health workers shall encourage, support and
 4 protect breastfeeding. They are expected to know the
 5 provisions of this chapter.

6 (3) Health workers shall work to eliminate
 7 practices that directly or indirectly retard the
 8 initiation and continuation of breastfeeding, such as
 9 pre-lacteal feeds.

10 (4) Health workers shall make a written report
 11 to the head of his or her work place, who shall in
 12 turn report to the advisory board, on any offer, he or
 13 she receives for a sample, gift, or other benefit from
 14 a manufacturer or distributor, or any other
 15 contravention of the provisions of this chapter."

16 Section 12. Title 41 of the Code of the Federated States
 17 of Micronesia is hereby further amended by adding a new section
 18 1012 of chapter 10 to read as follows:

19 "Section 1012. Informational and educational
 20 materials about infant feeding. Informational or
 21 educational materials, whether written, audio, or
 22 visual, on the topic of infant feeding shall:

23 (1) Contain only correct and current information
 24 and shall not use any pictures or text that encourage
 25 bottle-feeding or discourage breastfeeding;

1 (2) Not give an impression or create a belief
2 that a designated product is equivalent to, comparable
3 with, or superior to breastmilk or to breastfeeding;

4 (3) Not contain the name or logo of any
5 designated product nor of any manufacturer or
6 distributor of a designated product; PROVIDED, that
7 this clause shall not be applicable to information
8 about designated products provided to health officials
9 as authorized by section 1004(1)(d) of this chapter;
10 and

11 (4) Clearly and conspicuously explain each of
12 the following points:

13 (a) the benefits and superiority of
14 breastfeeding;

15 (b) the recommended duration of
16 breastfeeding;

17 (c) how to initiate and maintain
18 breastfeeding;

19 (d) how and why any introduction of bottle-
20 feeding or early introduction of complementary foods
21 negatively affects breastfeeding;

22 (e) why it is difficult to reverse a
23 decision not to breastfeed;

24 (f) the importance of timely introduction
25 of complementary foods;

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1 (g) that complementary foods can easily be
2 prepared at home using local ingredients; and
3 (h) the value of sustaining breastfeeding
4 for two years or beyond."

5 Section 13. Title 41 of the Code of the Federated States
6 of Micronesia is hereby further amended by adding a new section
7 1013 of chapter 10 to read as follows:

8 "Section 1013. Informational and educational
9 materials about infant formula, follow-up formula or
10 feeding bottles. If the material referred to in
11 section 1012 includes the topic of feeding infants
12 with infant formula, follow-up formula or any other
13 food or drink by feeding bottle, it must also include
14 he following points:

15 (1) Instructions for the proper preparation and
16 use of the product, including cleaning and
17 sterilization of feeding utensils;

18 (2) How to feed infants with a cup;

19 (3) The health hazards of bottle-feeding and
20 improper preparation of the product; and

21 (4) The approximate financial cost of feeding an
22 infant with such a product in the recommended
23 quantities."

24 Section 14. Title 41 of the Code of the Federated States
25 of Micronesia is hereby further amended by adding a new section

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1 1014 of chapter 10 to read as follows:

2 "Section 1014. Submission of materials to advisory
3 board. Any person who produces or distributes any
4 materials referred to in this chapter shall submit
5 copies to the advisory board according to procedures
6 as shall be prescribed."

7 Section 15. Title 41 of the Code of the Federated States
8 of Micronesia is hereby further amended by adding a new section
9 1015 of chapter 10 to read as follows:

10 "Section 1015. Implementation.

11 (1) The Secretary is principally responsible for
12 the implementation of this act.

13 (2) For the purpose of implementing this act,
14 the Secretary has the following powers and functions:

15 (a) to promulgate such rules as are
16 necessary or proper for the implementation of this act
17 and the accomplishment of its purposes and objectives;

18 (b) to call for consultations with
19 government agencies and other interested parties to
20 ensure the implementation of and strict compliance
21 with the provisions of this chapter and the rules
22 promulgated hereunder;

23 (c) to cause the enforcement of this act;
24 and

25 (d) to exercise such other powers and

functions that may be necessary for or incidental to
the attainment of the purposes and objectives of this
act."

Section 16. Title 41 of the Code of the Federated States
of Micronesia is hereby further amended by adding a new section
1016 of chapter 10 to read as follows:

"Section 1016. National Advisory Board for the
Promotion and Protection of Breastfeeding.

(1) There shall be a National Advisory Board for
the Promotion and Protection of Breastfeeding to be
composed of representatives from: the Department of
Health, Education and Social Affairs, MCH/Family
Planning, Food and Nutrition, National Food
Inspection; the Department of Finance and
Administration, Revenue and Customs; and the
Department of Justice, Immigration and Labor; and
Department of Justice, Immigration and Labor; and such
other persons as the Secretary may appoint as members
of the advisory board; PROVIDED, that no person shall
be appointed who has any direct or indirect financial
interest in any designated product.

(2) The Secretary shall appoint the members of
the Advisory board within 90 days of the date of
enactment of this act.

(3) Any member of the advisory board may, at any

1 time, resign his or her office by writing to the
2 Secretary or shall vacate his or her office if the
3 Secretary so directs. A vacancy shall be filled in
4 the same manner as the original appointment for the
5 balance of the unexpired term.

6 (4) The advisory board may invite national or
7 foreign experts to take part in the meetings as
8 observers and may constitute committees or appoint
9 experts for the purpose of detailed study of any
10 matter set before it."

11 Section 17. Title 41 of the Code of the Federated States
12 of Micronesia is hereby further amended by adding a new section
13 1017 of chapter 10 to read as follows:

14 "Section 1017. Administration of the board.

15 (1) The Secretary shall appoint officers of the
16 board as he deems necessary to carry out the purposes
17 of this act.

18 (2) The advisory board shall hire permanent
19 staff necessary to carry out its functions, subject to
20 the budgetary approval of Congress.

21 (3) The advisory board shall meet as often as it
22 deems necessary, but not less than once every other
23 month at such time and place as the Secretary shall
24 indicate."

25 Section 18. Title 41 of the Code of the Federated States

1 of Micronesia is hereby further amended by adding a new section
2 1018 of chapter 10 to read as follows:

3 "Section 1018. Powers and functions of the advisory
4 board.

5 (1) The advisory board has the following powers
6 and functions:

7 (a) to advise the President and the
8 Secretary on national policy for the promotion and
9 protection of breastfeeding;

10 (b) to create state committees to carry out
11 the functions of the advisory board at the state
12 level, as may prescribed;

13 (c) to advise the Secretary on designing a
14 national strategy for developing communication and
15 public education programs for the promotion of
16 breastfeeding, informational and educational materials
17 on the topic of infant feeding, continuing education
18 for health workers on lactation management and the
19 requirements of this chapter, and curricula for
20 students in the health professions which include
21 lactation management; and to ensure widespread
22 distribution of and publicity concerning this chapter,
23 in a method as may be prescribed;

24 (d) to review reports of violations or
25 other matters concerning this chapter;

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1 (e) to issue instructions to inspectors as
2 to actions to be taken, or take such other actions as
3 the case may be, against any person found to be
4 violating the provisions of this act or the rules
5 promulgated pursuant thereto;

6 (f) to scrutinize materials submitted in
7 accordance with section 1014 and recommend appropriate
8 actions to be taken in the case of a violation of this
9 chapter; and

10 (g) such other powers and functions,
11 including the powers of an inspector, as are conferred
12 on it by the provisions of this act and as may be
13 prescribed."

14 Section 19. Title 41 of the Code of the Federated States
15 of Micronesia is hereby further amended by adding a new section
16 1019 of chapter 10 to read as follows:

17 "Section 1019. Registration of designated products.

18 (1) The Secretary shall cause all designated
19 products to be registered in accordance with such
20 conditions and procedures as may be prescribed.

21 (2) The Secretary shall, in accordance with
22 title 17 of the Code, fix the date after which no
23 designated product that is not registered may be
24 imported, manufactured or sold.

25 (3) A person applying for registration of a

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1 designated product shall furnish such information and
2 samples as may be prescribed.

3 (4) Once the registration of a designated
4 product has been approved, a Certificate of
5 Registration shall be issued.

6 (5) No Certificate of Registration will be
7 granted unless the designated product is in accordance
8 with the requirements contained in this act."

9 Section 20. Title 41 of the Code of the Federated States
10 of Micronesia is hereby further amended by adding a new section
11 1020 of chapter 10 to read as follows:

12 "Section 1020. Inspectors. The Secretary shall
13 appoint such persons as he sees fit having the
14 prescribed qualifications to be inspectors for
15 purposes of this act within such local limits as he
16 may assign to them respectively; PROVIDED, that no
17 person who has any direct or indirect financial
18 interest in any designated product shall be so
19 appointed."

20 Section 21. Title 41 of the Code of the Federated States
21 of Micronesia is hereby further amended by adding a new section
22 1021 of chapter 10 to read as follows:

23 "Section 1021. Powers of inspectors.

24 (1) An inspector may, within the local limits
25 for which he or she is appointed:

1 (a) inspect any premises and all relevant
2 records where any designated product is imported,
3 manufactured, sold, stocked, exhibited for sale,
4 advertised or otherwise promoted;

5 (b) make referrals to the Department of
6 Justice for prosecution with respect to violations of
7 this chapter and the rules made pursuant thereto; and

8 (c) exercise such other powers as may be
9 prescribed."

10 Section 22. Title 41 of the Code of the Federated States
11 of Micronesia is hereby further amended by adding a new section
12 1022 of chapter 10 to read as follows:

13 "Section 1022. Procedure for inspectors.

14 (1) Inspectors shall inspect, not less than the
15 number of times as may be prescribed, the premises as
16 may be prescribed.

17 (2) After such inspection, the inspector shall
18 submit a report, including any finding of a violation
19 of this chapter and the rules made pursuant thereto,
20 to the advisory board and seek instructions as to the
21 action to be taken in respect of such violation."

22 Section 23. Title 41 of the Code of the Federated States
23 of Micronesia is hereby further amended by adding a new section
24 1023 of chapter 10 to read as follows:

25 "Section 1023. Penalties.

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1 (1) Any person who individually or on behalf of
2 any other person violates any provision of this
3 chapter shall be punishable with imprisonment for a
4 term which shall not be more than six months or a fine
5 which shall not be more than \$1,000, or both.

6 (2) Any person having been convicted of an
7 offense under subsection (1) of this section and who
8 is again convicted of an offense under that
9 subsection, shall be punishable with imprisonment for
10 a term which shall not be more than one year or with a
11 fine that shall not be more than \$3,000, or both."

12 Section 24. Title 41 of the Code of the Federated States
13 of Micronesia is hereby further amended by adding a new section
14 1024 of chapter 10 to read as follows:

15 "Section 1024. Cease and desist order. The Secretary
16 shall have the power to make cease and desist orders
17 upon receiving a report from an inspector or the
18 advisory board of a violation of the provisions of
19 this chapter or the rules promulgated pursuant
20 thereto."

21 Section 25. Title 41 of the Code of the Federated States
22 of Micronesia is hereby further amended by adding a new section
23 1025 of chapter 10 to read as follows:

24 "Section 1025. Certification of registration may be
25 suspended or revoked. Where any person has been found

to have violated any of the provisions of this
chapter, or the rules promulgated pursuant thereto,
the Secretary, upon written recommendation of the
advisory board, and after notice and an opportunity to
be heard has been given, may suspend or revoke any
Certificate of Registration that has been issued to
that person pursuant to this chapter."

Section 26. Title 41 of the Code of the Federated States
of Micronesia is hereby further amended by adding a new section
1026 of chapter 10 to read as follows:

"Section 1026. Professional or business license may
be suspended or revoked. Where any health
professional has been found to have violated any
provision of this chapter, or the rules pursuant
thereto, the Secretary may recommend to the relevant
authority the suspension or revocation of any license
for the practice of the person's profession or
business."

Section 27. Title 41 of the Code of the Federated States
of Micronesia is hereby further amended by adding a new section
1027 of chapter 10 to read as follows:

"Section 1027. Appeal. In accordance with title 17
of the Code, an aggrieved party may appeal an
administrative decision rendered by the Secretary."

Section 28. Title 41 of the Code of the Federated States

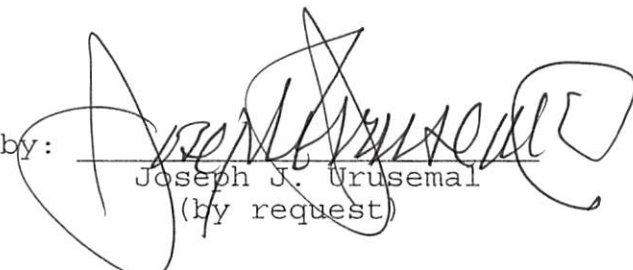
1 of Micronesia is hereby further amended by adding a new section
2 1028 of chapter 10 to read as follows:

3 "Section 1028. Public enforcement.

4 (1) Any person has the right to lodge a formal
5 complaint to the advisory board which may recommend
6 that proceedings be instituted against any person
7 relating to a violation of any provision that
8 constitutes an offense under this chapter or rules
9 made pursuant thereto."

10 Section 29. This act shall become law upon approval by the
11 President of the Federated State of Micronesia or upon its
12 becoming law without such approval.

13
14 Date: 6/04/98

Introduced by: 

Joseph J. Urusemal
(by request)