

MICHIGAN SEED LAW (EXCERPT)
Act 329 of 1965

286.715 Violation as misdemeanor; penalty; stop sale order; appeal; hearing; seizure of seed; condemnation of seed; application for release of seed or permission to condition or relabel seed; temporary or permanent injunction; bond not required.

Sec. 15.

(1) A person who violates this act is guilty of a misdemeanor punishable by a fine of not less than \$100.00 nor more than \$2,000.00 for each offense, or, by imprisonment for not more than 90 days.

(2) The director may issue and enforce a written or printed stop sale order to the owner or custodian of any lot of seed the director finds to be in violation of this act. The order shall prohibit further sale, conditioning, or movement of the seed, except on approval of the director, until the director has evidence that the law has been complied with and has issued a release from the "stop sale" order. The owner or custodian of seed subject to a stop sale order may appeal the order to the department for a hearing, to discharge the stop sale order. The hearing shall be conducted in accordance with the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

(3) Any lot of seed not in compliance with this act is subject to a seizure of the lot on a complaint of the director to a court of competent jurisdiction in the locality where the seed is located. If the court finds the seed to be in violation and orders the condemnation of the seed, it shall be denatured, destroyed, relabeled, or otherwise disposed of in compliance with the law. The court shall not order the disposition of the seed without first giving the claimant an opportunity to apply to the court for the release of the seed or permission to condition or relabel the seed into compliance with this act.

(4) If the director applies to a court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating or continuing to violate this act, the injunction shall be issued without requiring a bond.

History: 1965, Act 329, Eff. Mar. 31, 1966 ;-- Am. 1988, Act 455, Imd. Eff. Dec. 27, 1988