

MICHIGAN ORGANIC PRODUCTS ACT (EXCERPT)
Act 316 of 2000

286.917 Registration as certifying agent; demonstration of compliance; requirements.

Sec. 17. To obtain a registration as a certifying agent, an applicant shall demonstrate to the satisfaction of the director all of the following:

- (a) Certification standards meeting or exceeding the Michigan organic standards.
- (b) A requirement that producers or handlers that will be certified establish an organic plan.
- (c) The establishing and following of a procedure that allows producers and handlers to appeal an adverse certification determination.
- (d) A requirement that each person it certifies demonstrate to the satisfaction of the certifying agent on an annual basis that the person has produced, handled, sold, offered for sale, advertised, or labeled as organic an agricultural product in compliance with the standards imposed under this act.
- (e) Providing for at least an annual on-site inspection of each person it certified.
- (f) A requirement for the conduct of residue testing of organic products that have been produced on certified organic farms and handled through certified handling operations to determine whether such products contain any prohibited substances if determined necessary by the director.
- (g) The following of adequate procedures necessary to carry out the certifying duties of this act.
- (h) Protecting against conflict of interest.
- (i) The establishing of a process that ensures impartiality of the registrant's inspectors to include, at a minimum, training in organic certification procedures and other related issues determined necessary and approved by the director.
- (j) Providing to the director the names, addresses, and agricultural products certified for all persons certified by the registrant not less than annually or upon request of the director. A certifying agent has a continuing duty to update names or products as deletions and additions occur.
- (k) Allowing the director access during normal business hours to relevant records including, but not limited to, business records relating to issuance of the certification, certification documents relating to clients, and laboratory analyses.
- (l) Complying with any other reasonable and necessary requirements imposed by the director to ensure compliance with this act.

History: 2000, Act 316, Eff. Oct. 1, 2001.