

FOOD LAW (EXCERPT)
Act 92 of 2000

289.2124 Access to markets for food; certificate of free sale; application; fees; "certificate of free sale" defined.

Sec. 2124.

(1) To facilitate continued access to markets for food, the department may do 1 or both of the following:

(a) At the request of a food processor or based upon records voluntarily supplied by a food processor, inspect, audit, or certify a food establishment where food is processed or manufactured in this state.

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

(2) A food 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 food processor stating the reasons for the denial.

(4) A food 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.

(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 food listed is processed or manufactured 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 126, Imd. Eff. June 29, 2022