

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2749
OFFERED BY MR. SHADEGG OF ARIZONA**

Section 303(f)(2) of the Federal Food, Drug, and Cosmetic Act, as amended by section 135(a), is amended

(1) by striking “Any person” and all that follows through the end of subparagraph (A) and inserting “Any person who violates a provision of section 301 relating to food shall be subject to a civil penalty for each such violation of not more than the greater of \$10,000; in the case of a violation by an individual that is grossly negligent or knowing, \$100,000; or in the case of a violation by any other person that is grossly negligent or knowing, \$500,000.”; and

(2) by adding at the end the following:

1 “(C) The total amount of civil penalties applica-
2 ble to any person under subparagraph (A) may not
3 exceed \$1,000,000 for all such violations occurring
4 in a calendar year.

