

HOUSE BILL NO. 6132

November 14, 2024, Introduced by Reps. Martus and Paiz and referred to the Committee on Agriculture.

A bill to amend 2000 PA 92, entitled "Food law," by amending sections 1111, 2125, 4111, 4117, 5105, 6137, and 7114 (MCL 289.1111, 289.2125, 289.4111, 289.4117, 289.5105, 289.6137, and 289.7114), section 1111 as amended by 2018 PA 92, section 2125 as amended by 2022 PA 126, section 4111 as amended by 2016 PA 188, section 4117 as amended by 2023 PA 194, section 5105 as amended and section 7114 as added by 2012 PA 178, and section 6137 as amended by 2007 PA 114.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1111. As used in this act:

1 (a) "Raw agricultural commodity" means any food in its raw or
2 natural state including fruits that are washed, colored, or
3 otherwise treated in their unpeeled natural form before marketing.

4 (b) "Regulatory authority" means the department, the local
5 health department, or the authorized representative having
6 jurisdiction over the food establishment.

7 (c) "Retail food establishment" means an operation that sells
8 or offers to sell food directly to a consumer. Retail food
9 establishment includes both a retail grocery and a food service
10 establishment, but does not include a food processor.

11 (d) "Retail grocery" means an operation that sells or offers
12 to sell food to consumers for off-premises consumption. Food for
13 off-premises consumption does not include take-out food intended
14 for immediate consumption.

15 (e) "Rules" means administrative rules promulgated under this
16 act ~~pursuant to~~ **in accordance with** the administrative procedures
17 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

18 (f) "Shellfish dealer" means an interstate wholesaler handling
19 shellfish.

20 (g) "Shellfish dealer certification" means the issuance of a
21 numbered certificate to a person ~~indicating that~~ **indicates** that the
22 person is in compliance with the requirements of the guide for the
23 control of molluscan shellfish and ~~that the person has~~ permission
24 from the department to conduct 1 or more of the following shellfish
25 activities, as defined in the guide for the control of molluscan
26 shellfish:

- 27 (i) Shellstock shipper.
28 (ii) Shucker packer.
29 (iii) Repacker or reshipper.

1 **(iv) Wet storage activity.**

2 ~~(h) "Smoked fish rules" means R 285.569.1 to R 285.569.19 of~~
3 ~~the Michigan Administrative Code.~~

4 ~~(i) "Special transitory food unit" means a temporary food~~
5 ~~establishment that is licensed to operate throughout the state~~
6 ~~without the 14-day limits or a mobile food establishment that is~~
7 ~~not required to return to a commissary.~~

8 **(h) (j)**—"Staple foods" does not include accessory foods such
9 as coffee, tea, cocoa, soda, noncarbonated drinks such as sports
10 drinks, punches, and flavored waters, candy, condiments, spices,
11 hot foods, or foods ready to go or made to take out, such as
12 prepared sandwiches or salads.

13 **(i) (k)**—"Sulfiting agents" means any of the following:

14 (i) Sulfur dioxide.

15 (ii) Sodium sulfite.

16 (iii) Sodium bisulfite.

17 (iv) Potassium bisulfite.

18 (v) Sodium metabisulfite.

19 (vi) Potassium metabisulfite.

20 **(j) (l)**—"Temporary food establishment" means a food
21 establishment that operates at a fixed location for a temporary
22 period not to exceed 14 consecutive days.

23 **(k) (m)**—"Temporary license" means a written authorization
24 issued by the director to operate for a specified limited time
25 period.

26 **(l) (n)**—"Transient tenant" means ~~a person~~ **an individual** who
27 rents a room in a bed and breakfast for fewer than 30 consecutive
28 days.

29 **(m) "Transitory food unit" means a temporary food**

1 establishment that is licensed to operate throughout this state
 2 without a 14-day limit or a mobile food establishment that is not
 3 required to return to a commissary.

4 (n) ~~(e)~~—"Trimming" means removing leaves, roots, and other
 5 extraneous materials in preparation for grading, sorting, and sale
 6 as a whole fruit or vegetable. Trimming does not remove the peel or
 7 core and does not further cut the whole fruit or vegetable.

8 (o) ~~(p)~~—"U.S. standards for shell eggs" means "United States
 9 Standards, Grades, and Weight Classes for Shell Eggs", AMS 56 (July
 10 20, 2000), United States Department of Agriculture.

11 (p) ~~(q)~~—"Vending company base location" means a vending
 12 machine location or other food establishment required to be
 13 separately licensed under section 4105(5).

14 (q) ~~(r)~~—"Vending machine" means a self-service device that,
 15 ~~upon insertion of~~ **after inserting** a coin, paper currency, token,
 16 card, or key, or by manual operation, dispenses **a unit** ~~servings~~
 17 **serving** of food in bulk or in ~~packages~~ **a package** without the
 18 necessity of replenishing the device between each vending
 19 operation. Vending machine does not include any of the following:

20 (i) A device that dispenses only bottled or canned soft drinks,
 21 ~~or~~ other packaged nonperishable foods or beverages, ~~or~~ bulk ball
 22 gum, nuts, ~~and~~ **or** panned candies.

23 (ii) A ~~water-dispensing~~ **water dispensing** machine that is
 24 registered under ~~chapter IV.~~ **section 4115.**

25 (r) ~~(s)~~—"Vending machine location" means the room, enclosure,
 26 space, or area in which 1 or more vending machines are installed
 27 and operated, or a micro market.

28 (s) ~~(t)~~—"Wholesale" means selling other than directly to
 29 consumers.

1 **(t)** ~~(u)~~—"Wild game" means animals from their natural state and
2 not cultivated, domesticated, or tamed.

3 Sec. 2125. (1) The department shall charge the following fees
4 for the following services:

5 (a) A reissuance of a duplicate license, \$15.00.

6 (b) An evaluation of a food establishment if the evaluation is
7 a second reevaluation of a food establishment that has already been
8 evaluated and found to have a priority item or priority foundation
9 item violation or if the evaluation is performed at the request of
10 the operator, \$60.00.

11 (c) A shellfish dealer's certificate, \$150.00 annually.

12 (d) A review and approval of training materials, \$60.00 per
13 hour.

14 (e) A ~~special~~ transitory food unit plan review, \$197.00.

15 (f) ~~A **Any other** plan review, as specified in section 8-201.11~~
16 ~~of the food code,~~ \$197.00.

17 (2) Fees collected under this section must be deposited in the
18 dairy and food safety fund created in section 4117 for enforcement
19 of this act.

20 (3) The services referred to in subsection (1) (d) and (e)
21 involve the formal review and approval procedure. The department
22 may provide informal review or answer questions without charging a
23 fee.

24 Sec. 4111. (1) The department shall impose the following
25 license fees for each year or portion of a year:

26 (a) Retail grocery: ~~\$106.00 for 2016, \$145.00 for 2017, and~~
27 ~~\$183.00. for any subsequent year.~~

28 (b) Extended retail food establishment: ~~\$271.00 for 2016,~~
29 ~~\$370.00 for 2017, and \$468.00. for any subsequent year.~~

1 (c) Food processor: ~~\$271.00 for 2016, \$370.00 for 2017, and~~
 2 ~~\$468.00. for any subsequent year.~~

3 (d) Limited food processor: ~~\$106.00 for 2016, \$145.00 for~~
 4 ~~2017, and \$183.00. for any subsequent year.~~

5 (e) Mobile food establishment: ~~\$183.00 for 2016, \$186.00 for~~
 6 ~~2017, and \$189.00. for any subsequent year.~~

7 (f) Temporary food establishment: ~~\$40.00 for 2016, \$55.00 for~~
 8 ~~2017, and \$70.00. for any subsequent year.~~

9 (g) ~~Special transitory~~ **Transitory** food unit: ~~\$150.00 for 2016,~~
 10 ~~\$153.00 for 2017, and \$156.00. for any subsequent year.~~

11 (h) Mobile food establishment commissary: ~~\$183.00 for 2016,~~
 12 ~~\$186.00 for 2017, and \$189.00. for any subsequent year.~~

13 (i) Food warehouse or vending company base location: ~~\$106.00~~
 14 ~~for 2016, \$145.00 for 2017, and \$183.00. for any subsequent year.~~

15 In addition, the operator of the vending company base location
 16 shall pay an additional fee based on the number of vending machine
 17 locations in this state, as follows:

18 (i) 1 to 20 locations, \$500.00.

19 (ii) 21 to 50 locations, \$750.00.

20 (iii) 51 to 75 locations, \$2,000.00.

21 (iv) More than 75 locations, \$3,000.00.

22 If a person operates more than 1 vending company base location
 23 in this state, all vending machine locations served by those
 24 vending company base locations ~~shall~~ **must** be aggregated on 1 of the
 25 vending company base location licenses for the purpose of
 26 determining the amount of the additional fee for vending machine
 27 locations.

28 (j) Food service establishment: the amounts described in
 29 subsection (2).

1 (2) If a local health department no longer conducts a food
2 service program, the department, in consultation with the
3 commission of agriculture and rural development, shall set the food
4 sanitation fees to be imposed for the conduct of the food service
5 program by the department. ~~The fees imposed must equal, as nearly~~
6 ~~as possible, 1/2 of the department's cost of providing the service.~~
7 The department may impose the service fees for up to ~~12~~**24** months
8 after the date of cessation by the local health department. After
9 the ~~12-month~~**24-month** period, the department shall collect the fees
10 only as authorized ~~pursuant to~~ **in accordance with** an appropriation.

11 (3) ~~Any A~~ license fee paid ~~on an initial application under~~
12 **this act** is nonrefundable.

13 (4) The department may charge a convenience fee and collect
14 from the applicant any additional costs associated with the method
15 of fee payment for the license or permit fees described in this
16 chapter, not to exceed the costs to the department.

17 Sec. 4117. (1) Except as provided in subsections (2) and (3),
18 money collected under this chapter by the department must be
19 credited to the dairy and food safety fund that is created as a
20 restricted fund within the state treasury. The state treasurer may
21 receive money or other assets, from appropriations or from any
22 other source, for deposit into the fund. The state treasurer shall
23 direct the investment of the fund. The money in the fund does not
24 lapse to the general fund at the end of the fiscal year and carries
25 over to the following fiscal years. The state treasurer shall
26 credit to the fund interest and earnings from fund investments. The
27 department ~~shall administer~~ **is the administrator of** the fund and
28 shall expend money from the fund for the purpose of administering
29 this act and enforcing the provisions of this act, the grade A milk

1 law of 2001, 2001 PA 266, MCL 288.471 to 288.540, and the
2 manufacturing milk law of 2001, 2001 PA 267, MCL 288.561 to
3 288.740. The department ~~shall be~~ **is** the administrator of the fund
4 for auditing purposes.

5 (2) A consumer **and industry** food safety education fund is
6 created as a revolving fund in the department of treasury. The
7 **department is the administrator of the** consumer **and industry** food
8 safety education fund. ~~must be administered by the department and~~
9 **The consumer and industry food safety education fund is** funded by
10 adding \$3.00 to the fee for each food establishment license **and**
11 **\$2.00 to the fee for each food service establishment license** in all
12 categories except ~~vending machines and~~ in cases of fee-exempt food
13 establishments. **Beginning on the effective date of the amendatory**
14 **act that added this sentence, the industry food-safety education**
15 **fund is abolished and any unencumbered balance in the industry**
16 **food-safety education fund at that time reverts to the consumer and**
17 **industry food safety education fund under this subsection. Money**
18 **that remains in the consumer and industry food safety education**
19 **fund at the end of the fiscal year does not lapse and carries**
20 **forward to the next fiscal year.** The money in the **consumer and**
21 **industry food safety education** fund must be used to provide
22 ~~statewide both of the following:~~

23 (a) **Statewide** training and education to consumers on food
24 safety. ~~Money remaining in the fund at the end of the fiscal year~~
25 ~~carries forward into the next fiscal year.~~

26 (b) **Food safety training and education for employees of food**
27 **establishments and agents of the department who enforce this act.**

28 ~~(3) An industry food-safety education fund is created as a~~
29 ~~revolving fund in the department of treasury. The industry food-~~

1 ~~safety education fund must be administered by the department and~~
2 ~~funded by adding \$2.00 to the fee for each food service~~
3 ~~establishment license in all categories except vending machines and~~
4 ~~in cases of fee-exempt food establishments. The money in the fund~~
5 ~~must be used to provide food safety training and education to food~~
6 ~~service establishment employees and agents of the director who~~
7 ~~enforce this act. Money remaining in the fund at the end of the~~
8 ~~fiscal year carries forward into the next fiscal year.~~

9 (3) ~~(4)~~As used in this section, "fee-exempt food
10 establishment" means a food establishment exempt from all state and
11 local food establishment license fees under section 3119(3)
12 combined with an exemption from the local health department
13 sanitation service fee under section 2444 of the public health
14 code, MCL 333.2444.

15 Sec. 5105. (1) ~~Upon~~**On** finding that a person violated a
16 ~~provision of this act or a rule, promulgated under this act,~~ the
17 department may impose an administrative fine of not more than
18 \$500.00 for the first offense and not more than \$1,000.00 for a
19 second or subsequent offense and the actual costs of the
20 investigation of the violation. Each day of a continuing violation
21 is not considered a separate violation of this act or a rule.
22 ~~promulgated under this act. The department shall not impose upon~~
23 ~~any licensee or registrant administrative fines in the aggregate~~
24 ~~amount of more than \$4,000.00 per location for a firm with annual~~
25 ~~gross receipts of \$500,000.00 or less and \$8,000.00 per location~~
26 ~~for a firm with annual gross receipts of over \$500,000.00 during~~
27 ~~any 12-month period.~~

28 (2) Administrative fines and costs collected under this
29 section ~~shall~~**must** be deposited into the dairy and food safety

1 fund.

2 (3) This section does not require the department to issue an
3 administrative fine for minor violations of this act if the
4 department believes that the public interest will be adequately
5 served under the circumstances by a suitable written notice or
6 warning.

7 (4) The department shall not impose administrative fines for
8 violations of the food code other than priority items, priority
9 foundation items, or repeated violations that remain uncorrected
10 beyond the time frame for correction specified under, ~~or~~ agreed to,
11 ~~specified,~~ or approved by the director under section 8-405.11(A) or
12 (B) or 8-406.11(A) or (B) of the food code. The department shall
13 not impose an administrative fine for a core item violation of the
14 food code unless the violation is not corrected within 30 calendar
15 days after the evaluation.

16 Sec. 6137. (1) To qualify for a ~~special~~-transitory food unit
17 license, an applicant shall allow a review and receive approval of
18 plans and specifications as specified in chapter VI. This review
19 and approval must include the menu and standard operating
20 procedures for the **transitory food** unit. **The applicant must be**
21 **licensed under this act and receive at least 1 evaluation by a**
22 **regulatory authority.**

23 (2) A ~~special~~-transitory food unit license holder shall do all
24 of the following:

25 (a) Keep a copy of the approved standard operating procedures
26 in the **transitory food** unit and available for review ~~upon~~**on**
27 evaluation by the director.

28 (b) Operate in compliance with standard operation procedures
29 approved by the director.

1 (c) Before serving food within the jurisdiction of a local
2 health department, notify the local health department in writing of
3 each location in the jurisdiction at which food will be served, ~~and~~
4 the dates and hours of service, **and a copy of the menu.** The license
5 holder shall ~~mail the notice by first-class mail or deliver the~~
6 ~~notice provide, and the local health department must receive, a~~
7 **notification of intent to operate** not less than 4 business days
8 before any food is served or prepared for serving within the
9 ~~jurisdiction of the local health department.~~ **the intended start date**
10 **of operation.**

11 (d) While in operation, request and receive 2 evaluations per
12 licensing year spaced generally over the span of the operating
13 season, ~~. A local health department and the department shall with~~
14 **not less than 1 month between each evaluation. At least 1**
15 **evaluation must be conducted by the regulatory authority that**
16 **issued the license to the transitory food unit. The regulatory**
17 **authority may** charge a fee of ~~\$90.00~~ for such an evaluation **under**
18 **this section.**

19 (e) Send a copy of all evaluation reports to the regulatory
20 authority that ~~approved~~ **issued** the license within 30 days after
21 receipt.

22 (3) If a license holder fails to comply with any of the
23 requirements of this section or the food code, the food
24 establishment is ineligible for licensure as a ~~special~~ transitory
25 ~~temporary food establishment~~ **unit** for the following licensing year
26 and must apply for **a** temporary or other type of food establishment
27 ~~licenses.~~ **license.**

28 (4) **The owner of the transitory food unit shall affix a decal**
29 **provided by the department on the transitory food unit at the time**

1 **the license is issued. The decal must be conspicuously displayed so**
 2 **that it is visible while serving the public.**

3 Sec. 7114. (1) U.S. standards for shell eggs are adopted by
 4 reference.

5 (2) Eggs described by United States ~~department~~**Department** of
 6 ~~agriculture~~**Agriculture** as black rots, white rots, mixed rots
 7 (addled eggs), sour eggs, eggs with green whites, stuck yolks,
 8 blood rings or embryos beyond blood ring stage, moldy eggs, musty
 9 eggs, bloody whites, crusted yolks, eggs with abnormal odors, and
 10 any eggs ~~which~~**that** contain wholly or in part a tainted, disease,
 11 filthy, decomposed, or putrid substance are eggs unfit for human
 12 food.

13 (3) A person shall not sell, offer, or expose for sale to ~~the~~
 14 **a** consumer or ~~to the~~ retail trade, or have in ~~his or her~~**the**
 15 **person's** possession with intent to sell to ~~the~~**a** consumer, ~~or to~~
 16 ~~the~~ retail trade, any egg unfit for human food. ~~Such an~~**An** egg
 17 ~~shall~~**unfit for human food must** be broken out of the shell and
 18 denatured or destroyed by methods approved by the director so that
 19 ~~it~~**the egg** cannot be used for human food.

20 (4) The final determination of all grade and quality factors
 21 of an official sample of shell eggs from domesticated chickens
 22 ~~shall~~**must** be made by visual examination of the egg to determine
 23 cleanliness, soundness of shell, and exterior quality, and by
 24 candling or breaking to determine interior quality. The examination
 25 ~~shall~~**must** be made by a competent representative authorized by the
 26 director. The representative shall certify the results of the
 27 examination and ~~his or her~~**the representative's** certificate shall
 28 ~~be~~**is** prima facie evidence of the facts certified to in ~~any~~**a** court
 29 where the certificate is offered in evidence.

1 (5) All eggs from domesticated chickens sold, offered, or
2 exposed for sale, or advertised for sale by a retailer or
3 wholesaler ~~shall~~**must** be marked as follows to conform to the
4 following applicable size requirement:

5 (a) "Jumbo", if the eggs weigh at the rate of not less than 30
6 ounces per dozen, with no eggs below the rate of 29 ounces per
7 dozen.

8 (b) "Extra large", if the eggs weigh at the rate of not less
9 than 27 ounces per dozen, with no eggs below the rate of 26 ounces
10 per dozen.

11 (c) "Large", if the eggs weigh at the rate of not less than 24
12 ounces per dozen, with no eggs below the rate of 23 ounces per
13 dozen.

14 (d) "Medium", if the eggs weigh at the rate of not less than
15 21 ounces per dozen, with no eggs below the rate of 20 ounces per
16 dozen.

17 (e) "Small", if the eggs weigh at the rate of not less than 18
18 ounces per dozen, with no eggs below the rate of 17 ounces per
19 dozen.

20 (f) "Peewee", if the eggs weigh at the rate of not less than
21 15 ounces per dozen.

22 (6) All advertising of eggs ~~shall~~**must** include the correct
23 unabbreviated size designation in describing eggs. The correct
24 unabbreviated size designation ~~shall also~~**must** appear on the
25 exterior of ~~any~~**a** container, open or closed, in which eggs are
26 offered for sale to the retailer or ~~the~~ consumer.

27 (7) A person shall not, ~~by himself or herself or his or her~~
28 ~~agents~~**on the person's own or through an agent**, sell, offer, or
29 expose for sale, advertise, or in any manner represent for sale as

1 strictly fresh, hennerly, new laid, best, grade A, number 1, fancy,
2 special, extra, selected, direct from the farm, or under any word,
3 figures, symbols, or description of similar import, any eggs ~~which~~
4 **that** are not fresh. An egg is not considered fresh unless it meets
5 the standards of quality specified for the U.S. AA or A quality, or
6 the equivalent, as designated in U.S. standards for shell eggs for
7 individual eggs or in standards prescribed by the director by rule.

8 (8) All eggs from domesticated chickens sold, offered or
9 exposed for sale, or advertised for sale by a retailer or
10 wholesaler ~~shall~~**must** be labeled or marked to conform to one of the
11 following grade requirements:

12 (a) Eggs that fully meet the specifications of U.S. AA quality
13 or fresh fancy quality, or the equivalent thereof, as described in
14 U.S. standards for shell eggs, ~~shall~~**must** be labeled and advertised
15 as grade AA or fresh fancy eggs, Michigan seal of quality eggs,
16 grade A or grade B eggs.

17 (b) Eggs that fully meet the specifications of the U.S. A
18 quality, or the equivalent thereof, as described in U.S. standards
19 for shell eggs, ~~shall~~**must** be labeled and advertised as grade A or
20 grade B eggs.

21 (c) Eggs that fully meet the specifications of a U.S. B
22 quality, or the equivalent thereof, as described in U.S. standards
23 for shell eggs, ~~shall~~**must** be labeled and advertised as grade B
24 eggs.

25 (d) Eggs that do not meet the grade requirements of
26 subdivision (a), (b), or (c) ~~shall~~**must** not be offered for sale or
27 sold in the shell. Those eggs may be broken out of the shell at the
28 grading plant or grading station or may be offered for sale or sold
29 to an egg breaking plant.

1 (9) Eggs ~~shall~~**must** be held and transported at or below 45
2 degrees Fahrenheit ambient temperature beginning 36 hours after
3 time of lay. If the eggs are to be processed as table eggs and are
4 not processed for the ultimate consumer within 36 hours from the
5 time of lay and, therefore, are held and transported as required at
6 or below 45 degrees Fahrenheit ambient temperature, then the eggs
7 may be held at room temperature for no more than 36 hours just
8 ~~prior to~~**before** processing to allow an equilibration step to temper
9 the eggs.

10 (10) A person shall not knowingly sell or offer or expose for
11 sale a shell egg that the person knows or should know is the
12 product of an egg-laying hen that was confined in a manner that
13 does not comply with the requirements of section 46 of the animal
14 industry act, 1988 PA 466, MCL 287.746.

15 (11) A person that sells or offers or exposes for sale a shell
16 egg that is derived from an egg-laying hen shall maintain a record
17 of compliance with section 46 of the animal industry act, 1988 PA
18 466, MCL 287.746. The record of compliance described under this
19 subsection must be on a form and in a manner prescribed by the
20 department. A record of compliance under this subsection is valid
21 for 1 year and must be retained for 3 years and made available for
22 inspection by the department on request.

23 (12) All shell eggs sold in this state must be labeled or
24 marked with an indication that the shell eggs meet the requirements
25 of section 46 of the animal industry act, 1988 PA 466, MCL 287.746.
26 A commercially recognized label or marking may be used, but the
27 label or marking is not required to specifically reference or cite
28 to section 46 of the animal industry act, 1988 PA 466, MCL 287.746.
29 The department may issue a list of commercially recognized labels

1 for use in complying with this subsection.

2 (13) Except as otherwise provided in this subsection, shell
3 eggs that enter or are transported within this state for commercial
4 sale in this state must be transported with a shipping document
5 that includes a statement identifying that the shell eggs comply
6 with section 46 of the animal industry act, 1988 PA 466, MCL
7 287.746. A commercially recognized label described under subsection
8 (12) satisfies the requirements of this subsection. Shell eggs that
9 enter or are transported within this state exclusively for purposes
10 of transshipment, export, donation, or sale to federal agencies or
11 on tribal lands and are not destined for commercial sale in this
12 state must be transported with a shipping document that, upon
13 entrance into this state, is legibly and plainly printed or stamped
14 with the statement "For Export" or "For Transshipment". As used in
15 the subsection, "export" includes shipment to or from this state to
16 another state.

17 (14) Shell eggs that enter or are transported within this
18 state for commercial sale that do not comply with section 46 of the
19 animal industry act, 1988 PA 466, MCL 287.746, and that originate
20 from an official plant under mandatory inspection that holds an
21 establishment number with prefix "G" granted by the United States
22 Department of Agriculture, Food Safety Inspection Service under the
23 egg products inspection act, 21 USC 1031 to 1056, and are being
24 transported to another official plant under mandatory inspection
25 that holds an establishment number with prefix "G" granted by the
26 United States Department of Agriculture, Food Safety Inspection
27 Service under the egg products inspection act, 21 USC 1031 to 1056,
28 solely for purposes of using the shell eggs for making food
29 products not covered by section 46 of the animal industry act, 1988

1 PA 466, MCL 287.746, must be transported with a shipping document
2 that, upon entrance into this state, is legibly and plainly printed
3 or stamped with the statement "For further processing/not for sale
4 as shell eggs."

5 (15) A person shall not label, identify, mark, advertise, or
6 otherwise represent shell eggs for purposes of commercial sale as
7 complying with section 46 of the animal industry act, 1988 PA 466,
8 MCL 287.746, if the shell eggs are the product of an egg-laying hen
9 that was confined in a manner that does not comply with the
10 requirements of section 46 of the animal industry act, 1988 PA 466,
11 MCL 287.746.

12 (16) ~~(10)~~—This act does not apply to a person ~~who~~**that** meets
13 all of the following requirements:

14 (a) Is directly responsible for producing **shell** eggs from
15 fewer than 3,000 **egg-laying** hens.

16 (b) Only sells eggs directly to consumers or first receivers.

17 (c) Only sells eggs in containers that ~~each bear~~**have** a label
18 ~~stating that contains the statement~~ "packaged in a facility that
19 has not been inspected by the department."

20 (d) Does not sell eggs through the internet or by mail order
21 or consignment.