

HOUSE BILL NO. 5217

November 05, 2025, Introduced by Reps. Maddock, Robinson, Schriver, Rigas, Fox, Cavitt, Martin, Pavlov, Kelly, St. Germaine, Woolford, Schuette, Greene, Kunse, DeSana, Bohnak, BeGole, Tisdell, Markkanen, Johnsen, Smit, DeBoer, Bruck, Posthumus, Hoadley, Beson, Outman, Fairbairn, Borton, Alexander, Slagh, Paquette, Herzberg, VanderWall, Meerman, DeBoyer and Harris and referred to Committee on Government Operations.

A bill to amend 2001 PA 266, entitled
"Grade A milk law of 2001,"
by amending sections 30 and 68 (MCL 288.500 and 288.538), as
amended by 2008 PA 136.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 30. (1) A person shall not do any of the following
2 without being licensed under this act:
3 (a) Produce grade A milk to be offered for sale.
4 (b) Collect grade A milk samples for regulatory purposes.
5 (c) Operate a milk transportation company that owns or

1 operates a bulk milk tank truck.

2 (d) Process, label, distribute, or sell grade A milk or grade
3 A milk products, except that a person ~~operating~~**that operates** a
4 retail food establishment is exempt from licensure under this act
5 if ~~he or she~~**the person** complies with subsection (8) and is
6 licensed under the food law of 2000. This subdivision does not
7 prevent the sale, at wholesale or retail at a retail food
8 establishment licensed under the food law of 2000, of milk or milk
9 products that are packaged in final consumer packages at a facility
10 licensed under this act.

11 (e) Wash milk tank trucks.

12 (f) Manufacture single service containers or closures to be
13 used for grade A milk products, except that the manufacture of
14 single service containers and closures for grade A dry milk
15 products are exempt from this section.

16 (2) A person licensed under the manufacturing milk law of 2001
17 or this act and engaged in activities regulated under this act
18 shall comply with the requirements of this act, where applicable,
19 and is subject to the penalties set forth in this act, where
20 applicable.

21 (3) The director may issue a temporary license or permit for
22 activities regulated by this act.

23 (4) State agencies ~~operating~~**that operate** dairy facilities
24 under a memorandum of understanding with the department are not
25 required to be licensed or permitted or to provide producer
26 security under this act but are required to otherwise be in
27 compliance with this act.

28 (5) An applicant for an initial grade A dairy farm permit
29 shall complete education, acceptable to the director, on drug

1 residue avoidance control measures, as identified in the
2 pasteurized milk ordinance, ~~prior to~~**before** receiving the permit.

3 (6) The director shall examine the books, records, and
4 accounts of a milk plant if the milk plant has not responded to
5 requests from the director ~~pursuant to~~**under** section 31 or article
6 IV. All examinations of books, records, and accounts required under
7 this subsection ~~shall~~**must** be made within this state.

8 (7) All applicants for a permit or license must complete an
9 application provided by the department and meet the minimum
10 requirements of this act, the pasteurized milk ordinance, and rules
11 promulgated under this act.

12 (8) Milk products manufactured at retail food establishments
13 licensed under the food law of 2000 are exempt from this act if
14 both of the following conditions are met:

15 (a) All ingredients contained in these products comply with
16 the requirements of the food law of 2000.

17 (b) The milk products manufactured are not sold wholesale or
18 to another business entity.

19 (9) **A direct farm-to-consumer producer is exempt from the**
20 **licensing provisions of this act if the direct farm-to-consumer**
21 **producer complies with the requirements under section 4102a of the**
22 **food law of 2000, MCL 289.4102a. As used in subsection, "direct**
23 **farm-to-consumer producer" means that term as defined in section**
24 **1107 of the food law of 2000, MCL 289.1107.**

25 Sec. 68. (1) ~~Only~~**Except as otherwise provided under**
26 **subsection (5), only** pasteurized milk and milk products ~~shall~~**can**
27 be offered for sale or sold, directly or indirectly, to the final
28 consumer or to restaurants, grocery stores, or similar
29 establishments.

1 (2) ~~All~~ **Except as otherwise provided under subsection (5), all**
2 milk and milk products ~~shall~~ **must** be pasteurized according to the
3 requirements of the pasteurized milk ordinance and the time-
4 temperature relationships described in the pasteurized milk
5 ordinance.

6 (3) All dairy plant by-products used for feeding purposes for
7 farm animals ~~shall~~ **must** be pasteurized or be derived from
8 pasteurized products when specified by the director.

9 (4) Milk and milk products may be aseptically processed as
10 low-acid foods provided ~~they~~ **the milk and milk products** comply with
11 the following requirements:

12 (a) All thermally processed milk and milk products that are
13 packaged in hermetically sealed containers ~~shall~~ **must** be processed
14 in a milk processing facility licensed under this act, the
15 manufacturing milk law of 2001, or the food law of 2000.

16 (b) All processors of acidified milk and milk products
17 packaged in hermetically sealed containers shall comply with the
18 regulations of the ~~U.S. food and drug administration~~ **United States**
19 **Food and Drug Administration** in 21 CFR ~~part~~ **parts** 108, ~~21 CFR part~~
20 110, and ~~21 CFR part~~ 114.

21 (c) All thermally processed milk and milk products that are
22 packaged in hermetically sealed containers ~~shall~~ **must** comply with
23 the regulations of the ~~U.S. food and drug administration~~ **United**
24 **States Food and Drug Administration** in 21 CFR ~~part~~ **parts** 108, ~~21~~
25 ~~CFR part~~ 110, and ~~21 CFR part~~ 113.

26 (d) Hermetically sealed packages ~~shall~~ **must** be handled to
27 maintain product and container integrity.

28 (5) **Unpasteurized milk and unpasteurized milk products may be**
29 **offered for sale and sold to a final consumer by a direct farm-to-**

1 consumer producer or a designated agent that complies with section
2 4102a of the food law of 2000, MCL 289.4102a, if the unpasteurized
3 milk and unpasteurized milk product comply with section 70a of the
4 manufacturing milk law of 2001, MCL 288.630a. As used in this
5 subsection, "designated agent" and "direct farm-to-consumer
6 producer" mean those terms as defined in section 1107 of the food
7 law of 2000, MCL 289.1107.

8 Enacting section 1. This amendatory act does not take effect
9 unless all of the following bills of the 103rd Legislature are
10 enacted into law:

11 (a) House Bill No. 5218 (request no. H03300'25).

12 (b) House Bill No. 5219 (request no. H03301'25).