



ADMINISTRATIVE RULES OF MONTANA

4.12.3013 CIVIL PENALTIES – MATRIX

<u>Type of Violation</u>	1st <u>Offense</u>	2nd <u>Offense</u>	Subsequent <u>Offenses</u>
(1) Fail to obtain a license.	\$200	\$500	\$1000
(2) Misrepresent information supplied regarding exemption from licensing requirements.	200	500	1000
(3) Sell or transport seed lots that:			
(a) contain technical violations in labeling that do not seriously affect the quality of seed;	100	300	500
(b) contain more than 2% common weed seeds;	200	500	1000
(c) contain restricted weed seed above the tolerances;	200	500	1000
(d) contain prohibited noxiousweed seed;	200	500	1000
(e) contain technical violations in labeling that seriously affect the quality of the lot of seed;	200	500	1000
(f) have expired germination test;	100	300	500
(g) are falsely or misleadingly advertised; and	200	500	1000
(h) are misbranded or mislabeled.	200	500	1000
(4) Sell, transport, label, advertise, or represent seed as certified seed:			
(a) without a label issued by the seed certifying agency; and	100	300	500
(b) without a determination from the seed certifying agency that the seed conforms to standards.	200	500	1000

<u>Type of Violation</u>	1st <u>Offense</u>	2nd <u>Offense</u>	Subsequent <u>Offenses</u>
(5) Sell or transport seed that is protected under the Plant Variety Protection Act without:			
(a) authority of the owner; and	\$1000	\$1000	\$1000
(b) the required seed certification.	1000	1000	1000
(6) Detach, alter, deface, or destroy a label.	300	600	1000
(7) Alter or substitute seed.	300	600	1000
(8) Disseminate false or misleading advertisement.	300	600	1000
(9) Hinder or obstruct an authorized person in performance of duties.	500	1000	1000
(10) Fail to comply with a stop sale order.	1000	1000	1000
(11) Fail to comply with Title 80, chapter 5, part 1, MCA or rules promulgated thereunder.	100	300	500
(12) Use "trace" as a substitute for required statement.	100	300	500
(13) Use "type" in labeling in connection with variety name.	100	300	500
(14) Move or use screenings in violation of 80-5-135, MCA.	200	500	1000
(15) Fail to pay assessment.	1000	1000	1000
(16) Fail to submit a report of sales.	200	500	1000

Authorizing statute(s): 80-5-139, MCA

Implementing statute(s): 80-5-136, MCA

History: NEW, 1993 MAR p. 1486, Eff. 7/16/93; AMD, 2000 MAR p. 3334, Eff. 12/8/00; AMD, 2007 MAR p. 187, Eff. 2/9/07.