

FRUITS AND VEGETABLES; CONTROLLED ATMOSPHERE STORAGE (EXCERPT)
Act 228 of 1959

286.376 License; denial, suspension, or revocation; notice and opportunity for hearing; administrative fine; warning; action by attorney general to recover fine; injunction; disposition of payments.

Sec. 6. (1) In addition to any other penalties or sanctions provided for by law, the director after notice and opportunity for a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, may deny, suspend, or revoke a license for any sealed storage room, space, or building that had not been operated, or is not prepared to be operated, in compliance with this act or any rules issued under this act.

(2) The director, upon finding after notice and opportunity for a hearing that a person has violated any provision of this act, may impose an administrative fine of not more than \$1,000.00 for each violation.

(3) If the director finds that a person or firm has violated provisions of the act despite the exercise of due care, the director may issue a warning instead of imposing an administrative fine.

(4) The director shall advise the attorney general of the failure of a person to pay an administrative fine imposed under this section. The attorney general shall bring an action in a court of competent jurisdiction to recover the fine.

(5) The director may bring an action to enjoin the violation or threatened violation of this act or a rule promulgated pursuant to this act in a court of competent jurisdiction of the county in which the violation occurs or is about to occur.

(6) Any civil penalties or recovery of any economic benefits associated with a violation of this act and collected under this section shall be paid to the state treasury and credited to the department for the enforcement of this act.

History: 1959, Act 228, Eff. Mar. 19, 1960;—Am. 2000, Act 53, Imd. Eff. Mar. 30, 2000.