

FOOD LAW (EXCERPT)
Act 92 of 2000

289.4117 Dairy and food safety fund; credit of money collected; creation; investment; lapse; administration; consumer food safety education fund; industry food-safety education fund; creation; use and carrying forward of funds; "fee-exempt food establishment" defined.

Sec. 4117. (1) Except as provided in subsections (2) and (3), money collected under this chapter by the department must be credited to the dairy and food safety fund that is created as a restricted fund within the state treasury. The state treasurer may receive money or other assets, from appropriations or from any other source, for deposit into the fund. The state treasurer shall direct the investment of the fund. The money in the fund does not lapse to the general fund at the end of the fiscal year and carries over to the following fiscal years. The state treasurer shall credit to the fund interest and earnings from fund investments. The department shall administer the fund and shall expend money from the fund for the purpose of administering this act and enforcing the provisions of this act, the grade A milk law of 2001, 2001 PA 266, MCL 288.471 to 288.540, and the manufacturing milk law of 2001, 2001 PA 267, MCL 288.561 to 288.740. The department shall be the administrator of the fund for auditing purposes.

(2) A consumer food safety education fund is created as a revolving fund in the department of treasury. The consumer food safety education fund must be administered by the department and funded by adding \$3.00 to the fee for each food establishment license in all categories except vending machines and in cases of fee-exempt food establishments. The money in the fund must be used to provide statewide training and education to consumers on food safety. Money remaining in the fund at the end of the fiscal year carries forward into the next fiscal year.

(3) An industry food-safety education fund is created as a revolving fund in the department of treasury. The industry food-safety education fund must be administered by the department and funded by adding \$2.00 to the fee for each food service establishment license in all categories except vending machines and in cases of fee-exempt food establishments. The money in the fund must be used to provide food safety training and education to food service establishment employees and agents of the director who enforce this act. Money remaining in the fund at the end of the fiscal year carries forward into the next fiscal year.

(4) As used in this section, "fee-exempt food establishment" means a food establishment exempt from all state and local food establishment license fees under section 3119(3) combined with an exemption from the local health department sanitation service fee under section 2444 of the public health code, MCL 333.2444.

History: 2000, Act 92, Eff. Nov. 8, 2000;—Am. 2002, Act 487, Imd. Eff. June 27, 2002;—Am. 2007, Act 114, Eff. Apr. 1, 2008;—Am. 2012, Act 178, Eff. Oct. 1, 2012;—Am. 2023, Act 194, Imd. Eff. Nov. 7, 2023.

Compiler's note: Sec. 1117 of Act 92 of 2000 provides:

"Sec. 1117. (1) Subject to subsections (2) and (3), this act takes effect 6 months after the date of enactment.

"(2) Until 6 months after the effective date of this act, compliance with the standards of the design, construction, and equipment of a food service establishment approved under former sections 12901, 12902, 12903, 12904, 12905a, 12906, 12907, 12908, 12910, 12911, 12912, 12913, 12916, and 12921 of the public health code, MCL 333.12901, 333.12902, 333.12903, 333.12904, 333.12905a, 333.12906, 333.12907, 333.12908, 333.12910, 333.12911, 333.12912, 333.12913, 333.12916, and 333.12921, is considered compliance with this act.

"(3) Beginning 6 months after the effective date of this act, a food service establishment shall comply with the standards of design, construction, and equipment established under this act."