

MARKETING FEES FOR FRUITS AND VEGETABLES (EXCERPT)
Act 153 of 1975

290.693 Order requiring remittance of moneys to designated association; cease and desist order; recovery of costs and expenses; order dismissing complaint; civil penalty.

Sec. 3.

(1) If upon the preponderance of the testimony taken the director of the department of agriculture is of the opinion that a purchaser named in the complaint has violated this act, then the director shall state his findings of fact and conclusions of law and cause to be served on that purchaser an order requiring the purchaser to immediately forward the appropriate moneys to the designated association.

(2) The director may apply to the circuit court for an order requiring the purchaser to cease and desist from violating the act and the court may order further affirmative relief as will effectuate the policies of this act. The director may permit the aggrieved association to recover all reasonable costs and expenses incurred in filing and prosecuting the complaint, including attorney fees.

(3) If upon the preponderance of the testimony taken, the director is not of the opinion that any purchaser named in the complaint has violated this act, then the director shall state his findings of fact and conclusions of law and issue an order dismissing the complaint.

(4) A purchaser who violates this act may also be liable for a civil penalty of not more than \$500.00 for each violation of this act.

History: 1975, Act 153, Imd. Eff. July 9, 1975