

HOUSE BILL NO. 5879

June 27, 2024, Introduced by Reps. DeSana, Maddock, Friske, Fox, Hoadley, Neyer, Jaime Greene, Smit and Prestin and referred to the Committee on Agriculture.

A bill to amend 2000 PA 92, entitled
"Food law,"

by amending sections 5107 and 7129 (MCL 289.5107 and 289.7129),
section 5107 as amended by 2007 PA 114.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5107. (1) Except as otherwise provided under this act, a
2 person ~~who~~**that** violates any provision of this act or ~~rules~~
3 ~~promulgated under this act~~**a rule** is guilty of a misdemeanor ~~and~~
4 ~~shall be punished~~**punishable by imprisonment for not more than 90**
5 **days or** by a fine of not less than \$250.00 or more than \$2,500.00,
6 ~~or by imprisonment for not more than 90 days, or both.~~

1 (2) Notwithstanding the other provisions of this act, a person
 2 ~~who~~**that** knowingly violates section 5101(1)(b) or (l) is guilty of a
 3 felony punishable by imprisonment for not more than 4 years or by a
 4 fine of not more than \$10,000.00 plus twice the amount of any
 5 economic benefit associated with the violation, or both.

6 **(3) A person that violates section 7129(7) is guilty of a**
 7 **misdemeanor punishable by imprisonment for not more than 30 days,**
 8 **or a fine of not more than \$1,000.00, or both.**

9 **(4) ~~(3)~~**If a violation results in a conviction under this act,
 10 the court shall assess against the defendant the costs of the
 11 department's investigation. The assessment for costs of
 12 investigation ~~shall~~**must** be deposited into the dairy and food
 13 safety fund **created in section 4117** for the enforcement of this
 14 act.

15 Sec. 7129. (1) If a food is subject to a standard established
 16 under this chapter, it ~~shall~~**must** be identified by the name
 17 required by that standard. If ~~no~~**a** standard ~~applies,~~**does not**
 18 **apply,** the product ~~shall~~**must** be identified by its common or usual
 19 name. If ~~no~~**a** common or usual name ~~exists,~~**does not exist,** the
 20 product ~~shall~~**must** be identified by an appropriately descriptive
 21 name that is not misleading and that accurately identifies or
 22 describes, in as simple and direct terms as possible, the basic
 23 nature of the food and its characterizing ingredients or
 24 properties. A product manufactured or sold under the provisions of
 25 this act ~~, which~~**that** is sold in **a** closed or sealed ~~packages~~**shall**
 26 **package must** bear a complete label. The label ~~shall bear the~~**must**
 27 **state all of the following:**

28 **(a) The** true name of the product as defined in this act. ~~, an~~

29 **(b) An** ingredient statement if the product contains more than

1 1 ingredient. ~~7~~the

2 (c) **The** net weight of the product. ~~7~~and the

3 (d) **The** name and address of the manufacturer.

4 (2) ~~Products~~**A product** sold from **a** bulk retail ~~displays~~ shall
5 ~~bear~~**display must have** a sign or placard ~~containing~~**that contains**
6 the true and approved name of the product. If the product contains
7 more than 1 ingredient, an ingredient statement ~~shall~~**must** be
8 placarded, posted, or otherwise available for the customer in
9 written form.

10 (3) ~~Meat products~~**A meat product** using antioxidants ~~shall~~**must**
11 indicate on ~~the~~**its** label, or in the absence of a label an adjacent
12 placard, ~~their~~**the** presence **of the antioxidants in the meat product**
13 and **their** purpose.

14 (4) ~~Meat products~~**A meat product** containing monosodium
15 glutamate, hydrolyzed vegetable protein, or any other source of
16 monosodium glutamate ~~shall~~**must** indicate on ~~the~~**its** label or, in
17 the absence of a label, an adjacent placard, ~~in its presence.~~**the**
18 **presence of those substances in the meat product.**

19 (5) The meat ingredients in a meat product that specifies 1
20 type of meat in its name, ~~such as~~**including, but not limited to,**
21 ham loaf, pork loaf, veal patties, or turkey sausage, ~~shall~~**must** be
22 entirely from the species indicated in the product name. The meat
23 in a meat product that specifies more than 1 type of meat in its
24 name, ~~such as~~**including, but not limited to,** beef and turkey
25 sausage, ~~shall~~**must** be entirely from the types **of meat** indicated,
26 and ~~shall~~**must** contain at least 20% of each meat. A meat product
27 that contains a type of meat consisting of less than 20% of that
28 meat may be labeled as "(product) _____ added" or "product with
29 _____", inserting the common name of that meat. Sausage labeled or

1 advertised as all meat or all beef ~~shall~~**must** not contain any
2 nonfat dry milk solids or dry whole milk.

3 (6) All required words and numbers ~~shall~~**must** be legible to
4 potential customers.

5 (7) **A person shall not manufacture for sale or offer or expose**
6 **for sale cultivated meat. As used in this subsection, "cultivated**
7 **meat" means a meat or meat product that was produced from cultured**
8 **animal tissue produced from in vitro animal cell cultures outside**
9 **of the animal from which the cells were derived.**