

# HOUSE BILL NO. 6132

November 14, 2024, Introduced by Reps. Martus and Paiz and referred to the Committee on Agriculture.

A bill to amend 2000 PA 92, entitled  
"Food law,"  
by amending sections 1111, 2125, 4111, 4117, 5105, 6137, and 7114  
(MCL 289.1111, 289.2125, 289.4111, 289.4117, 289.5105, 289.6137,  
and 289.7114), section 1111 as amended by 2018 PA 92, section 2125  
as amended by 2022 PA 126, section 4111 as amended by 2016 PA 188,  
section 4117 as amended by 2023 PA 194, section 5105 as amended and  
section 7114 as added by 2012 PA 178, and section 6137 as amended  
by 2007 PA 114.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

**1**       Sec. 1111. As used in this act:

1 (a) "Raw agricultural commodity" means any food in its raw or  
2 natural state including fruits that are washed, colored, or  
3 otherwise treated in their unpeeled natural form before marketing.

4 (b) "Regulatory authority" means the department, the local  
5 health department, or the authorized representative having  
6 jurisdiction over the food establishment.

7 (c) "Retail food establishment" means an operation that sells  
8 or offers to sell food directly to a consumer. Retail food  
9 establishment includes both a retail grocery and a food service  
10 establishment, but does not include a food processor.

11 (d) "Retail grocery" means an operation that sells or offers  
12 to sell food to consumers for off-premises consumption. Food for  
13 off-premises consumption does not include take-out food intended  
14 for immediate consumption.

15 (e) "Rules" means administrative rules promulgated under this  
16 act ~~pursuant to~~ **in accordance with** the administrative procedures  
17 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

18 (f) "Shellfish dealer" means an interstate wholesaler handling  
19 shellfish.

20 (g) "Shellfish dealer certification" means the issuance of a  
21 numbered certificate to a person ~~indicating that~~ **indicates** that the  
22 person is in compliance with the requirements of the guide for the  
23 control of molluscan shellfish and ~~that the person has~~ permission  
24 from the department to conduct 1 or more of the following shellfish  
25 activities, as defined in the guide for the control of molluscan  
26 shellfish:

27 (i) Shellstock shipper.

28 (ii) Shucker packer.

29 (iii) Repacker or reshipper.

1           **(iv) Wet storage activity.**

2           ~~(h) "Smoked fish rules" means R 285.569.1 to R 285.569.19 of~~  
3 ~~the Michigan Administrative Code.~~

4           ~~(i) "Special transitory food unit" means a temporary food~~  
5 ~~establishment that is licensed to operate throughout the state~~  
6 ~~without the 14-day limits or a mobile food establishment that is~~  
7 ~~not required to return to a commissary.~~

8           **(h) (j)**—"Staple foods" does not include accessory foods such  
9 as coffee, tea, cocoa, soda, noncarbonated drinks such as sports  
10 drinks, punches, and flavored waters, candy, condiments, spices,  
11 hot foods, or foods ready to go or made to take out, such as  
12 prepared sandwiches or salads.

13           **(i) (k)**—"Sulfiting agents" means any of the following:

14           (i) Sulfur dioxide.

15           (ii) Sodium sulfite.

16           (iii) Sodium bisulfite.

17           (iv) Potassium bisulfite.

18           (v) Sodium metabisulfite.

19           (vi) Potassium metabisulfite.

20           **(j) (l)**—"Temporary food establishment" means a food  
21 establishment that operates at a fixed location for a temporary  
22 period not to exceed 14 consecutive days.

23           **(k) (m)**—"Temporary license" means a written authorization  
24 issued by the director to operate for a specified limited time  
25 period.

26           **(l) (n)**—"Transient tenant" means ~~a person~~ **an individual** who  
27 rents a room in a bed and breakfast for fewer than 30 consecutive  
28 days.

29           **(m) "Transitory food unit" means a temporary food**

1 establishment that is licensed to operate throughout this state  
 2 without a 14-day limit or a mobile food establishment that is not  
 3 required to return to a commissary.

4 (n) ~~(e)~~—"Trimming" means removing leaves, roots, and other  
 5 extraneous materials in preparation for grading, sorting, and sale  
 6 as a whole fruit or vegetable. Trimming does not remove the peel or  
 7 core and does not further cut the whole fruit or vegetable.

8 (o) ~~(p)~~—"U.S. standards for shell eggs" means "United States  
 9 Standards, Grades, and Weight Classes for Shell Eggs", AMS 56 (July  
 10 20, 2000), United States Department of Agriculture.

11 (p) ~~(q)~~—"Vending company base location" means a vending  
 12 machine location or other food establishment required to be  
 13 separately licensed under section 4105(5).

14 (q) ~~(r)~~—"Vending machine" means a self-service device that,  
 15 ~~upon insertion of~~ **after inserting** a coin, paper currency, token,  
 16 card, or key, or by manual operation, dispenses ~~a unit serving~~  
 17 **serving** of food in bulk or in ~~packages~~ **a package** without the  
 18 necessity of replenishing the device between each vending  
 19 operation. Vending machine does not include any of the following:

20 (i) A device that dispenses only bottled or canned soft drinks,  
 21 ~~or~~ other packaged nonperishable foods or beverages, ~~or~~ bulk ball  
 22 gum, nuts, ~~and or~~ panned candies.

23 (ii) A ~~water-dispensing~~ **water dispensing** machine that is  
 24 registered under ~~chapter IV.~~ **section 4115.**

25 (r) ~~(s)~~—"Vending machine location" means the room, enclosure,  
 26 space, or area in which 1 or more vending machines are installed  
 27 and operated, or a micro market.

28 (s) ~~(t)~~—"Wholesale" means selling other than directly to  
 29 consumers.

(t) ~~(u)~~ "Wild game" means animals from their natural state and not cultivated, domesticated, or tamed.

Sec. 2125. (1) The department shall charge the following fees for the following services:

(a) A reissuance of a duplicate license, \$15.00.

(b) An evaluation of a food establishment if the evaluation is a second reevaluation of a food establishment that has already been evaluated and found to have a priority item or priority foundation item violation or if the evaluation is performed at the request of the operator, \$60.00.

(c) A shellfish dealer's certificate, \$150.00 annually.

(d) A review and approval of training materials, \$60.00 per hour.

(e) A ~~special~~ transitory food unit plan review, \$197.00.

(f) ~~A **Any other** plan review, as specified in section 8-201.11 of the food code,~~ \$197.00.

(2) Fees collected under this section must be deposited in the dairy and food safety fund created in section 4117 for enforcement of this act.

(3) The services referred to in subsection (1) (d) and (e) involve the formal review and approval procedure. The department may provide informal review or answer questions without charging a fee.

Sec. 4111. (1) The department shall impose the following license fees for each year or portion of a year:

(a) Retail grocery: ~~\$106.00 for 2016, \$145.00 for 2017, and \$183.00. for any subsequent year.~~

(b) Extended retail food establishment: ~~\$271.00 for 2016, \$370.00 for 2017, and \$468.00. for any subsequent year.~~

(c) Food processor: ~~\$271.00 for 2016, \$370.00 for 2017, and \$468.00. for any subsequent year.~~

(d) Limited food processor: ~~\$106.00 for 2016, \$145.00 for 2017, and \$183.00. for any subsequent year.~~

(e) Mobile food establishment: ~~\$183.00 for 2016, \$186.00 for 2017, and \$189.00. for any subsequent year.~~

(f) Temporary food establishment: ~~\$40.00 for 2016, \$55.00 for 2017, and \$70.00. for any subsequent year.~~

(g) ~~Special transitory~~ **Transitory** food unit: ~~\$150.00 for 2016, \$153.00 for 2017, and \$156.00. for any subsequent year.~~

(h) Mobile food establishment commissary: ~~\$183.00 for 2016, \$186.00 for 2017, and \$189.00. for any subsequent year.~~

(i) Food warehouse or vending company base location: ~~\$106.00 for 2016, \$145.00 for 2017, and \$183.00. for any subsequent year.~~

In addition, the operator of the vending company base location shall pay an additional fee based on the number of vending machine locations in this state, as follows:

(i) 1 to 20 locations, \$500.00.

(ii) 21 to 50 locations, \$750.00.

(iii) 51 to 75 locations, \$2,000.00.

(iv) More than 75 locations, \$3,000.00.

If a person operates more than 1 vending company base location in this state, all vending machine locations served by those vending company base locations ~~shall~~ **must** be aggregated on 1 of the vending company base location licenses for the purpose of determining the amount of the additional fee for vending machine locations.

(j) Food service establishment: the amounts described in subsection (2).

1 (2) If a local health department no longer conducts a food  
2 service program, the department, in consultation with the  
3 commission of agriculture and rural development, shall set the food  
4 sanitation fees to be imposed for the conduct of the food service  
5 program by the department. ~~The fees imposed must equal, as nearly~~  
6 ~~as possible, 1/2 of the department's cost of providing the service.~~  
7 The department may impose the service fees for up to ~~12~~**24** months  
8 after the date of cessation by the local health department. After  
9 the ~~12-month~~**24-month** period, the department shall collect the fees  
10 only as authorized ~~pursuant to~~ **in accordance with** an appropriation.

11 (3) ~~Any A~~ license fee paid ~~on an initial application under~~  
12 **this act** is nonrefundable.

13 (4) The department may charge a convenience fee and collect  
14 from the applicant any additional costs associated with the method  
15 of fee payment for the license or permit fees described in this  
16 chapter, not to exceed the costs to the department.

17 Sec. 4117. (1) Except as provided in subsections (2) and (3),  
18 money collected under this chapter by the department must be  
19 credited to the dairy and food safety fund that is created as a  
20 restricted fund within the state treasury. The state treasurer may  
21 receive money or other assets, from appropriations or from any  
22 other source, for deposit into the fund. The state treasurer shall  
23 direct the investment of the fund. The money in the fund does not  
24 lapse to the general fund at the end of the fiscal year and carries  
25 over to the following fiscal years. The state treasurer shall  
26 credit to the fund interest and earnings from fund investments. The  
27 department ~~shall administer~~ **is the administrator of** the fund and  
28 shall expend money from the fund for the purpose of administering  
29 this act and enforcing the provisions of this act, the grade A milk

1 law of 2001, 2001 PA 266, MCL 288.471 to 288.540, and the  
 2 manufacturing milk law of 2001, 2001 PA 267, MCL 288.561 to  
 3 288.740. The department ~~shall be~~ **is** the administrator of the fund  
 4 for auditing purposes.

5 (2) A consumer **and industry** food safety education fund is  
 6 created as a revolving fund in the department of treasury. The  
 7 **department is the administrator of the** consumer **and industry** food  
 8 safety education fund. ~~must be administered by the department and~~  
 9 **The consumer and industry food safety education fund is** funded by  
 10 adding \$3.00 to the fee for each food establishment license **and**  
 11 **\$2.00 to the fee for each food service establishment license** in all  
 12 categories except ~~vending machines and in cases of fee-exempt food~~  
 13 establishments. **Beginning on the effective date of the amendatory**  
 14 **act that added this sentence, the industry food-safety education**  
 15 **fund is abolished and any unencumbered balance in the industry**  
 16 **food-safety education fund at that time reverts to the consumer and**  
 17 **industry food safety education fund under this subsection. Money**  
 18 **that remains in the consumer and industry food safety education**  
 19 **fund at the end of the fiscal year does not lapse and carries**  
 20 **forward to the next fiscal year. The money in the consumer and**  
 21 **industry food safety education fund must be used to provide**  
 22 ~~statewide both of the following:~~

23 (a) **Statewide** training and education to consumers on food  
 24 safety. ~~Money remaining in the fund at the end of the fiscal year~~  
 25 ~~carries forward into the next fiscal year.~~

26 (b) **Food safety training and education for employees of food**  
 27 **establishments and agents of the department who enforce this act.**

28 ~~(3) An industry food-safety education fund is created as a~~  
 29 ~~revolving fund in the department of treasury. The industry food-~~



~~safety education fund must be administered by the department and funded by adding \$2.00 to the fee for each food service establishment license in all categories except vending machines and in cases of fee-exempt food establishments. The money in the fund must be used to provide food safety training and education to food service establishment employees and agents of the director who enforce this act. Money remaining in the fund at the end of the fiscal year carries forward into the next fiscal year.~~

(3) ~~(4)~~ As used in this section, "fee-exempt food establishment" means a food establishment exempt from all state and local food establishment license fees under section 3119(3) combined with an exemption from the local health department sanitation service fee under section 2444 of the public health code, MCL 333.2444.

Sec. 5105. (1) ~~Upon~~ On finding that a person violated a provision of this act or a rule, promulgated under this act, the department may impose an administrative fine of not more than \$500.00 for the first offense and not more than \$1,000.00 for a second or subsequent offense and the actual costs of the investigation of the violation. Each day of a continuing violation is not considered a separate violation of this act or a rule. ~~promulgated under this act. The department shall not impose upon any licensee or registrant administrative fines in the aggregate amount of more than \$4,000.00 per location for a firm with annual gross receipts of \$500,000.00 or less and \$8,000.00 per location for a firm with annual gross receipts of over \$500,000.00 during any 12-month period.~~

(2) Administrative fines and costs collected under this section ~~shall~~ **must** be deposited into the dairy and food safety

1 fund.

2 (3) This section does not require the department to issue an  
3 administrative fine for minor violations of this act if the  
4 department believes that the public interest will be adequately  
5 served under the circumstances by a suitable written notice or  
6 warning.

7 (4) The department shall not impose administrative fines for  
8 violations of the food code other than priority items, priority  
9 foundation items, or repeated violations that remain uncorrected  
10 beyond the time frame for correction specified under, ~~or~~ agreed to,  
11 ~~specified,~~ or approved by the director under section 8-405.11(A) or  
12 (B) or 8-406.11(A) or (B) of the food code. The department shall  
13 not impose an administrative fine for a core item violation of the  
14 food code unless the violation is not corrected within 30 calendar  
15 days after the evaluation.

16 Sec. 6137. (1) To qualify for a ~~special~~ transitory food unit  
17 license, an applicant shall allow a review and receive approval of  
18 plans and specifications as specified in chapter VI. This review  
19 and approval must include the menu and standard operating  
20 procedures for the **transitory food** unit. **The applicant must be**  
21 **licensed under this act and receive at least 1 evaluation by a**  
22 **regulatory authority.**

23 (2) A ~~special~~ transitory food unit license holder shall do all  
24 of the following:

25 (a) Keep a copy of the approved standard operating procedures  
26 in the **transitory food** unit and available for review ~~upon~~ **on**  
27 evaluation by the director.

28 (b) Operate in compliance with standard operation procedures  
29 approved by the director.

1 (c) Before serving food within the jurisdiction of a local  
2 health department, notify the local health department in writing of  
3 each location in the jurisdiction at which food will be served, ~~and~~  
4 the dates and hours of service, **and a copy of the menu.** The license  
5 holder shall ~~mail the notice by first-class mail or deliver the~~  
6 ~~notice~~ **provide, and the local health department must receive, a**  
7 **notification of intent to operate** not less than 4 business days  
8 before any food is served or prepared for serving within the  
9 ~~jurisdiction of the local health department.~~ **the intended start date**  
10 **of operation.**

11 (d) While in operation, request and receive 2 evaluations per  
12 licensing year spaced generally over the span of the operating  
13 season, ~~. A local health department and the department shall with~~  
14 **not less than 1 month between each evaluation. At least 1**  
15 **evaluation must be conducted by the regulatory authority that**  
16 **issued the license to the transitory food unit. The regulatory**  
17 **authority may** charge a fee ~~of \$90.00 for such an evaluation under~~  
18 **this section.**

19 (e) Send a copy of all evaluation reports to the regulatory  
20 authority that ~~approved~~ **issued** the license within 30 days after  
21 receipt.

22 (3) If a license holder fails to comply with any of the  
23 requirements of this section or the food code, the food  
24 establishment is ineligible for licensure as a ~~special~~ transitory  
25 ~~temporary food establishment~~ **unit** for the following licensing year  
26 and must apply for **a** temporary or other type of food establishment  
27 ~~licenses.~~ **license.**

28 (4) **The owner of the transitory food unit shall affix a decal**  
29 **provided by the department on the transitory food unit at the time**

1 the license is issued. The decal must be conspicuously displayed so  
2 that it is visible while serving the public.

3 Sec. 7114. (1) U.S. standards for shell eggs are adopted by  
4 reference.

5 (2) Eggs described by United States ~~department~~ **Department** of  
6 ~~agriculture~~ **Agriculture** as black rots, white rots, mixed rots  
7 (addled eggs), sour eggs, eggs with green whites, stuck yolks,  
8 blood rings or embryos beyond blood ring stage, moldy eggs, musty  
9 eggs, bloody whites, crusted yolks, eggs with abnormal odors, and  
10 any eggs ~~which~~ **that** contain wholly or in part a tainted, disease,  
11 filthy, decomposed, or putrid substance are eggs unfit for human  
12 food.

13 (3) A person shall not sell, offer, or expose for sale to ~~the~~  
14 a consumer or ~~to the~~ retail trade, or have in ~~his or her~~ **the**  
15 **person's** possession with intent to sell to ~~the~~ a consumer, ~~or to~~  
16 ~~the~~ retail trade, any egg unfit for human food. ~~Such an~~ **An** egg  
17 ~~shall~~ **unfit for human food must** be broken out of the shell and  
18 denatured or destroyed by methods approved by the director so that  
19 ~~it~~ **the egg** cannot be used for human food.

20 (4) The final determination of all grade and quality factors  
21 of an official sample of shell eggs from domesticated chickens  
22 ~~shall~~ **must** be made by visual examination of the egg to determine  
23 cleanliness, soundness of shell, and exterior quality, and by  
24 candling or breaking to determine interior quality. The examination  
25 ~~shall~~ **must** be made by a competent representative authorized by the  
26 director. The representative shall certify the results of the  
27 examination and ~~his or her~~ **the representative's** certificate ~~shall~~  
28 ~~be~~ **is** prima facie evidence of the facts certified to in ~~any~~ a court  
29 where the certificate is offered in evidence.

1 (5) All eggs from domesticated chickens sold, offered, or  
2 exposed for sale, or advertised for sale by a retailer or  
3 wholesaler ~~shall~~**must** be marked as follows to conform to the  
4 following applicable size requirement:

5 (a) "Jumbo", if the eggs weigh at the rate of not less than 30  
6 ounces per dozen, with no eggs below the rate of 29 ounces per  
7 dozen.

8 (b) "Extra large", if the eggs weigh at the rate of not less  
9 than 27 ounces per dozen, with no eggs below the rate of 26 ounces  
10 per dozen.

11 (c) "Large", if the eggs weigh at the rate of not less than 24  
12 ounces per dozen, with no eggs below the rate of 23 ounces per  
13 dozen.

14 (d) "Medium", if the eggs weigh at the rate of not less than  
15 21 ounces per dozen, with no eggs below the rate of 20 ounces per  
16 dozen.

17 (e) "Small", if the eggs weigh at the rate of not less than 18  
18 ounces per dozen, with no eggs below the rate of 17 ounces per  
19 dozen.

20 (f) "Peewee", if the eggs weigh at the rate of not less than  
21 15 ounces per dozen.

22 (6) All advertising of eggs ~~shall~~**must** include the correct  
23 unabbreviated size designation in describing eggs. The correct  
24 unabbreviated size designation ~~shall also~~**must** appear on the  
25 exterior of ~~any~~**a** container, open or closed, in which eggs are  
26 offered for sale to the retailer or ~~the~~ consumer.

27 (7) A person shall not, ~~by himself or herself or his or her~~  
28 ~~agents~~**on the person's own or through an agent**, sell, offer, or  
29 expose for sale, advertise, or in any manner represent for sale as

1 strictly fresh, hennerly, new laid, best, grade A, number 1, fancy,  
2 special, extra, selected, direct from the farm, or under any word,  
3 figures, symbols, or description of similar import, any eggs ~~which~~  
4 **that** are not fresh. An egg is not considered fresh unless it meets  
5 the standards of quality specified for the U.S. AA or A quality, or  
6 the equivalent, as designated in U.S. standards for shell eggs for  
7 individual eggs or in standards prescribed by the director by rule.

8 (8) All eggs from domesticated chickens sold, offered or  
9 exposed for sale, or advertised for sale by a retailer or  
10 wholesaler ~~shall~~**must** be labeled or marked to conform to one of the  
11 following grade requirements:

12 (a) Eggs that fully meet the specifications of U.S. AA quality  
13 or fresh fancy quality, or the equivalent thereof, as described in  
14 U.S. standards for shell eggs, ~~shall~~**must** be labeled and advertised  
15 as grade AA or fresh fancy eggs, Michigan seal of quality eggs,  
16 grade A or grade B eggs.

17 (b) Eggs that fully meet the specifications of the U.S. A  
18 quality, or the equivalent thereof, as described in U.S. standards  
19 for shell eggs, ~~shall~~**must** be labeled and advertised as grade A or  
20 grade B eggs.

21 (c) Eggs that fully meet the specifications of a U.S. B  
22 quality, or the equivalent thereof, as described in U.S. standards  
23 for shell eggs, ~~shall~~**must** be labeled and advertised as grade B  
24 eggs.

25 (d) Eggs that do not meet the grade requirements of  
26 subdivision (a), (b), or (c) ~~shall~~**must** not be offered for sale or  
27 sold in the shell. Those eggs may be broken out of the shell at the  
28 grading plant or grading station or may be offered for sale or sold  
29 to an egg breaking plant.

1           (9) Eggs ~~shall~~**must** be held and transported at or below 45  
2 degrees Fahrenheit ambient temperature beginning 36 hours after  
3 time of lay. If the eggs are to be processed as table eggs and are  
4 not processed for the ultimate consumer within 36 hours from the  
5 time of lay and, therefore, are held and transported as required at  
6 or below 45 degrees Fahrenheit ambient temperature, then the eggs  
7 may be held at room temperature for no more than 36 hours just  
8 ~~prior to~~**before** processing to allow an equilibration step to temper  
9 the eggs.

10           (10) A person shall not knowingly sell or offer or expose for  
11 sale a shell egg that the person knows or should know is the  
12 product of an egg-laying hen that was confined in a manner that  
13 does not comply with the requirements of section 46 of the animal  
14 industry act, 1988 PA 466, MCL 287.746.

15           (11) A person that sells or offers or exposes for sale a shell  
16 egg that is derived from an egg-laying hen shall maintain a record  
17 of compliance with section 46 of the animal industry act, 1988 PA  
18 466, MCL 287.746. The record of compliance described under this  
19 subsection must be on a form and in a manner prescribed by the  
20 department. A record of compliance under this subsection is valid  
21 for 1 year and must be retained for 3 years and made available for  
22 inspection by the department on request.

23           (12) All shell eggs sold in this state must be labeled or  
24 marked with an indication that the shell eggs meet the requirements  
25 of section 46 of the animal industry act, 1988 PA 466, MCL 287.746.  
26 A commercially recognized label or marking may be used, but the  
27 label or marking is not required to specifically reference or cite  
28 to section 46 of the animal industry act, 1988 PA 466, MCL 287.746.  
29 The department may issue a list of commercially recognized labels

1 for use in complying with this subsection.

2 (13) Except as otherwise provided in this subsection, shell  
3 eggs that enter or are transported within this state for commercial  
4 sale in this state must be transported with a shipping document  
5 that includes a statement identifying that the shell eggs comply  
6 with section 46 of the animal industry act, 1988 PA 466, MCL  
7 287.746. A commercially recognized label described under subsection  
8 (12) satisfies the requirements of this subsection. Shell eggs that  
9 enter or are transported within this state exclusively for purposes  
10 of transshipment, export, donation, or sale to federal agencies or  
11 on tribal lands and are not destined for commercial sale in this  
12 state must be transported with a shipping document that, upon  
13 entrance into this state, is legibly and plainly printed or stamped  
14 with the statement "For Export" or "For Transshipment". As used in  
15 the subsection, "export" includes shipment to or from this state to  
16 another state.

17 (14) Shell eggs that enter or are transported within this  
18 state for commercial sale that do not comply with section 46 of the  
19 animal industry act, 1988 PA 466, MCL 287.746, and that originate  
20 from an official plant under mandatory inspection that holds an  
21 establishment number with prefix "G" granted by the United States  
22 Department of Agriculture, Food Safety Inspection Service under the  
23 egg products inspection act, 21 USC 1031 to 1056, and are being  
24 transported to another official plant under mandatory inspection  
25 that holds an establishment number with prefix "G" granted by the  
26 United States Department of Agriculture, Food Safety Inspection  
27 Service under the egg products inspection act, 21 USC 1031 to 1056,  
28 solely for purposes of using the shell eggs for making food  
29 products not covered by section 46 of the animal industry act, 1988



1 PA 466, MCL 287.746, must be transported with a shipping document  
2 that, upon entrance into this state, is legibly and plainly printed  
3 or stamped with the statement "For further processing/not for sale  
4 as shell eggs."

5 (15) A person shall not label, identify, mark, advertise, or  
6 otherwise represent shell eggs for purposes of commercial sale as  
7 complying with section 46 of the animal industry act, 1988 PA 466,  
8 MCL 287.746, if the shell eggs are the product of an egg-laying hen  
9 that was confined in a manner that does not comply with the  
10 requirements of section 46 of the animal industry act, 1988 PA 466,  
11 MCL 287.746.

12 (16) ~~(10)~~ This act does not apply to a person ~~who~~**that** meets  
13 all of the following requirements:

14 (a) Is directly responsible for producing **shell** eggs from  
15 fewer than 3,000 **egg-laying** hens.

16 (b) Only sells eggs directly to consumers or first receivers.

17 (c) Only sells eggs in containers that ~~each bear~~**have** a label  
18 ~~stating that contains the statement~~ "packaged in a facility that  
19 has not been inspected by the department."

20 (d) Does not sell eggs through the internet or by mail order  
21 or consignment.