

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 751

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

Sponsors: Senator Hagan.

Referred to: Agriculture/Environment/Natural Resources.

April 3, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO
3 IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA
4 FOOD, DRUG AND COSMETIC ACT.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 106-124.1. Civil Penalties.**

9 The Commissioner may assess a civil penalty of not more than five thousand dollars
10 (\$5,000) against any person who violates a provision of this Article or any rule
11 promulgated thereunder. In determining the amount of the penalty, the Commissioner
12 shall consider the degree and extent of harm caused by the violation.

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

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