



SENATE BILL No. 461

April 25, 1995, Introduced by Senators GOUGEON, NORTH,
MC MANUS and SHUGARS and referred to the Committee on
Agriculture and Forestry.

A bill to amend section 2 of Act No. 232 of the Public Acts
of 1965, entitled as amended
"Agricultural commodities marketing act,"
being section 290.652 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 232 of the Public Acts of
2 1965, being section 290.652 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 2. As used in this act:

5 (a) "Agricultural commodity" means all agricultural, horti-
6 cultural, floricultural or vineyard products, livestock or live-
7 stock products, AQUACULTURAL PRODUCTS, poultry or poultry prod-
8 ucts, ~~Christmas trees~~ SILVICULTURAL PRODUCTS, bees, maple syrup
9 and honey, produced in this state, either in their natural state
10 or as processed by the producer ~~thereof~~ OF THOSE PRODUCTS. The

1 kinds, types, and subtypes of products to be classed together as
2 an agricultural commodity for the purposes of this act shall be
3 determined on the basis of common usage and practice.

4 (b) "Producer" means a person engaged in the business of
5 producing, or causing to be produced for any market, an agricul-
6 tural commodity in quantity beyond that person's own family use,
7 and having a value at first point of sale of more than \$800.00
8 for the agricultural commodity in any 1 growing and marketing
9 season within the last 3 years.

10 (c) "Handler" means a person engaged in the operation of
11 packing, grading, selling, offering for sale or marketing a mar-
12 ketable agricultural commodity in commercial quantities as
13 defined in a marketing program, who as owner, agent, or other-
14 wise, ships or causes an agricultural commodity to be shipped.

15 (d) "Processor" means a person engaged in canning, freezing,
16 dehydrating, fermenting, distilling, extracting, preserving,
17 grinding, crushing, or otherwise preserving or changing the form
18 of an agricultural commodity for the purpose of marketing it.

19 (e) "Distributor" means a person engaged in selling, offer-
20 ing for sale, marketing, or distributing an agricultural commod-
21 ity which he OR SHE has purchased or acquired from a producer or
22 which that person is marketing on behalf of a producer, whether
23 as owner, agent, employee, broker, or otherwise, but ~~shall~~ DOES
24 not include a retailer, except a retailer who purchases or
25 acquires from, or handles on behalf of a producer, an agricul-
26 tural commodity not previously subjected to regulations by the
27 marketing program covering the AGRICULTURAL commodity.

1 (f) "Department" means the ~~state~~ department of
2 agriculture.

3 (g) "Director" means the director of the department of
4 agriculture.

5 (h) "Marketing agreement" means an agreement entered into
6 with the director by producers, distributors, processors,
7 or handlers pursuant to this act and binding only on those
8 signing.

9 (i) "Marketing program" means a program established by order
10 of the director pursuant to this act, prescribing rules and regu-
11 lations governing the marketing for processing, distributing,
12 selling, or handling an agricultural commodity produced in this
13 state during a specified period and which the director determines
14 would be in the public interest.

15 (j) "Committee" means the commodity committee or advisory
16 board established under a marketing program.