

Act No. 76  
Public Acts of 1993  
Approved by the Governor  
July 8, 1993  
Filed with the Secretary of State  
July 9, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

Introduced by Reps. Randall, Gnodtke, Alley and Middaugh

# **ENROLLED HOUSE BILL No. 4817**

AN ACT to amend sections 22g and 22k of Act No. 39 of the Public Acts of 1968, entitled as amended "An act to regulate the manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to prescribe the powers and duties of certain state departments and persons; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; and to repeal certain acts and parts of acts," as added by Act No. 129 of the Public Acts of 1992, being sections 289.722g and 289.722k of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Sections 22g and 22k of Act No. 39 of the Public Acts of 1968, as added by Act No. 129 of the Public Acts of 1992, being sections 289.722g and 289.722k of the Michigan Compiled Laws, are amended to read as follows:

Sec. 22g. (1) A person shall not operate a bottled water plant or bottle water for the purpose of sale or distribution in this state without first demonstrating to the department of agriculture that the source, bottling facility, treatment and bottling practices pursuant to 21 C.F.R. part 129, and product water meet the requirements of sections 22a to 22k.

(2) A bottled water plant shall undergo an annual inspection by an independent third party organization acceptable to the department of agriculture. The inspection shall provide that the bottled water plant, containers, and closures meet the requirements of 21 C.F.R. parts 103, 110, and 129 and that the bottled water meets the requirements of section 22c and rules promulgated by the department. If deficiencies were noted by the third party organization, the bottled water plant operator shall submit a written explanation of corrective action accepted by the third party organization. The department of agriculture shall promulgate rules that set forth the minimum criteria that a third party organization must meet in order for the department to consider the organization an acceptable inspector as required by this subsection.

Sec. 22k. Upon the request of a bottled water plant operator, the director may grant permission for the bottled water plant operator to continue to use existing stocks of labels until July 1, 1994.

This act is ordered to take immediate effect.

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Co-Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.