

RCW 90.64.102 Recordkeeping violations—Civil penalty. (1)

Except as provided in chapter 43.05 RCW, the department of agriculture may impose a civil penalty on a dairy producer in an amount of not more than five thousand dollars for failure to comply with recordkeeping requirements in RCW 90.64.010(17)(c). The aggregate amount of the civil penalties issued under this section shall not exceed five thousand dollars in a calendar year.

(2) In determining the amount of the civil penalty to be levied, the department of agriculture shall take into consideration:

- (a) The gravity and magnitude of the violation;
- (b) Whether the violation was repeated or is continuous;
- (c) Whether the cause of the violation was an unavoidable accident, negligence, or an intentional act;
- (d) The violator's efforts to correct the violation; and
- (e) The immediacy and extent to which the violation threatens the public health or safety or harms the environment.

(3) The department of agriculture may establish by rule a graduated civil penalty schedule that includes the factors listed in this section. [2010 c 84 § 1.]