



HOUSE BILL No. 5580

May 25 1994 Introduced by Reprs Randall Alley Bender and Gnodtke and referred to the Committee on Agriculture and Forestry

A bill to set standards for certain honey sold in the state of Michigan to provide for certain powers for certain state agencies and to provide for remedies and penalties

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Sec 1 (1) A person shall not sell, offer or display for
2 sale, or possess with intent to sell extracted honey in retail
3 packages unless that honey conforms to the standards of the
4 United States department of agriculture for U S grade A as
5 defined in 7 C F R 52 1400 Extracted honey packaged for retail
6 sale shall be identified as white , amber , or dark (amber) ,
7 consistent with the color range pfund scales or optical density
8 as described in 7 C F R 52 1398

9 (2) Except as otherwise provided by this subsection a
10 person shall not sell, offer or display for sale, or possess with
11 intent to sell comb hone, that does not conform to the standards

1 of the United States department of agriculture for U S grade
2 No 2, or better, as described in 7 C F R 52 2861 to 52 2888
3 The standards described in this subsection do not apply to comb
4 honey in which each package is clearly marked on the outside of
5 the package as unclassified

6 Sec 2 (1) All extracted or comb honey shall be free of
7 adulteration

8 (2) As used in this section, "adulteration" means that term
9 as defined and described in section 16 of the Michigan food law
10 of 1968 Act No 39 of the Public Acts of 1968, being section
11 289 716 of the Michigan Compiled Laws Adulteration includes,
12 but is not limited to, the following

13 (a) Added sugar as detected or qualified, or both, by
14 methods published by the association of official analytic chemist
15 procedures

16 (b) Moisture in extracted honey at 20 degrees Celsius, that
17 exceeds 18 6% so long as the moisture is at least 0 2% less for
18 each 0 2% soluble solids above 81 4%

19 Sec 3 (1) The department of agriculture shall enforce
20 this act in the same manner as the Michigan food law of 1968, Act
21 No 39 of the Public Acts of 1968, being sections 289 701 to
22 289 727 of the Michigan Compiled Laws

23 (2) The department of agriculture may promulgate rules pur-
24 suant to the administrative procedures act of 1969, Act No 306
25 of the Public Acts of 1969, being sections 24 201 to 24 328 of
26 the Michigan Compiled Laws, to administer and enforce this act

1 Sec 4 A person who violates this act or a rule
2 promulgated under this act is guilty of a misdemeanor punishable
3 by imprisonment for not more than 90 days, a fine of not more
4 than \$100 00, or both

5 Sec 5 In addition to the penalties otherwise provided in
6 this act, the department of agriculture may apply to circuit
7 court for injunctive relief restraining any person from violating
8 this act or a rule promulgated pursuant to this act irrespective
9 of whether an adequate remedy at law exists