

HOUSE BILL NO. 4205

March 11, 2025, Introduced by Reps. Roth, Hoskins, Brixie, Price, Paiz, Rheingans, Weiss, Steckloff, Tsernoglou, Breen, Aragona, Schmaltz, Wendzel, St. Germaine, Kunse, Beson, BeGole, Greene, Neyer and Bruck and referred to Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled
"Food law,"
by amending section 1111 (MCL 289.1111), as amended by 2018 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1111. As used in this act:
- 2 (a) "Qualified premises" means any of the following:
- 3 (i) The licensed premises of a micro brewer, as that term is
- 4 defined in section 109 of the Michigan liquor control code of 1998,
- 5 1998 PA 58, MCL 436.1109.
- 6 (ii) The licensed premises of a small wine maker, as that term

1 is defined in section 111 of the Michigan liquor control code of
2 1998, 1998 PA 58, MCL 436.1111.

3 (iii) A tasting room, as that term is defined in section 113 of
4 the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1113.

5 (b) ~~(a)~~—"Raw agricultural commodity" means any food in its raw
6 or natural state including fruits that are washed, colored, or
7 otherwise treated in their unpeeled natural form before marketing.

8 (c) ~~(b)~~—"Regulatory authority" means the department, the local
9 health department, or the authorized representative having
10 jurisdiction over the food establishment.

11 (d) ~~(e)~~—"Retail food establishment" means an operation that
12 sells or offers to sell food directly to a consumer. Retail food
13 establishment includes both a retail grocery and a food service
14 establishment, but does not include a food processor.

15 (e) ~~(d)~~—"Retail grocery" means an operation that sells or
16 offers to sell food to consumers for off-premises consumption. Food
17 for off-premises consumption does not include take-out food
18 intended for immediate consumption.

19 (f) ~~(e)~~—"Rules" means administrative rules promulgated under
20 this act ~~pursuant to~~ **in accordance with** the administrative
21 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

22 (g) ~~(f)~~—"Shellfish dealer" means an interstate wholesaler
23 handling shellfish.

24 (h) ~~(g)~~—"Shellfish dealer certification" means the issuance of
25 a numbered certificate to a person ~~indicating that~~ **indicates** that
26 the person is in compliance with the requirements of the guide for
27 the control of molluscan shellfish and ~~that the person has~~
28 permission from the department to conduct 1 or more of the
29 following shellfish activities, as defined in the guide for the

1 control of molluscan shellfish:

2 (i) Shellstock shipper.

3 (ii) Shucker packer.

4 (iii) Repacker or reshipper.

5 (i) ~~(h)~~—"Smoked fish rules" means R 285.569.1 to R 285.569.19
6 of the Michigan Administrative Code.

7 (j) ~~(i)~~—"Special transitory food unit" means a temporary food
8 establishment that is licensed to operate throughout ~~the~~**this** state
9 without the 14-day limits or a mobile food establishment that is
10 not required to return to a commissary.

11 (k) ~~(j)~~—"Staple foods" does not include accessory foods, such
12 as coffee, tea, cocoa, soda, noncarbonated drinks, such as sports
13 drinks, punches, and flavored waters, candy, condiments, spices,
14 hot foods, or foods ready to go or made to take out, such as
15 prepared sandwiches or salads.

16 (l) ~~(k)~~—"Sulfiting agents" means any of the following:

17 (i) Sulfur dioxide.

18 (ii) Sodium sulfite.

19 (iii) Sodium bisulfite.

20 (iv) Potassium bisulfite.

21 (v) Sodium metabisulfite.

22 (vi) Potassium metabisulfite.

23 (m) ~~(l)~~—"Temporary food establishment" means a food
24 establishment that operates at a fixed location for a temporary
25 period not to exceed 14 consecutive days.

26 (n) ~~(m)~~—"Temporary license" means a written authorization
27 issued by the director to operate for a specified limited time
28 period.

29 (o) ~~(n)~~—"Transient tenant" means ~~a person~~**an individual** who

rents a room in a bed and breakfast for fewer than 30 consecutive days.

(p) ~~(e)~~ "Trimming" means removing leaves, roots, and other extraneous materials in preparation for grading, sorting, and sale as a whole fruit or vegetable. Trimming does not remove the peel or core and does not further cut the whole fruit or vegetable.

(q) ~~(p)~~ "U.S. standards for shell eggs" means "United States Standards, Grades, and Weight Classes for Shell Eggs", AMS 56 (July 20, 2000), United States Department of Agriculture.

(r) ~~(q)~~ "Vending company base location" means a vending machine location or other food establishment required to be separately licensed under section 4105(5).

(s) ~~(r)~~ "Vending machine" means a self-service device that, ~~upon insertion of~~ **after inserting** a coin, paper currency, token, card, or key, or by manual operation, dispenses ~~a unit servings~~ **serving** of food in bulk or in ~~packages~~ **a package** without the necessity of replenishing the device between each vending operation. Vending machine does not include any of the following:

(i) A device that dispenses only bottled or canned soft drinks; other packaged nonperishable foods or beverages; or bulk ball gum, nuts, and panned candies.

(ii) A ~~water dispensing~~ **water dispensing** machine that is registered under ~~chapter IV~~ **section 4115**.

(t) ~~(s)~~ "Vending machine location" means the room, enclosure, space, or area in which 1 or more vending machines are installed and operated, or a micro market.

(u) ~~(t)~~ "Wholesale" means selling other than directly to consumers.

(v) ~~(u)~~ "Wild game" means animals from their natural state and

1 not cultivated, domesticated, or tamed.

2 Enacting section 1. This amendatory act does not take effect
3 unless House Bill No. 4204 (request no. H00703'25) of the 103rd
4 Legislature is enacted into law.