

MANUFACTURING MILK LAW OF 2001 (EXCERPT)
Act 267 of 2001

288.652 Access to markets for milk and dairy products; certificate of free sale; application; fees; "certificate of free sale" defined.

Sec. 92. (1) To facilitate continued access to markets for milk and dairy products, the department may do 1 or both of the following:

(a) At the request of a processor or based upon records voluntarily supplied by a processor, inspect, audit, or certify a dairy plant where milk or dairy products are processed, pasteurized, or aseptically processed in this state.

(b) Issue certificates of free sale under subsection (3).

(2) A processor shall submit an application for a certificate of free sale on a form and in a manner prescribed by the department.

(3) The department shall grant or deny an application for a certificate of free sale within 10 business days after the department receives a completed application under subsection (2) and the application fee under subsection (4). If the department determines that the application meets the requirements of this act and the rules promulgated under this act, the department shall issue a certificate of free sale. If the department determines that the application does not meet the requirements of this act or the rules promulgated under this act, the department shall deny the application and send a written notice to the processor stating the reasons for the denial.

(4) If a certificate of free sale is issued under subsection (3), the processor shall pay the department the following fees, as applicable:

(a) An application fee, \$60.00.

(b) A duplicate copy of a certificate of free sale, \$10.00.

(5) A fee collected under subsection (4) must be deposited in the dairy and food safety fund created in section 4117 of the food law of 2000, MCL 289.4117.

(6) A certificate of free sale issued under this section is valid for 1 year.

(7) As used in this section, "certificate of free sale" means a document that is issued by the department that verifies that the milk or dairy product listed is processed, pasteurized, or aseptically processed in this state and is legally sold or distributed in this state and on the open market with the approval of the department.

History: Add. 2022, Act 128, Imd. Eff. June 29, 2022.