

# HOUSE BILL NO. 4030

January 18, 2023, Introduced by Reps. Rogers, Roth, Neeley, Tsernoglou, Fitzgerald, Wegela, Haadsma, Price, Hood, Rheingans, Dievendorf, Edwards, Andrews, McKinney, Coleman, Scott, Martus, MacDonell, Arbit, Tyrone Carter, Glanville, Snyder, Grant, Brixie, Brabec, Skaggs, Conlin, Weiss, Stone, Farhat, Young, O'Neal, Miller, McFall, Puri and Whitsett and referred to the Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled  
"Food law,"  
by amending section 6101 (MCL 289.6101), as amended by 2012 PA 178.

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

1           Sec. 6101. (1) Chapters 1 through 8 of the food code are  
2 incorporated by reference except as amended and modified as  
3 follows:

4           (a) Where provisions of this act and rules specify different  
5 requirements.

6           (b) Section 3-401.14 is modified to read as follows:

7           "3-401.14 Non-Continuous Cooking of Raw Animal Foods.

1 Raw animal foods that are cooked using a non-continuous  
2 cooking process ~~shall~~**must** be:

3 (A) Subject to an initial heating process that is no longer  
4 than 60 minutes in duration;<sup>P</sup>

5 (B) Immediately after initial heating, cooled according to the  
6 time and temperature parameters specified for cooked potentially  
7 hazardous food (time/temperature control for safety food) under  
8 paragraph 3-501.14(A);<sup>P</sup>

9 (C) After cooling, held frozen or cold, as specified for  
10 potentially hazardous food (time/temperature control for safety  
11 food) under paragraph 3-501.16(A) (2);<sup>P</sup>

12 (D) ~~Prior to~~**Before** sale or service, cooked using a process  
13 that heats all parts of the food to a time/temperature specified in  
14 paragraph 3-401.11(A);<sup>P</sup>

15 (E) Cooled according to the time and temperature parameters  
16 specified for cooked potentially hazardous food (time/temperature  
17 control for safety food) under paragraph 3-501.14(A) if not either  
18 hot held as specified under paragraph 3-501.16(A), served  
19 immediately, or held using time as a public health control as  
20 specified under section 3-501.19 after complete cooking;<sup>P</sup> and

21 (F) Stored as follows:

22 (1) After initial heating but ~~prior to~~**before** cooking as  
23 specified under paragraph (D) of this section, separate from ready-  
24 to-eat foods as specified under paragraph 3-302.11;<sup>Pf</sup> and

25 (2) After initial heating, but ~~prior to~~**before** complete  
26 cooking, marked or otherwise identified as foods that must be  
27 cooked as specified under paragraph (D) of this section ~~prior to~~  
28 **before** being offered for sale or service.<sup>Pf</sup> The food may be  
29 identified in any effective manner provided that the marking system

1 is disclosed to the regulatory authority upon request."

2 (c) Section 2-103.11(L) is modified to read as follows:

3 "Employees are properly trained in food safety as it relates  
4 to their assigned duties;<sup>PF</sup> and".

5 (d) The table in section 4-101.13(A) is modified to read as  
6 follows:

7	UTENSIL	Ceramic Article	Maximum Lead
8	Category	Description	MG/L
9	Beverage Mugs, Cups,	Coffee Mugs	0.1
10	Pitchers		
11	Large Hollowware	Bowls $\geq$ 1.1 Liter	1
12	(excluding pitchers)	(1.16 Quart)	
13	Small Hollowware	Bowls < 1.1 Liter	2.0
14	(excluding cups & mugs)	(1.16 Quart)	
15	Flat TABLEWARE	Plates, Saucers	0.226

16 (2) The director, by rule, may adopt any changes or updates to  
17 the food code.

18 (3) The annexes of the food code are considered persuasive  
19 authority for interpretation of the food code.