



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 477 (as enrolled)
Sponsor: Senator Mike Green
Senate Committee: Agriculture
House Committee: Agriculture

Date Completed: 6-22-16

RATIONALE

The Grade "A" Pasteurized Milk Ordinance (or PMO) is a regularly updated publication that regulates Grade "A" milk and milk product production, pasteurizing, processing, and distribution. Michigan's Grade A Milk Law currently incorporates the PMO, 2007 Revision, as a reference to regulate certain parts of the Law. Recently, the Michigan Department of Agriculture and Rural Development reported that the U.S. Food and Drug Administration (FDA) had reviewed Michigan records and recommended that the Michigan Law be updated to include a newer version of the PMO.

CONTENT

The bill would amend the Grade A Milk Law to refer to the 2013, rather than the 2007, edition of the Grade "A" Pasteurized Milk Ordinance.

The Law defines "pasteurized milk ordinance" or "PMO" as the 2007 edition of the Grade "A" Pasteurized Milk Ordinance, recommendations of the United States Department of Health and Human Services, Public Health Service/Food and Drug Administration, with administrative procedures and appendices, set forth in the Public Health Service/Food and Drug Administration publication no. 229. The bill would refer to the 2013, rather than the 2007, edition of the PMO.

The Law adopts the PMO and incorporates it by reference, except as otherwise provided; requires applicants for a license or permit to meet the requirements of the PMO; allows administrative and criminal penalties for a violation of the PMO; requires all milk and milk products to be pasteurized according to the requirements of the PMO; and contains other requirements for compliance with the PMO.

The bill would take effect 90 days after its enactment.

MCL 288.476

BACKGROUND

Since 1924, a milk ordinance has been developed at the Federal level for voluntary adoption by a state, local municipality, or milk control agency. Publication of the Grade "A" Pasteurized Milk Ordinance began in 1965, and a revised PMO has been published every other year to provide universally accepted provisions regarding the production, pasteurizing, processing, and distribution of milk and milk products since 1993.

The National Conference on Interstate Milk Shipments (NCIMS) is a nonprofit organization composed of many individuals who are involved in the dairy industry. The Conference meets biennially in odd-numbered years to discuss and deliberate proposals created by individuals and organizations that have an interest in ensuring safe dairy products for consumers. The results of NCIMS discussions are generally incorporated into future PMOs.

According to the FDA, the PMO is incorporated by reference in Federal specifications for procurement of milk and milk products; is used as the sanitary regulation for milk and milk products served on interstate carriers; and is recognized by the Public Health Agencies, the milk industry, and many others as the national standard for milk sanitation.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Milk sanitation is essential to health and safety. According to the forward to the PMO 2013 Revision, the interest of the U.S. Public Health Service in milk sanitation stems from two important public health considerations. First, no other food surpasses milk as a single source of those dietary elements needed for the maintenance of proper health, especially in children and older citizens. Second, milk has the potential to become a vehicle of disease transmission and has, in the past, been associated with major disease outbreaks.

Milk-borne illness in the United States has decreased dramatically. In 1938, milk-borne outbreaks constituted 25% of all disease outbreaks due to infected food and contaminated water. The most recent information from the FDA reveals that milk and fluid milk products are associated with less than 1% of such reported outbreaks. Despite the decreases in milk-borne illnesses, they still occur and require continued vigilance at every stage of production, pasteurizing, processing, and distribution of milk and milk products.

The bill is necessary to update the PMO reference in the Grade A Milk Law to a more recent revision, which would enforce the most current standards of providing consumers with safe and healthy dairy products.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.