

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 16.—Meat and Meat Products Inspection

4-16-303. 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 shall 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 the Kansas meat and poultry inspection act and the implementing regulations;

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

(e) specification of whether or not the violation involved any adulterated article, misrepresentation, or fraud.

(Authorized by K.S.A. 2007 Supp. 65-6a44; implementing K.S.A. 2007 Supp. 65-6a56; effective July 1, 1992; amended July 18, 2008.)

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