

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

**Introduced by Reps. Cole, Bumstead, Lauwers, Rendon, Potvin, Franz, Pettalia, Chatfield, Dianda, Inman,
McBroom, Kivela, Johnson, Glenn, Graves, Kelly, Aaron Miller and Kosowski**

ENROLLED HOUSE BILL No. 5532

AN ACT to amend 2000 PA 92, entitled “An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture and rural development; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for immunity to certain persons under certain circumstances; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts,” by amending section 6101 (MCL 289.6101), as amended by 2012 PA 178.

The People of the State of Michigan enact:

Sec. 6101. (1) Chapters 1 through 8 of the food code are incorporated by reference except as amended and modified as follows:

(a) Where provisions of this act and rules specify different requirements.

(b) Section 3-401.14 is modified to read as follows:

“3-401.14 Non-Continuous Cooking of Raw Animal Foods.

Raw animal foods that are cooked using a non-continuous cooking process shall be:

(A) Subject to an initial heating process that is no longer than 60 minutes in duration;^P

(B) Immediately after initial heating, cooled according to the time and temperature parameters specified for cooked potentially hazardous food (time/temperature control for safety food) under paragraph 3-501.14(A);^P

(C) After cooling, held frozen or cold, as specified for potentially hazardous food (time/temperature control for safety food) under paragraph 3-501.16(A)(2);^P

(D) Before sale or service, cooked using a process that heats all parts of the food to a time/temperature specified in paragraph 3-401.11(A);^P

(E) Cooled according to the time and temperature parameters specified for cooked potentially hazardous food (time/temperature control for safety food) under paragraph 3-501.14(A) if not either hot held as specified under paragraph 3-501.16(A), served immediately, or held using time as a public health control as specified under section 3-501.19 after complete cooking;^P and

(F) Stored as follows:

(1) After initial heating but before cooking as specified under paragraph (D) of this section, separate from ready-to-eat foods as specified under paragraph 3-302.11;^{Pf} and

(2) After initial heating, but before complete cooking, marked or otherwise identified as foods that must be cooked as specified under paragraph (D) of this section before being offered for sale or service.^{Pf} The food may be identified in any effective manner if the marking system is disclosed to the regulatory authority on request.”.

(c) Section 2-103.11(L) is modified to read as follows:

“Employees are properly trained in food safety as it relates to their assigned duties;^{Pf} and”.

(d) Section 3-201.16(b) is modified to add the following:

“(3) Morel mushrooms.”.

(2) The director, by rule, may adopt any changes or updates to the food code.

(3) The annexes of the food code are considered persuasive authority for interpretation of the food code.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor