

MICHIGAN ORGANIC PRODUCTS ACT (EXCERPT)
Act 316 of 2000

286.929 Violation of act or rule; administrative fine; misdemeanor; penalty; affirmative defense; felony.

Sec. 29.

(1) Upon finding that a person subject to this act violated a provision of this act or 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.

(2) Except as otherwise provided for under this act, a person subject to this act who violates any provision of this act or rules promulgated under this act is guilty of a misdemeanor punishable by a fine of not less than \$250.00 or more than \$2,500.00 or by imprisonment for not more than 90 days, or both.

(3) In defense of an action filed under this act and in addition to any other unlawful defense, a person may present evidence as an affirmative defense that, at the time of the alleged violation, he or she was in compliance with this act and rules promulgated under this act.

(4) Notwithstanding the other provisions of this act, a person who knowingly violates section 23(2) and section 27(3)(c) is guilty of a felony punishable by imprisonment for not more than 4 years or by a fine of not more than \$10,000.00 plus twice the amount of any economic benefit associated with the violation, or both.

History: 2000, Act 316, Eff. Oct. 1, 2001