

## **MONETARY PENALTIES FOR VIOLATIONS**

The amount of the civil penalty to be applied for violations of restrictions on underage sales shall be as follows:

- (1) With respect to a retailer with an approved training program, the amount of the civil penalty shall not exceed—
  - (A) in the case of the first violation, \$0.00 together with the issuance of a warning letter to the retailer;
  - (B) in the case of a second violation within a 12-month period, \$250;
  - (C) in the case of a third violation within a 24-month period, \$500;
  - (D) in the case of a fourth violation within a 24-month period, \$2,000;
  - (E) in the case of a fifth violation within a 36-month period, \$5,000; and,
  - (F) in the case of a sixth or subsequent violation within a 48-month period, \$10,000 as determined by the Secretary on a case-by-case basis.
  
- (2) With respect to a retailer that does not have an approved training program, the amount of the civil penalty shall not exceed--
  - (A) in the case of the first violation, \$250;
  - (B) in the case of a second violation within a 12-month period, \$500;
  - (C) in the case of a third violation within a 24-month period, \$1,000;
  - (D) in the case of a fourth violation within a 24-month period, \$2,000;
  - (E) in the case of a fifth violation within a 36-month period, \$5,000; and,
  - (F) in the case of a sixth or subsequent violation within a 48-month period, \$10,000 as determined by the Secretary on a case-by-case basis.