

**PENALTY MATRIX - Arkansas Rice Certification Act (Act 1238 of 2005), Cheniere Rice Regulations of 2006**

VIOLATION	Violation Level	1st Level of Enforcement		2nd Level of Enforcement		3rd Level of Enforcement		4th Level of Enforcement	
		Enforcement Action	Civil Penalty Fine	Enforcement Action	Civil Penalty Fine	Enforcement Action	Civil Penalty Fine	Enforcement Action	Civil Penalty Fine
1.Sells, offers for sale, plants, produces, harvests, stores, distributes, transports, or processes (conditions) for planting Cheniere or other Rice seed identified as having characteristics of commercial impact.	Minor*	A							
	Major*	A, B	\$30,000 - \$50,000 per unit per day violation continues	A,B,C	\$50,000 - \$75,000 per unit per day violation continues	A,B,C	\$75,000 - \$100,000 per unit per day violation continues	A,B,C	\$100,000 per unit per day
2. Transporting any rice seed identified as having characteristics of commercial impact across state lines	Minor	A							
	Major	A,B	\$30,000 - \$50,000 per unit per day violation continues	A,B,C	\$50,000 - \$75,000 per unit per day violation continues	A,B,C	\$75,000 - \$100,000 per unit per day violation continues	A,B,C	\$100,000 per unit per day
3.Representing rice seeds/grain which is indistinguishable by seed characteristics to be a variety without characteristics of commercial impact, without having adequate information for such representation.	Minor*	A							
	Major*	A,B	\$30,000 - \$50,000 per unit per day violation continues	A,B,C	\$50,000 - \$75,000 per unit per day violation continues	A,B,C	\$75,000 - \$100,000 per unit per day violation continues	A,B,C	\$100,000 per unit per day
4. Failure to obtain required test data on planting rice seed sold, offered for sale or distributed within or into Arkansas.	Minor								
	Major	A,B	\$30,000 - \$50,000 per unit per day violation continues	A,B,C	\$50,000 - \$75,000 per unit per day violation continues	A,B,C	\$75,000 - \$100,000 per unit per day violation continues	A,B,C	\$100,000 per unit per day

**\*Minor or Major determined by 1) nature of the characteristic involved 2) economic consequences resulting from violation (impacts of more than \$1000.00 are major); 3) number of entities impacted by violation (more than 3 would be major); 4) quantity of previously approved rice impacted by the violation (more than 500 bushels would be major); 5) other factors deemed appropriate by the State Plant Board Director.**

**Enforcement actions:**

- A. Seizure, stop-sale, stop-movement
- B. Board/Committee Hearing
- C. Referral to Prosecuting Attorney