

**SLAUGHTERHOUSES; EDIBLE RENDERING, WHOLESALE FABRICATING, PROCESSING,
OR STORAGE ESTABLISHMENTS**
Act 280 of 1965

AN ACT to provide for licensing and regulating of slaughterhouses, edible rendering establishments and wholesale fabricating, processing or storage establishments of meat; to provide for the antemortem and postmortem inspection and reinspection of slaughtered meat animals; to prescribe the duties and powers of the department of agriculture; to prescribe license fees; to provide for the transfer of personnel and the rights of employees affected by this act; to provide for inspection of large wild game animals; and to provide penalties for violation of the provisions of this act.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1966, Act 239, Imd. Eff. July 11, 1966;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970;—Am. 1971, Act 143, Imd. Eff. Nov. 12, 1971.

The People of the State of Michigan enact:

287.571 Definitions.

Sec. 1. As used in this act:

(a) "Slaughterhouse" means a building, structure, or place used for the slaughter and dressing of meat animals.

(b) "Edible rendering establishment" means a building, structure, or place used for cooking or reduction of any carcass or parts of carcasses of meat animals to be used for any product which is to be offered for sale or sold for human consumption, except that plants licensed under Act No. 226 of the Public Acts of 1929, as amended, being sections 287.231 to 287.241 of the Michigan Compiled Laws, are exempt from the license provided for in this act.

(c) "Meat animal" means horses which are to be offered for sale or sold for human consumption or cattle, calves, sheep, lambs, goats, or swine to be prepared as a meat or meat product.

(d) "Meat" means the edible part of the muscle of horses which are to be offered for sale or sold for human consumption or cattle, calves, sheep, lambs, goats, or swine which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat, and the portion of bone, skin, sinew, nerve, and blood vessels, which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout, or ears.

(e) "Meat products" means carcasses, or parts of carcasses, derived in whole or in part from meat animals.

(f) "Meat inspection" means the performance by or under the direct supervision of a veterinarian of antemortem and postmortem inspection of meat animals and reinspection of carcasses of meat animals and meat or meat products for wholesomeness. It includes the inspection of large wild game animals at the time of their processing, whether or not the processing takes place in an official establishment.

(g) "Department" means the state department of agriculture.

(h) "Director" means the director of the department or his designated or authorized representative.

(i) "Official establishment" means a slaughterhouse, edible rendering establishment, or similar establishment where inspection is required pursuant to this act.

(j) "Person" means an individual, partnership, corporation, association, any other organized group of persons, or legal successors or representatives or agency of the foregoing engaged in slaughtering, edible rendering, or wholesale fabricating, processing, or storage of meat products.

(k) "Reinspection" means inspection and surveillance for sanitation and approved standards during preparation, fabricating, processing, canning, labeling and packaging, wholesale distribution, storage, and transportation.

(l) "Fabricating" means cutting into wholesale or retail cuts or dicing or grinding.

(m) "Processing" means drying, curing, smoking, cooking, canning, seasoning, or flavoring or any combination of such processes, with or without fabricating.

(n) "Prepared" means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

(o) "Slaughter" means the process of rendering a meat animal lifeless with the use of humane methods and includes removal of the hide or hair and evisceration in such a manner that the resulting meat product after passing inspection can be used as food for human consumption.

(p) "Large game animals" means bear, caribou, deer, elk, and moose.

(q) "Operations of types traditionally conducted at retail outlets" means operations at which at least 75% of annual meat sales are to household consumers and which total not over \$18,000.00 of annual meat sales to

nonhousehold consumers.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970;—Am. 1971, Act 143, Imd. Eff. Nov. 12, 1971;—Am. 1974, Act 328, Imd. Eff. Dec. 15, 1974;—Am. 1976, Act 429, Imd. Eff. Jan. 11, 1977.

287.572 Administration; adoption of rules; minimum standards; inspection programs.

Sec. 2. (a) The director shall be responsible for the administration of this act. He shall make rules pertaining to the certification and licensing of slaughterhouses, edible rendering establishments and wholesale fabricating, processing or storage establishments handling meat products; prescribing minimum standards for approved meat inspection programs; prescribing minimum standards for a uniform state meat inspection program and to otherwise carrying out the provisions of this act in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.80 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

(b) The director shall evaluate and may approve meat inspection programs of district, county, city, township or village health departments. In any district, county, city, township or village that maintains a regular meat inspection program approved by the director, the slaughtering of meat animals and the inspection and reinspection of meat establishments and facilities under the provisions of this act shall be under the supervision of local officers operating under the jurisdiction of the director. Such activities under the director of the department shall in no manner affect the existing civil service status or possible pension rights of local officers and employees.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970.

Administrative rules: R 285.148.001 et seq. and R 285.149.1 of the Michigan Administrative Code.

287.572a Transfer of local meat inspection officers and employees to department; agreements; civil service and retirement rights and benefits.

Sec. 2a. (1) Any district, county, city, township or village health department, with the approval of the local governing body, may enter into an agreement with the director for the transfer to the department of meat inspection officers and employees certified as qualified by the state civil service commission. Such transfer shall not affect the then existing civil service status or possible pension rights of the transferred officers and employees.

(2) Officers and employees transferred by agreements pursuant to this section, who were members of a district, county, city, township or village retirement system and become members of the state employees' retirement system, shall be entitled to benefits provided by Act No. 88 of the Public Acts of 1961, as amended, being sections 38.1101 to 38.1105 of the Compiled Laws of 1948, notwithstanding that the district, county, city, township or village might not have adopted the provisions of Act No. 88 of the Public Acts of 1961. Whenever the service requirements for benefits to be paid under Act No. 240 of the Public Acts of 1943, as amended, being sections 38.1 to 38.43 of the Compiled Laws of 1948, to the persons who become members of the state employees' retirement system are lower than the service requirements in Act No. 88 of the Public Acts of 1961, the provisions of Act No. 240 of the Public Acts of 1943, as amended, shall apply with respect to such persons.

History: Add. 1966, Act 239, Imd. Eff. July 11, 1966.

287.573 License required; sale and transportation of products; exemption.

Sec. 3. (1) A person shall not establish, conduct, maintain, or operate a slaughterhouse or edible rendering establishment without a license from the department. After July 1, 1969, a person shall not establish, conduct, maintain, or operate a wholesale fabricating, processing, or storage establishment handling meat products without a license from the department. A licensee of meat products licensed under this act shall not be required to be licensed by a local unit of government to operate under this act or under any district, county, city, township, or village ordinance. After July 1, 1969, a person licensed under this act is not required to obtain a license under Act No. 228 of the Public Acts of 1952, as amended, being sections 289.581 to 289.592 of the Michigan Compiled Laws. The products of a licensee under this act, inspected and approved in accordance with the requirements of this act, shall be permitted for sale in all local government jurisdictions in this state and may be transported and sold anywhere in this state without restriction.

(2) A person conducting operations of types traditionally conducted at retail outlets is exempt from the licensing requirements of this act.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970;—Am. 1974, Act 328, Imd. Eff. Dec. 15, 1974.

287.574 Slaughtering meat animals from producer's herd; wild game animals.

Sec. 4. This act does not restrict or prohibit a livestock producer or his or her employees from slaughtering meat animals from his or her own herd on his or her own premises for his or her own consumption. Meat animals slaughtered under this section shall not be offered for sale or sold for human consumption or otherwise disposed of for a consideration. Large wild game animals that are processed shall not be purchased, offered for sale, or sold except as provided for in part 427 (breeders and dealers) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.42701 to 324.42714 of the Michigan Compiled Laws.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1971, Act 143, Imd. Eff. Nov. 12, 1971;—Am. 1996, Act 64, Imd. Eff. Feb. 26, 1996.

287.575 Ante-mortem inspection of meat animals.

Sec. 5. The director shall provide for the ante-mortem inspection of all meat animals slaughtered in any slaughterhouse or edible rendering establishment, excepting those meat animals slaughtered under the direct supervision of the United States department of agriculture, before they are slaughtered. Separate facilities shall be provided for confining and conducting the inspection of meat animals deemed unfit for immediate slaughter. If any person is about to slaughter any meat animal which the department believes may be affected with disease, the director shall notify the person in charge of the animals to refrain from slaughtering them until the ante-mortem examination is completed. Any person slaughtering meat animals after such notification by the director upon conviction, shall be guilty of a misdemeanor.

History: 1965, Act 280, Imd. Eff. July 22, 1965.

287.576 Postmortem inspection and reinspection; exception; expenses, state share.

Sec. 6. (1) The director shall provide postmortem inspection of all meat animals slaughtered in any slaughterhouse or edible rendering establishment and reinspection of all meat animals, meat or meat products prepared in any slaughterhouse, edible rendering establishment, or wholesale fabricating, processing and storage establishment, excepting those meat animals slaughtered under the direct supervision of the United States department of agriculture or large wild game animals inspected at the time of processing at an official establishment. Carcasses and parts of carcasses found to be sound, healthful, wholesome and properly labeled upon inspection or reinspection as provided in this act shall be approved and properly identified by authorized personnel of the department. Each carcass or part of a carcass which is found on postmortem inspection or reinspection to be unsound, diseased or otherwise unfit for human consumption or not properly labeled shall be retained or condemned and conspicuously identified by the inspector at the time of inspection or reinspection and disposed of in the manner prescribed by the department.

(2) The state share of expenditures for the federal-state cooperative reinspection program shall not exceed the share contributed by the federal government.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970;—Am. 1971, Act 143, Imd. Eff. Nov. 12, 1971.

287.577 License; application, fee, expiration; expense of inspection programs.

Sec. 7. Any person that operates or desires to operate a slaughterhouse, edible rendering establishment, or wholesale fabricating, processing or storage establishment handling meat products shall apply to the department for a license to operate the establishment. No person shall operate a slaughterhouse or edible rendering establishment and after July 1, 1969, no person shall operate a wholesale fabricating, processing or storage establishment handling meat products without a license from the department. The cost of such a license shall be \$100.00. A licensee engaging in more than 1 of such operations on the same premises is required to have only 1 license. Application for license shall be on a form furnished by the department and shall show ownership, location and such other information that may be required by the department. License for each slaughterhouse, edible rendering establishment, wholesale fabricating, processing or storage establishment handling meat products shall expire on December 31 of each year and shall be renewed annually. Revenues from license fees shall be deposited with the state treasury and credited to the general fund of the state. Each licensee under this act shall be assigned an establishment number by the department. Such number shall be displayed in accordance with regulations prescribed by the director. All expenses of approved district, county, city, township or village meat inspection programs certified by the director shall be paid by the department from funds appropriated annually by the legislature for this purpose. Expenses for approved local meat inspection programs shall be submitted to the director, who upon verification of these expenses, shall certify them to be correct and transmit them to the state treasurer for payment. The cost of meat inspection in any slaughterhouse, edible rendering establishment, wholesale fabricating, processing or

storage establishment handling meat products to be paid for by the department shall be those costs incurred during a normal 8-hour working period within a 24-hour day and a 40-hour, 5-day week. Whenever it becomes necessary to operate a slaughterhouse, edible rendering establishment, wholesale fabricating, processing or storage establishment handling meat products more than 8 consecutive hours during a 24-hour period or more than 5 days in 1 week or on a legal holiday, such additional costs for meat inspection service, over 8 hours a day or 5 days a week or on a legal holiday, shall be paid for by the owner of the establishment in accordance with the regulations prescribed by the director of the department. All moneys collected by the department for meat inspection services shall be deposited with the state treasury and credited to the general fund of the state, except overtime fees paid for by the owners as prescribed by this act shall be collected by the department and are appropriated to be used to pay personnel for overtime services.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970.

287.577a Repealed. 1970, Act 166, Imd. Eff. Aug. 3, 1970.

Compiler's note: The repealed section set license fee for slaughterhouses or edible rendering establishments and precluded license fee for meat trucks.

287.578 Meat inspection mark; possession and use.

Sec. 8. No person, except those authorized by the department, shall possess, keep or use any approved meat inspection mark, stamp or brand provided by the department used to mark, stamp or brand the carcass of any meat animal or parts thereof or to possess, keep or use any mark, stamp or brand having thereon a device or words the same or similar in character or import to the approved marks, stamps or brands provided and used by the department.

History: 1965, Act 280, Imd. Eff. July 22, 1965.

287.579 Prohibited sales of meat; wild game animals.

Sec. 9. No person shall offer for sale or sell any meat, meat animal or meat product bearing a stamp, mark or legend stating or implying that it has been inspected and approved as provided in this act unless in fact it has been subjected to meat inspection by an approved district, county, city, township or village health department, by the director or his authorized agent, or by the United States department of agriculture. No person shall offer for sale or sell any meat or meat product unless it has been subject to meat inspection, approved by such inspection, and carcass and primal cut properly identified by mark, stamp or brand authorized by the department except that only the packages or containers of processed large wild game animals shall indicate that the meat was processed at an official establishment and labeled not for sale. No person shall offer for sale or sell any meat, meat animal or meat product bearing a stamp, mark or legend or implying that it has been inspected or reinspected and approved as provided by this act, unless it has been inspected by an approved district, city, township or village health department, by the director or his authorized agent, or by the United States department of agriculture.

History: 1965, Act 280, Imd. Eff. July 22, 1965;—Am. 1970, Act 166, Imd. Eff. Aug. 3, 1970;—Am. 1971, Act 143, Imd. Eff. Nov. 12, 1971.

287.580 Authorization to seek federal approval of program and to enter cooperative agreement.

Sec. 10. The director is authorized to seek approval of the United States department of agriculture for the meat inspection program provided in this act. The director is further authorized to enter into cooperative agreement with the United States department of agriculture for the purpose of carrying out the meat inspection program provided in this act.

History: 1965, Act 280, Imd. Eff. July 22, 1965.

287.581 Denial or revocation of license; grounds, notice, hearing, appeal.

Sec. 11. The director may deny, suspend, revoke or refuse to renew a license issued by him in any case where he is authorized to receive applications for or to issue such license under this act where he finds that there has been a failure to comply with the provisions of this act or any of the rules and regulations promulgated thereunder. Whenever the director is satisfied of the existence of any reason for refusing, suspending or revoking the license provided for in this act, before refusing, suspending or revoking the license, the department shall give written notice of a hearing to be had thereon to the licensee affected. The notice shall appoint a time of hearing at the department and shall be mailed by certified or registered mail to the licensee affected. On the day of the hearing, the licensee affected may present such evidence to the director as he deems relative regarding the violations charged and the director shall thereupon render a decision. Any licensee who feels aggrieved at the decision of the director may appeal from said decision

within 10 days of writ of certiorari to the circuit court of the county where the licensee resides or conducts his principal place of business.

History: 1965, Act 280, Imd. Eff. July 22, 1965.

287.582 Violation of act; penalty.

Sec. 12. Any person who violates or fails to comply with the provisions of this act shall upon conviction be guilty of a misdemeanor.

History: 1965, Act 280, Imd. Eff. July 22, 1965.

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