

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****Statement of Organization, Functions, and Delegations of Authority**

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

Notice is hereby given that I have delegated to the Chair and Members of the Departmental Appeals Board authority to review administrative civil

money penalty decisions pursuant to part 17 (21 CFR part 17). This authority was delegated to me by the Secretary of Health and Human Services under: The Federal Food, Drug, and Cosmetic Act, 21 CFR 5.10(a)(1); section 351 of the Public Health Service Act (42 U.S.C. section 262) concerning biologic recall orders, 21 CFR 5.10(a)(5); the National Childhood Vaccine Injury Act of 1986 (42 U.S.C. section 300aa-28) concerning authority to impose administrative civil money penalties, 21 CFR 5.10(a)(35); and the Mammography Quality Standards Act of 1992 (42 U.S.C. section 263b(h)(2)), 21 CFR 5.10(a)(36). This

authority concerns making final determinations with respect to the imposition of administrative civil monetary penalties on review of, or by declining to review, initial decisions and decisions granting summary decisions of Administrative Law Judges, as set forth in 21 CFR part 17.

This delegation becomes effective August 28, 1995.

Dated: July 20, 1995.

David A. Kessler,

Commissioner of Food and Drugs.

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