



**House
Legislative
Analysis
Section**

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LABEL PESTICIDES ON PRODUCE

House Bill 4044

Sponsor: Rep. John Bennett

**Committee: Agriculture, Forestry and
Minerals**

Complete to 2-4-91

A SUMMARY OF HOUSE BILL 4044 AS INTRODUCED 1-31-91

The bill would create a new act to require that all fruits and vegetables sold in Michigan be labeled to show each pesticide (including plant regulators) and each chemical substance used in growing the produce and to impose civil fines for violations.

Labeling requirements. "Pesticide" would be defined as "a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating pests, or intended for use as a plant regulator, defoliant, or desiccant." "Plant regulator" would be defined as "a substance or mixture of substances, intended through physiological action, for accelerating or retarding the rate of growth or rate of maturation, or for otherwise altering the behavior of plants or the produce of plants." "Plant regulator" would not include substances intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments. The Department of Agriculture would be required to promulgate rules listing chemical substances other than pesticides that would be included under the bill's labeling requirements, and would have to include on its list all substances that had an adverse impact on human health.

Penalties for violations. Violations of the bill would result in a civil fine of not less than \$5,000 for each violation, and failure to pay a fine or costs ordered under the bill could be remedied by any means authorized under the Revised Judicature Act.

Confiscation of unlabeled produce. Unlabeled fruits and vegetables that were sold for consumption in the state could be confiscated and destroyed by the Department of Agriculture.