

FEED LAW (EXCERPT)
Act 120 of 1975

287.526 Inspection fee per ton; payment; filing statement of tonnage and fees; failure to comply with section; disclosure of information.

Sec. 6.

(1) An inspection fee of \$0.30 per ton must be paid on commercial feed distributed in this state by the person whose name appears on the label as the manufacturer, guarantor, or distributor, except that a person other than the manufacturer, guarantor, or distributor may assume responsibility for the inspection fee, subject to the following:

(a) If more than 1 person is involved in the distribution of commercial feed, the last person that is required to be licensed and that distributes to a nonlicensee is responsible for reporting the tonnage distributed and paying the inspection fee.

(b) A fee will not be paid on customer-formula feed if the inspection fee is paid on the commercial feeds that are used as ingredients within the customer-formula feed.

(c) The minimum inspection fee is \$50.00 per July 1 to June 30 annual period.

(d) The inspection fee is \$0.15 per ton on feed ingredients that are by-products of manufacturing processes and have a moisture content equal to or greater than 60%.

(2) Each person liable for paying the inspection fee under subsection (1) shall do both of the following:

(a) File annually, by the last day of July, a statement, stating the number of tons of commercial feed distributed in this state during the preceding July 1 to June 30 period. The inspection fee and tonnage must be reported on forms furnished or approved by the director. Payments due of less than \$5.00 are waived, and refunds of less than \$5.00 will not be processed unless requested in writing. For any report not filed with the department by the due date, a penalty of \$50.00 or 10% of the amount due, whichever is greater, will be assessed. The assessment of this penalty fee does not prevent the department from taking other actions as provided in this act.

(b) Maintain records for 2 years to accurately indicate the commercial feed tonnage distributed in this state. The director may examine the records to verify statements of tonnage.

(3) Failure to make an accurate statement of tonnage, pay the inspection fee, or comply with this section constitutes sufficient cause for suspending a distributor license.

(4) Unless disclosure is required for the enforcement of this act, the information furnished under this section is private or nonpublic, is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed by an employee of the department in any manner that divulges the business operations of a licensee required by this section to make a report.

History: 1975, Act 120, Imd. Eff. June 26, 1975 ;-- Am. 1980, Act 338, Imd. Eff. Dec. 23, 1980 ;-- Am. 2015, Act 83, Eff. Oct. 1, 2015 ;-- Am. 2018, Act 93, Imd. Eff. Mar. 26, 2018