

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.47333 Wholesale fish market or house; license; fee; label on containers; record; purchase reports; failure to submit reports or records; civil infraction; suspension or denial of license.

Sec. 47333.

(1) A person who deals in fish by operating a wholesale fish market or fish house, or who solicits the purchase of or buys fish for wholesale distribution, shall secure a license from the department. Each license expires on December 31, and the fee for the license is \$5.00.

(2) A person holding a license under this section shall not transport or cause to be transported, or deliver or receive for transportation, any package or parcel containing any fish or carcass or part of any fish or carcass unless the package or parcel is labeled in plain English on the address side of the package or parcel so as to disclose the name and address of the consignor, the name and address of the consignee, and the number of pounds of each kind of fish contained in the package or parcel.

(3) A person licensed under this section may, at any time, sell, purchase, or barter, or have in the person's possession or under the person's control for the purpose of sale or barter, any commercial fish. However, the person shall comply with section 47319 at all times. A person licensed under this section shall keep a separate record of the purchase of fish in a form as required by the department.

(4) A person licensed under this section shall submit reports of all purchases of fish to the department in a format determined by the department. The department may issue orders requiring purchase reports to be submitted twice monthly and specifying the information required, consistent with any consent decree, decree, federal court order, memorandum of understanding, or other legally binding agreement. Purchase reports must be submitted twice monthly to the department, except that all commercial fish wholesalers must report more frequently if a consent decree, decree, federal court order, memorandum of understanding, or other legally binding agreement establishes more frequent reporting.

(5) A wholesale fish dealer that fails to submit a complete record as required under this section is responsible for a state civil infraction and subject to the following fines:

(a) For the first violation during a license year, \$100.00.

(b) For a second or subsequent violation during a license year, \$200.00.

(6) If a wholesale fish dealer fails to submit 2 or more records required under this section and has been cited by the department for each violation, the department may suspend the person's wholesale fish dealer license until the delinquent reports are submitted to the department. The department shall send notification of the suspension to the wholesale fish dealer.

(7) The department shall deny a new wholesale fish dealer license or renewal of a wholesale fish dealer license to a person that fails to submit a record required under this section until the record is submitted.

(8) A person shall not falsify any information contained in a record required under this section.

(9) The department shall not issue a wholesale fish dealer license to a person that would occupy the same business location as a wholesale fish dealer whose license is suspended.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995 ;-- Am. 2023, Act 239, Eff. Feb. 13, 2024

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