

# SENATE BILL No. 477

September 10, 2015, Introduced by Senators GREEN and HUNE and referred to the Committee on Agriculture.

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," by amending section 6 (MCL 288.476), as amended by 2008 PA 136.

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

1           Sec. 6. As used in this act:

2           (a) "Pasteurized milk ordinance" or "PMO" means the ~~2007-2013~~  
3           ~~edition of the grade A pasteurized milk ordinance,~~ **GRADE "A"**  
4           **PASTEURIZED MILK ORDINANCE**, recommendations of the United States  
5           ~~department of health and human services, public health service/food~~  
6           ~~and drug administration,~~ **DEPARTMENT OF HEALTH AND HUMAN SERVICES,**  
7           **PUBLIC HEALTH SERVICE/FOOD AND DRUG ADMINISTRATION**, with  
8           administrative procedures and appendices, set forth in the ~~public~~  
9           ~~health service/food and drug administration~~ **PUBLIC HEALTH**  
10          **SERVICE/FOOD AND DRUG ADMINISTRATION**, publication no. 229.

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1 (b) "Person" means an individual, partnership, company,  
2 limited liability company, cooperative, association, firm, trustee,  
3 educational institution, state or local government unit, or  
4 corporation.

5 (c) "Processor" means the owner or operator of a milk plant.

6 (d) "Producer" means a person who owns or operates a dairy  
7 farm and sells or distributes milk produced on that farm including  
8 a person who markets milk on behalf of a producer ~~pursuant to~~**UNDER**  
9 a marketing agreement.

10 (e) "Receiving station" means any place, premises, or  
11 establishment where raw milk is received, collected, handled,  
12 stored, or cooled and is prepared for further transporting.

13 (f) "Registered name" means either a name that is registered  
14 as "doing business as" at the county clerk's office in the county  
15 in which the producer or processor resides or that is registered  
16 with ~~the state of Michigan~~**THIS STATE** as a legal entity registered  
17 to do business within ~~the~~**THIS** state under an assumed name.  
18 Registered name includes, but is not limited to, incorporations,  
19 corporations, limited liability companies, limited liability  
20 partnerships, and similar entities.

21 (g) "Retail" means selling or offering for sale dairy products  
22 directly to a consumer.

23 (h) "Retail food establishment" means an operation that sells  
24 or offers to sell food directly to a consumer. Retail food  
25 establishment includes both a retail grocery and a food service  
26 establishment but does not include a food processing plant.

27 (i) "Sample transfer instrument" means any of the following:

1 (i) Individually wrapped, sterile, single-service sampling  
2 tubes.

3 (ii) Stainless steel metal dippers, with long handles having  
4 capacities of 10 milliliters or greater.

5 (iii) Sampling devices approved by the director.

6 (j) "Sanitary standards" means the dairy equipment  
7 construction standards or accepted dairy system operating practices  
8 formulated by 1 of the following:

9 (i) 3-A sanitary standards committees representing the  
10 ~~international association for food protection, INTERNATIONAL~~  
11 **ASSOCIATION FOR FOOD PROTECTION**, the United States ~~public health~~  
12 ~~service, PUBLIC HEALTH SERVICE~~, the United States ~~department of~~  
13 ~~agriculture, DEPARTMENT OF AGRICULTURE~~, and the dairy industry  
14 committee as approved by the director.

15 (ii) If sanitary standards are not available for a particular  
16 piece of equipment, general sanitary construction standards for  
17 dairy equipment formulated by the United States ~~department of~~  
18 ~~agriculture DEPARTMENT OF AGRICULTURE~~ or the ~~food and drug~~  
19 ~~administration FOOD AND DRUG ADMINISTRATION~~ as approved by the  
20 director.

21 (iii) The equipment or practice is approved by bulletin of the  
22 director on a case-by-case basis.

23 (k) "Sell-by date" means the recommended last date of sale.

24 (l) "Single service containers and closures" means single use  
25 containers or parts of single use containers that become milk  
26 product contact surfaces when used for the storage, shipping, or  
27 marketing of milk or milk products.

1 (m) "Standard methods" means the seventeenth edition of  
2 "Standard Methods for the Examination of Dairy Products", a  
3 publication of the American ~~public health association,~~ **PUBLIC**  
4 **HEALTH ASSOCIATION**, incorporated by reference.

5 Enacting section 1. This amendatory act takes effect 90 days  
6 after the date it is enacted into law.