

Legislative Analysis



HONEY AND MAPLE SYRUP PRODUCERS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4245 as reported from committee

Sponsor: Rep. Gregory Alexander

Committee: Agriculture

Complete to 4-22-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4245 would amend section 4105 of the Food Law to increase the threshold for how much honey or maple syrup can be sold before licensure by the Michigan Department of Agriculture and Rural Development (MDARD) is required under the act.

Currently, section 4105 provides for an exemption from licensure as a food establishment or food processing facility involving the sale or processing of honey or maple syrup if the producer has gross sales of \$15,001 or less. If a retail outlet is owned by the producer and sells only prepackaged honey or maple syrup that was made in Michigan and the processing facility is licensed, then the retail outlet is exempt from having to become licensed as a food establishment under the Food Law.

The bill would increase this sales threshold to \$25,000,¹ matching the existing threshold for the value of foods that are allowed to be sold under the state's cottage food laws without the individual making those goods needing to obtain licensure. Honey and maple syrup are not considered *cottage food products* under state law.

Cottage food product means a food that is not potentially hazardous food as that term is defined in the Food Code. Examples of cottage food product include jams, jellies, dried fruit, candy, cereal, granola, dry mixes, vinegar, dried herbs, and baked goods that do not require temperature control for safety.

Cottage food product does *not* include any potentially hazardous food regulated under 21 CFR parts 113 and 114,² examples of which include meat and poultry products; salsa; milk products; bottled water and other beverages; and home-produced ice products. Cottage food product also does not include canned low-acid fruits or acidified vegetables and other canned foods except for jams, jellies, and preserves as defined in 21 CFR part 150.³

MCL 289.4105

¹ House Bill 4122 would increase the sales threshold to \$50,000 and then allow for it to be adjusted annually based on changes in the Detroit Consumer Price Index. <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2025-HB-4122>

² <https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-113> and <https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-114>

³ <https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-150>

BACKGROUND AND DISCUSSION:

The bill is substantively identical to Senate Bill 882 of the 2023-24 legislative session, which was reported with recommendation from the House Agriculture committee.⁴

According to committee testimony, the bill is intended to reflect that honey and maple syrup are shelf-stable products, similar to others allowed to be sold as cottage foods with a higher sales threshold than is presently allowed for syrup and honey.

FISCAL IMPACT:

The bill would add additional program responsibilities for MDARD, which would potentially require additional resources, including staffing. The amount of additional department cost cannot be readily estimated at this time.

POSITIONS:

The following entities indicated support for the bill (4-17-25):

- Michigan Department of Agriculture and Rural Development
- Michigan Farm Bureau

Legislative Analyst: Josh Roesner
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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

⁴ <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2024-SB-0882>