

SEED POTATO ACT (EXCERPT)
Act 94 of 2018

286.685 Growing potatoes in combined seed lots of 1 acre or greater; notification to director; records; contents; review; conduct by independent auditor; notice of alleged violation; investigation by director.

Sec. 5.

(1) Beginning January 1, 2021, each person growing potatoes in this state in combined seed lots of 1 acre or greater shall notify the director of this fact by January 1 of each year and shall keep and maintain records as described in this section. The records must contain the information required for an independent records review conducted under subsection (2). Growers shall maintain the records for a period of at least 2 years at the grower's business address.

(2) Beginning January 1, 2021, the director shall select a qualified department employee or independent auditor to perform a records review on at least 10% of potato growers subject to this act once every seed potato crop cycle. The director shall determine a method for the annual random selection of growers.

(3) A records review performed under this section must verify records that trace back the grower's potatoes, including records that evidence both of the following:

(a) Acreage planted by cultivar.

(b) Hundredweight and source of the seed potatoes used to plant the acreage, with verifiable documents related to the following:

(i) For seed potatoes purchased, the documents described in section 3.

(ii) For seed potatoes planted as provided under section 4, the testing history and seed potatoes used to replant the grower's own operations.

(4) If the independent auditor who conducted the records review believes that a violation of this section has occurred, he or she shall notify the director within 5 business days. The director must then investigate the alleged violation according to section 8.

History: 2018, Act 94, Eff. June 24, 2018