

IMMUNITY OF FOOD DONORS FROM CIVIL LIABILITY (EXCERPT)
Act 136 of 1993

691.1571 Definitions.

Sec. 1. As used in this act:

(a) "Canned food" means food that is commercially processed in hermetically sealed containers by a commercial processor.

(b) "Charitable organization" means a benevolent, educational, philanthropic, humane, patriotic, religious, or eleemosynary organization of persons organized for any lawful purpose or purposes not involving pecuniary profit or gain for its officers or members.

(c) "Commercial processor" means a person licensed pursuant to the food processing act of 1977, Act No. 328 of the Public Acts of 1978, being sections 289.801 to 289.810 of the Michigan Compiled Laws, or a person licensed pursuant to a law of another jurisdiction substantially corresponding to Act No. 328 of the Public Acts of 1978.

(d) "Commercially processed" means processed in a manner adequate to protect the public health and in accordance with current good manufacturing practices applicable to facilities, methods, practices, and controls used by a commercial processor in the manufacture, processing, or packing of low-acid foods in hermetically sealed containers.

(e) "Farm product" means an agricultural, dairy, or horticultural product or a product designed or intended for human consumption or prepared principally from agricultural, dairy, or horticultural produce.

(f) "Food" means articles used for food or drink for human consumption.

(g) "Food producer" includes, but is not limited to, restaurants, bakeries, cafeterias, caterers, and delicatessens.

(h) "Gleaner" means a person that harvests a donated agricultural crop for free distribution or nominal-cost distribution.

(i) "Hermetically sealed container" means a container that is designed and intended to prevent the entry of microorganisms and to maintain the commercial sterility of its content after processing.

(j) "Nonprofit corporation" means that term as defined in section 108 of the nonprofit corporation act, Act No. 162 of the Public Acts of 1982, being section 450.2108 of the Michigan Compiled Laws.

(k) "Person" means an individual, organization, group, association, partnership, corporation, trust, or any combination of these, including persons licensed pursuant to part 129 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.12901 to 333.12922 of the Michigan Compiled Laws, or licensed pursuant to the food processing act of 1977, Act No. 328 of the Public Acts of 1978, being sections 289.801 to 289.810 of the Michigan Compiled Laws.

(l) "Potentially hazardous food" means either or both of the following:

(i) A "potentially hazardous food or beverage" as that term is defined in section 12901(1)(c)(xi) of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.12901 of the Michigan Compiled Laws.

(ii) A "potentially hazardous food and drink" as that term is defined in R 285.553.23 of the Michigan Administrative Code.

(m) "Prepared food" means food that has been sliced, assembled, formed, mixed, cooked, or subjected to other procedures to make it ready for serving.

History: 1993, Act 136, Imd. Eff. Aug. 2, 1993.