

HOUSE BILL NO. 5745

February 15, 2022, Introduced by Reps. Borton, Posthumus, Alexander, Hertel, Steenland, Cambensy, Liberati, Roth, Filler and Bezotte and referred to the Committee on Agriculture.

A bill to amend 1975 PA 120, entitled
"Feed law,"
by amending section 19 (MCL 287.539), as added by 2015 PA 83.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19. **(1)** To facilitate continued access to markets for
2 **commercial** feed and **commercial** feed ingredients, the ~~director~~
3 **department** may do 1 or more of the following:

4 (a) At the request of a ~~licensee~~**manufacturer** or based upon
5 records voluntarily supplied by a ~~licensee~~**,manufacturer**, inspect,

1 audit, or certify locations where **commercial** feed ~~regulated under~~
2 ~~this act is stored or business records are kept.~~ **or commercial feed**
3 **ingredients are manufactured in this state.**

4 (b) Issue certificates ~~pursuant to subdivision (a), including,~~
5 ~~but not limited to, certificates of export from this state.~~ **of free**
6 **sale under subsection (3).**

7 (c) Promulgate rules to inspect, audit, or certify and issue
8 certificates ~~pursuant to~~ **of free sale under** this section.

9 ~~(d) Include a schedule of fees that addresses all activities~~
10 ~~required under this section. The schedule of fees shall not~~
11 ~~duplicate those provided in other sections of this act.~~

12 (2) A manufacturer shall submit an application for a
13 certificate of free sale on a form and in a manner prescribed by
14 the department.

15 (3) The department shall grant or deny an application for a
16 certificate of free sale within 10 business days after the
17 department receives a completed application under subsection (2)
18 and the application fee under subsection (4). If the department
19 determines that the application meets the requirements of this act
20 and the rules promulgated under this act, the department shall
21 issue a certificate of free sale. If the department determines that
22 the application does not meet the requirements of this act or the
23 rules promulgated under this act, the department shall deny the
24 application and send a written notice to the manufacturer stating
25 the reasons for the denial.

26 (4) A manufacturer shall pay the department the following
27 fees, as applicable:

28 (a) An application fee, \$60.00.

29 (b) A duplicate copy of a certificate of free sale, \$10.00.

1 (5) A fee collected under subsection (4) must be deposited in
2 the feed control fund created in section 17.

3 (6) A certificate of free sale issued under this section is
4 valid for 1 year.

5 (7) As used in this section, "certificate of free sale" means
6 a document that is issued by the department that verifies that the
7 commercial feed or commercial feed ingredient listed is
8 manufactured in this state and is legally sold or distributed in
9 this state and on the open market with the approval of the
10 department.