

# **Kansas Administrative Regulations**

## **Kansas Department of Agriculture**

### **Article 7.—Milk and Dairy Products**

#### **4-7-903. Criteria to determine dollar amount of the civil penalty.**

In determining the amount of civil penalty, the gravity of the violation shall be considered by the secretary or the secretary's designee. Factors to be considered may include the following: (a) The potential of the act to injure or endanger the health of any consumer, or the general public;

(b) the severity of actual or potential injuries;

(c) the respondent's history of compliance with K.S.A. 65-789, and amendments thereto, and the regulations adopted thereunder;

(d) any action taken by the respondent to remedy the specific violation or to mitigate any adverse health effects or environmental effects that were the result of the violation; and

(e) any misrepresentation or fraud associated with the violation.

(Authorized by K.S.A. 2007 Supp. 65-772; implementing K.S.A. 65-788; effective Jan. 20, 1990; amended Oct. 29, 1990; amended Dec. 20, 2002; amended July 18, 2008.)

\*\*\*\*\* Authenticated Kansas Administrative Regulation \*\*\*\*\*