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REGULATE SALE OF MAPLE SYRUP

House Bill 4334 (Substitute H-1) First Analysis (11-2-95)

Sponsor: Rep. Gary L. Randall
Committee: Agriculture & Forestry

THE APPARENT PROBLEM:

Michigan at present does not regulate the sale of maple syrup despite the fact that consumers can easily find it packaged and sold by retailers throughout the state. In many cases, maple syrup available for sale in Michigan has been produced here as well. Some people believe the lack of state standards governing the sale of maple syrup hurts the state's producers--and particularly those who produce higher quality syrup for sale here--as it enables products of inferior quality, from both in-state and out-of-state producers, to be sold side-by-side with higher quality syrups. Consumers of maple syrup who buy a bad product here, thus, will be less likely to buy again, hurting overall industry sales. Some people think this problem could be resolved by requiring maple syrup sold in Michigan to conform to federal standards, and by authorizing the Department of Agriculture to regulate the sale of maple syrup by establishing a seal of quality or similar logo that could appear on containers in which it was sold.

THE CONTENT OF THE BILL:

The bill would create a new act to prohibit persons from selling, offering or displaying for sale, or possessing with intent to sell, maple syrup in retail packages unless it conformed to U.S. standards for table maple syrup prescribed by federal rules. The bill would authorize the Department of Agriculture to provide for the issuance of a seal of quality or other described logo for maple syrup that met or exceeded the standards set forth in the bill. Also, the department would enforce the bill's provisions in the same manner as it currently enforces the Michigan Food Law.

If the department provided for the issuance of a maple syrup seal of quality or logo, use of it in a manner inconsistent with the use prescribed by the department would be a violation of the bill. Someone who violated the bill would be guilty of a misdemeanor and could be jailed for up to 90 days, fined up to \$100, or both. In addition to these penalties, the department could apply to circuit court for injunctive relief to restrain someone from violating the bill, whether or not an adequate remedy at law existed.

FISCAL IMPLICATIONS:

The Department of Agriculture says its costs under the bill would depend on the extent retailers complied with its provisions. Assuming minimal surveillance was needed as part of routine store inspections, the department expects it would incur minimal costs under the bill. (11-1-95)

ARGUMENTS:

For:

Michigan produced 86,000 gallons of maple syrup in 1994 worth over \$2.3 million, making it the fifth-largest producer in the nation. The state's maple syrup industry, however, is harmed because Michigan at present does not regulate the quality of maple syrup that may be sold by the state's retailers. Thus, producers of maple syrup from Michigan and elsewhere are able to offer their products to consumers with equal claims of quality, which results in inconsistent products and dissatisfied customers. By requiring all maple syrup sold here to conform to federal standards for table maple syrup and authorizing the Department of Agriculture to establish a seal of quality or similar logo that could be used only with maple syrup that met the bill's standards, the bill would ensure consumers were offered only quality products. According to testimony before the House Agriculture and Forestry Committee, if the bill were enacted the department would work in cooperation with the maple syrup industry to determine what qualities a maple syrup would have to have in order for its retail package to contain the special seal or logo of quality that would be developed.

POSITIONS:

The Department of Agriculture supports the bill. (11-1-95)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

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