

# HOUSE BILL NO. 5604

March 20, 2024, Introduced by Rep. Maddock and referred to the Committee on Government Operations.

A bill to amend 2001 PA 266, entitled  
"Grade A milk law of 2001,"  
by amending section 68 (MCL 288.538), as amended by 2008 PA 136.

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

1       Sec. 68. (1) ~~Only~~**Except as otherwise provided under**  
2 **subsection (5), only** pasteurized milk and milk products ~~shall~~**can**  
3 be offered for sale or sold, directly or indirectly, to the final  
4 consumer or to restaurants, grocery stores, or similar  
5 establishments.

6       (2) ~~All~~**Except as otherwise provided under subsection (5), all**

1 milk and milk products ~~shall~~**must** be pasteurized according to the  
2 requirements of the pasteurized milk ordinance and the time-  
3 temperature relationships described in the pasteurized milk  
4 ordinance.

5 (3) All dairy plant by-products used for feeding purposes for  
6 farm animals ~~shall~~**must** be pasteurized or be derived from  
7 pasteurized products when specified by the director.

8 (4) Milk and milk products may be aseptically processed as  
9 low-acid foods provided they comply with the following  
10 requirements:

11 (a) All thermally processed milk and milk products that are  
12 packaged in hermetically sealed containers ~~shall~~**must** be processed  
13 in a milk processing facility licensed under this act, the  
14 manufacturing milk law of 2001, or the food law of 2000.

15 (b) All processors of acidified milk and milk products  
16 packaged in hermetically sealed containers shall comply with the  
17 regulations of the ~~U.S. food and drug administration~~**United States**  
18 **Food and Drug Administration** in 21 CFR ~~part~~**parts** 108, ~~21 CFR part~~  
19 110, and ~~21 CFR part~~ 114.

20 (c) All thermally processed milk and milk products that are  
21 packaged in hermetically sealed containers ~~shall~~**must** comply with  
22 the regulations of the ~~U.S. food and drug administration~~**United**  
23 **States Food and Drug Administration** in 21 CFR ~~part~~**parts** 108, ~~21~~  
24 ~~CFR part~~ 110, and ~~21 CFR part~~ 113.

25 (d) Hermetically sealed packages ~~shall~~**must** be handled to  
26 maintain product and container integrity.

27 (5) **Unpasteurized milk and unpasteurized milk products may be**  
28 **sold to a final consumer or food service establishment in this**  
29 **state if the unpasteurized milk and unpasteurized milk product**

1 **comply with section 70a of the manufacturing milk law of 2001, 2001**  
2 **PA 267, MCL 288.630a.**

3       Enacting section 1. This amendatory act does not take effect  
4 unless Senate Bill No.\_\_\_\_ or House Bill No. 5603 (request no.  
5 05312'24) of the 102nd Legislature is enacted into law.