

Quarantine Administrative Penalty Matrix

<u>Statutory Citation^{1, 2}</u>	<u>Violation³</u>	<u>First Offense</u>	<u>Subsequent Offense⁴</u>
§71.005 4 TAC Ch. 19 §71.050 4 TAC Ch.21 §71.051 §71.053 §71.152 §71.009 §71.0091 §71.0092 §72.015 §73.005 §73.006	Illegal possession or movement of Quarantined articles.	Base penalty of -\$500 plus \$250 per increment of 10 articles; OR base penalty of \$500 per 1000 lbs or portion thereof, -whichever may result in the higher penalty.	Base penalty of \$2,000 plus \$1,000 per increment of 10 articles; OR base penalty of \$500 per 1000 lbs or portion thereof, whichever may result in the higher penalty
§71.005 4 TAC Ch. 19 Subch. L §71.050 §71.051 §71.053 §71.009 §71.0092 §73.005 §73.006	Illegal possession or movement of Pecan Weevil (quarantined pest). All hickory, pecan and walnut in shell pecan nuts.	Base penalty of \$500 per 1,000 lbs plus \$250 per increment of 1,000 lbs or portion thereof.	Base penalty of \$2,000 per 1,000 lbs plus \$1,000 per increment of 1,000 lbs or portion thereof.
§71.005 4 TAC Ch. 19 Subch. L §71.050 §71.051 §71.053 §71.009 §71.0092 §73.005 §73.006	Illegal possession or movement of Pecan Weevil (quarantined pest). All hickory, pecan and walnut trees and parts thereof.	Base penalty of \$500 plus \$250 per increment of 10 articles.	Base penalty of \$2,000 plus \$1,000 per increment of 10 articles.
§71.009 4 TAC Ch. 19 §71.0091 4 TAC Ch.21 §71.0092 §71.152 §71.110 §72.015 §73.005 §73.006	Presence of a quarantined pest or disease associated with the illegal movement of articles.	\$1,000	\$5,000
§71.009 4 TAC Ch. 19 §71.0091 4 TAC Ch.21 §71.0092 §71.110	Failure to comply with a seizure or department order.	\$2,500	\$5,000
§71.005 4 TAC §19.2 §71.113 4 TAC §19.7 §72.015	Failure to perform according to the terms of a compliance agreement or certificate	\$2,500 ⁵	\$5,000 ⁵
§71.044 4 TAC §19.2 §71.050 4 TAC §19.7 §71.051 4 TAC §21. 10 §72.015 §73.006	Falsification of a document or using an invalid certificate.	\$2,500	\$5,000

§71.115 §73.006	4 TAC §19.6 4 TAC §21.9	Failure to comply with labeling requirements.	Base penalty of \$500 plus \$250 per increment of 10 articles.	Base penalty of \$2,000 plus \$1,000 per increment of 10 articles.
	4 TAC §21.10	Failure to maintain required documentation.	\$500	\$2,000
§71.044 §21.10§73.006	4 TAC	Failure to provide documentation.	\$2,500	\$5,000
§71.044 §71.053	4 TAC §19.2	Refusal of an inspection.	\$2,500	\$5,000
§72.025 Subch. V	4 TAC Ch. 19	Failure to maintain premises in quarantined areas in sanitary conditions.	Base penalty of \$2,500 plus \$250 per acre.	\$5,000
Miscellaneous		Any other violation not covered in this list, as outlined in Chapter 71, 72, or 73 of the Texas Agriculture Code, or in Chapter 19, or Chapter 21, Subchapter A of the Texas Administrative Code.	\$50- \$5,000	\$50- \$5,000