

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS65136-RF-1 (1/31)

Short Title: Civil Penalties/Food, Drug and Cosmetics. (Public)

Sponsors: Senator Hagan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO
IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA
FOOD, DRUG AND COSMETIC ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 12 of Chapter 106 of the General Statutes is amended
by adding a new section to read:

§ 106-124.1. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation.

The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2."

SECTION 2. This act is effective when it becomes law.