

SUBSTITUTE FOR
HOUSE BILL NO. 5195

A bill to amend 2000 PA 92, entitled
"Food law,"
by amending section 7115 (MCL 289.7115), as amended by 2007 PA 114.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7115. (1) Sausage consists only of skeletal meat either
2 fresh, cured, salted, pickled, or smoked. Poultry sausage may
3 contain accompanying skin in natural proportions.
4 (2) Sausage may contain the following:
5 (a) Salt or spice, cure agents such as sodium or potassium
6 nitrate or sodium or potassium nitrite, cure accelerators such as
7 sodium erythorbate or ascorbic acid, all that comply with
8 applicable regulations of the United States department of
9 agriculture food safety inspection service or any other curing
10 agents determined appropriate by the department or pursuant to

1 rules promulgated under this act. As used in this subdivision,
2 "curing agent" or "curing accelerator" means any substance added to
3 meat to cause or enhance preservation of the meat product.

4 (b) Added edible animal fat from the animals specified, eggs
5 or egg products, chives, tomatoes, parsley, peppers, onions,
6 garlic, celery, seasoning, or other natural flavoring, honey,
7 syrup, sugar, pure refined dextrose, or subsequent cooking or
8 smoking.

9 (c) Not more than 3-1/2% by weight nonfat dry milk, dry whole
10 milk, or calcium-reduced milk if it is declared in conjunction with
11 the product name.

12 (d) Fruits, vegetables, or nuts, or a combination thereof, if
13 the name of the product is so qualified.

14 (e) Not less than 12% protein. The protein content requirement
15 shall not apply to pork sausage, breakfast sausage, or roasted
16 sausage but the finished product shall contain not more than 50% of
17 fat. Fresh sausage shall contain no added water, except to
18 facilitate chopping or mixing and in an amount not to exceed 3% of
19 the total ingredients. Cooked sausage shall not exceed 40% fat and
20 added water.

21 (f) Fresh and fresh frozen sausage, smoked and unsmoked dry
22 sausage, may contain antioxidants such as butylated hydroxyanisole,
23 butylated hydroxytoluene, or propyl gallate, or a combination of
24 these antioxidants, with or without citric acid, in amounts that
25 comply with applicable regulations of the United States department
26 of agriculture food safety inspection service. When such
27 antioxidants are added, the label on the product shall declare the

1 presence of antioxidants in the manner required by the United
2 States department of agriculture food safety inspection service.

3 (3) ~~(g)~~—Sausage shall not contain any extenders, artificial
4 flavors, artificial color, binders, excess added water or ice,
5 boric acid or borates, sulphites, sulfur dioxide, sulphurous acid,
6 or any other harmful preservative, by-products, or variety meats.
7 Extenders necessary to produce low-fat products may be permitted as
8 described in rules promulgated under this act. No other parts of
9 the animal or any other substance ~~excepting~~ **EXCEPT** as above
10 specified shall be permitted in sausage.

11 (4) ~~(h)~~—Harmless lactic acid bacterial starters may be used in
12 an amount not to exceed 1/2 of 1%. When used, the harmless
13 bacterial starter shall be included in the list of ingredients in
14 the order of its predominance.

15 (5) ~~(i)~~—The following products are considered to be sausage,
16 whether processed or inserted in either natural or artificial
17 casings or other containers: wieners, bologna, ring bologna,
18 knackwurst, bratwurst, roasted sausage, breakfast sausage, pork
19 sausage, chicken sausage, turkey sausage, leona, beer salami,
20 cooked salami, Polish sausage, minced luncheon, kielbasa,
21 bockwurst, all varieties of dry or semi-dry sausage, and other meat
22 food products prepared in sausage form and excluding loaves, liver
23 products, headcheese, sulze, blood sausage, potato sausage, kishka,
24 tongue sausage, and New York or New England pressed luncheon.

25 (6) ~~(j)~~—"Fresh pork sausage", "Polish sausage", "fresh
26 kielbasa", and "fresh country-style sausage" are sausages prepared
27 from fresh pork meat.

1 (7) ~~(k)~~ "Italian style" **ITALIAN** sausage" shall be uncured,
2 unsmoked, and contain at least 85% meat or meat and fat with no
3 more than 35% fat. Italian sausage contains fennel or anise and may
4 contain red and green pepper, onion, and garlic. Italian sausage
5 shall be prepared from fresh pork meat.

6 (8) ~~(l)~~ "Fresh beef sausage" is prepared with fresh beef meat
7 and shall not contain more than 30% fat.

8 (9) ~~(m)~~ "Poultry sausage or poultry-meat sausage" shall be
9 made from fresh poultry meat containing the natural proportions of
10 light and dark meat unless otherwise designated. The name shall be
11 identified by the species contained if the product contains all its
12 meat from 1 species. It shall not contain more than 30% fat.
13 Poultry-meat sausage shall not contain skin.

14 (10) ~~(n)~~ "Cervid sausage" shall be made from the meat of
15 cervidae from approved sources. The name shall be identified by the
16 species contained if the product contains all its meat from 1
17 species, such as "venison sausage" or "elk sausage". A person shall
18 not offer for sale, sell, or expose for sale any other product
19 described as cervid sausage. Fat of another species and approved
20 source may be added to cervid sausage.

21 ~~—— (o) Sausage containing wild game and made on commercial order~~
22 ~~shall be labeled "not for sale". Wild game from more than 1 owner~~
23 ~~shall not be mixed into sausage unless a licensed processor~~
24 ~~butchered all the wild game. Processors shall reject any carcass~~
25 ~~that shows evidence of spoilage or contamination. Wild game and~~
26 ~~wild game product and processing times shall be kept separate from~~
27 ~~other meat and meat processing, including, but not limited to,~~

~~storage in separate or structurally partitioned coolers. Food contact surfaces shall be thoroughly washed and sanitized after the processing of wild game and before the resumption of any other processing.~~

(11) "WILD GAME SAUSAGE" SHALL BE MADE FROM OR CONTAIN WILD GAME. A FOOD ESTABLISHMENT SHALL MEET ALL OF THE FOLLOWING REQUIREMENTS WITH RESPECT TO WILD GAME SAUSAGE:

(A) WILD GAME SAUSAGE SHALL BE IDENTIFIED BY THE SPECIES CONTAINED IN THE PRODUCT, SUCH AS "BEAR SAUSAGE".

(B) WILD GAME SAUSAGE SHALL NOT BE SOLD AND SHALL BE LABELED "NOT FOR SALE".

(C) A FOOD ESTABLISHMENT SHALL REJECT FOR USE IN WILD GAME SAUSAGE ANY CARCASS THAT IN WHOLE OR IN PART SHOWS EVIDENCE OF SPOILAGE OR DISEASE.

(D) IF WILD GAME THAT IS NOT BUTCHERED BY A LICENSED FOOD ESTABLISHMENT IS MADE INTO WILD GAME SAUSAGE CONTAINING WILD GAME FROM MORE THAN 1 OWNER, THE FINAL CONSUMER SHALL BE PROVIDED WITH A WRITTEN ADVISORY STATING "MADE FROM MULTIPLE WILD GAME SOURCES THAT DID NOT RECEIVE WHOLE CARCASS EXAMINATION BY A LICENSED FOOD ESTABLISHMENT". THE TEXT SIZE OF THE ADVISORY SHALL BE A MINIMUM OF 11-POINT FONT IN A COLOR THAT PROVIDES A CLEAR CONTRAST TO THE BACKGROUND.

(E) THE FOLLOWING CATEGORIES OF FOODS SHALL BE KEPT PHYSICALLY SEPARATED DURING STORAGE AND SHALL NOT BE PROCESSED, PREPARED, OR HELD SIMULTANEOUSLY IN THE SAME SPACE:

(i) RAW WILD GAME BUTCHERED BY A LICENSED FOOD ESTABLISHMENT.

(ii) RAW WILD GAME FROM SOURCES OTHER THAN A LICENSED FOOD

1 ESTABLISHMENT, EXCEPT WHEN ADDED TO RAW WILD GAME BUTCHERED BY A
2 LICENSED FOOD ESTABLISHMENT.

3 (iii) ALL OTHER FOODS, EXCEPT FOR FOODS THAT ARE ADDED AS
4 INGREDIENTS TO RAW WILD GAME DURING FINAL PRODUCT PROCESSING.

5 (F) ONE OF THE FOLLOWING REQUIREMENTS SHALL BE MET:

6 (i) FOOD CONTACT SURFACES SHALL BE THOROUGHLY WASHED, RINSED,
7 AND SANITIZED BETWEEN THE PROCESSING OF RAW WILD GAME BUTCHERED BY
8 A LICENSED FOOD ESTABLISHMENT, RAW WILD GAME NOT BUTCHERED BY A
9 LICENSED FOOD ESTABLISHMENT, AND ANY OTHER FOOD.

10 (ii) PROCESSING SHALL BE DONE IN THE FOLLOWING SEQUENCE: FOODS
11 OTHER THAN RAW WILD GAME, RAW WILD GAME BUTCHERED BY A LICENSED
12 FOOD PROCESSOR, RAW WILD GAME NOT BUTCHERED BY A LICENSED FOOD
13 ESTABLISHMENT. AFTER SEQUENTIAL PROCESSING, FOOD CONTACT SURFACES
14 SHALL BE THOROUGHLY WASHED, RINSED, AND SANITIZED.