

# HOUSE BILL NO. 5748

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

A bill to amend 2001 PA 266, entitled  
"Grade A milk law of 2001,"  
(MCL 288.471 to 288.540) by adding section 36.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 36. (1) To facilitate continued access to markets for**  
2 **grade A milk and milk products, the department may do 1 or both of**  
3 **the following:**

4           **(a) At the request of a processor or producer or based upon**  
5 **records voluntarily supplied by a processor or producer, inspect,**

1 audit, or certify milk plants where grade A milk or milk products  
2 are processed, pasteurized, or aseptically processed in this state.

3 (b) Issue certificates of free sale under subsection (3).

4 (2) A processor or producer shall submit an application for a  
5 certificate of free sale on a form and in a manner prescribed by  
6 the department.

7 (3) The department shall grant or deny an application for a  
8 certificate of free sale within 10 business days after the  
9 department receives a completed application under subsection (2)  
10 and the application fee under subsection (4). If the department  
11 determines that the application meets the requirements of this act,  
12 the department shall issue a certificate of free sale. If the  
13 department determines that the application does not meet the  
14 requirements of this act, the department shall deny the application  
15 and send a written notice to the processor or producer stating the  
16 reasons for the denial.

17 (4) If a certificate of free sale is issued under subsection  
18 (3), the processor or producer shall pay the department the  
19 following fees, as applicable:

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

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

22 (5) A fee collected under subsection (4) must be deposited in  
23 the dairy and food safety fund created in section 4117 of the food  
24 law of 2000, MCL 289.4117.

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

27 (7) As used in this section, "certificate of free sale" means  
28 a document that is issued by the department that verifies that the  
29 grade A milk or milk product listed is processed, pasteurized, or

1 aseptically processed in this state and is legally sold or  
2 distributed in this state and on the open market with the approval  
3 of the department.