**TITLE 21**

**UNITED STATES CODE**

**§ 961.  Prohibited acts B**

Any person who violated section 1004 [[21 U.S.C. § 954](http://www.lexis.com/research/buttonTFLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=2&_butInline=1&_butinfo=21%20USC%20954&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=44ebdc1a0adcda2581bb2b0b0129ce6d)] or fails to notify the Attorney General of an importation or exportation under section 1018 [[21 U.S.C. § 971](http://www.lexis.com/research/buttonTFLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=3&_butInline=1&_butinfo=21%20USC%20971&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=da0329e0cf6dddaf514ee19c58dcb29b)] shall be subject to the following penalties:

**(1)** **[Caution: For inflation-adjusted civil monetary penalties, see** [**28 CFR 85.3**](http://www.lexis.com/research/buttonTFLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=4&_butInline=1&_butinfo=28%20CFR%2085.3&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=df99ca7f27e3a0edf97353dae481fc6a)**.]** Except as provided in paragraph (2), any such person shall, with respect to any such violation, be subject to a civil penalty of not more than $ 25,000. Sections 402(c)(1) and (c)(3) [[21 U.S.C. § 842(c)(1)](http://www.lexis.com/research/buttonTFLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=5&_butInline=1&_butinfo=21%20USC%20842&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=affe012855fa14b5d0041869707f7967), (3)] shall apply to any civil penalty assessed under this paragraph.

**(2)** If such a violation is prosecuted by an information or indictment which alleges that the violation was committed knowingly or intentionally and the trier of fact specifically finds that the violation was so committed, such person shall be sentenced to imprisonment for not more than one year or a fine of not more than $ 25,000 or both.

Credits

(Oct. 27, 1970, [P.L. 91-513](http://www.lexis.com/research/buttonLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=1&_butStat=0&_butNum=6&_butInline=1&_butinfo=LXE_91_PL_513&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=2c7c8985c9649a5d76f9609960734697), Title III, Part A, § 1011, [84 Stat. 1290](http://www.lexis.com/research/buttonLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=1&_butStat=0&_butNum=7&_butInline=1&_butinfo=LXE_84_STAT_1290&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=1ba85e34f895d2c0ca4e70e50622f8c5); Nov. 18, 1988, [P.L. 100-690](http://www.lexis.com/research/buttonLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=1&_butStat=0&_butNum=8&_butInline=1&_butinfo=LXE_100_PL_690&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=4ceb28d3a8366cff91481ad216a9d6d8), Title VI, Subtitle A, § 6053(d), [102 Stat. 4315](http://www.lexis.com/research/buttonLink?_m=9cb434ef025c770ef1245406fd0f8cd6&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b21%20USCS%20%a7%20961%5d%5d%3e%3c%2fcite%3e&_butType=1&_butStat=0&_butNum=9&_butInline=1&_butinfo=LXE_102_STAT_4315&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=fbd1bc4f704568a633520176650547d5).)