CHEMICAL LABORATORIES; FRUIT PROTECTION
Act 137 of 1935

AN ACT to provide for the protection of the public health; to promote the fruit growing industry; to assist in the marketing of fresh fruit; to provide for the establishing of temporary chemical laboratories in the fruit growing sections during the harvesting and shipping season, in order to control excess poisonous spray residue on fruit; to provide for the payment of inspection fees for chemical analyses; to issue clearance certificates on lots of apples and other fruits prepared for shipment; to make an appropriation therefor, and to prescribe the duties and powers of the commissioner of agriculture.

History: 1935, Act 137, Imd. Eff. June 4, 1935.

The People of the State of Michigan enact:

286.341 Chemical laboratories; fruit growing sections; poisonous spray residue; examination, certificate, fees.

Sec. 1. The commissioner of agriculture is hereby empowered to establish temporary chemical laboratories in fruit growing sections during the harvesting and shipping season for the purpose of examining fruit and determining the amount of poisonous spray residue thereon, and in the case of lots of fruit prepared for shipment to collect representative samples from such lots; to cause to be made chemical analyses for poisonous spray residue remaining on the fruit and in the event, as the result of such examination on representative samples, that prohibited poisonous spray residue does not exceed the maximum tolerance allowed therefor by the secretary of agriculture of the United States; to cause to be issued a certificate stating that fact. Certificates issued will be and are applicable only to such designated lots as have been appropriately numbered and identified. The owner of such lot of fruit shall pay such reasonable fees for the examination and issuance of certificate as is determined by the commissioner of agriculture.

History: 1935, Act 137, Imd. Eff. June 4, 1935;—CL 1948, 286.341.

Administrative rules: R 285.202.1 of the Michigan Administrative Code.

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286.342 Chemical laboratories; voluntary submission of samples; fee; certificate.

Sec. 2. Growers of fruit may submit to any temporary chemical laboratory samples of fruit for analyses for spray residue in order to determine the conditions that prevail as a result of spraying practices, upon the payment of a reasonable fee for each sample submitted. The results of the analyses of such samples from individuals, corporations or firms shall be reported direct to the grower or parties submitting the samples but in no case shall a certificate be issued on a lot of fruit as a result of the submission of informative samples by individuals.

History: 1935, Act 137, Imd. Eff. June 4, 1935;—CL 1948, 286.342.

286.343 Chemical laboratories; establishment by private concerns; supervision, regulations.

Sec. 3. The commissioner of agriculture shall have supervision over any chemical laboratory established by any cooperative exchange, growers' exchange, or other business engaged in the harvesting, grading, packing or selling of fruit, for the analyses of fruit for spray residue, and shall cause such firm or individual to register with the department of agriculture. Upon registration and demonstration of ability for the sampling, examination and chemical analyses of fruit for spray residue, such firms or individuals may be permitted to charge fees for the examination of samples of fruit on a basis similar to that charged by the commissioner of agriculture, and report the results of their findings to the owner of such fruit. No certificate attempting to show the presence or amount of arsenic, lead, fluorine, or any other dangerous chemical shall be valid unless issued by authority of the commissioner of agriculture.

History: 1935, Act 137, Imd. Eff. June 4, 1935;—CL 1948, 286.343.

286.344 Appropriation for state chemical laboratories.

Sec. 4. There is hereby appropriated the sum of 25,000 dollars for the fiscal year ending June 30, 1936, and a sum not exceeding 10,000 dollars for the year ending June 30, 1937: Provided, That in no event shall these appropriations exceed the fees collected herein to carry into effect the intent and purpose of this act. All moneys derived from fees shall be deposited to the credit of the general fund, and all expenditures incurred on account of the provisions of this act shall be from appropriations made herein.

History: 1935, Act 137, Imd. Eff. June 4, 1935;—CL 1948, 286.344.

286.345 Rules and regulations; enforcement by commissioner of agriculture.

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Sec. 5. The commissioner of agriculture is charged with the enforcement of this act and is hereby empowered to promulgate such reasonable rules and regulations as are necessary to carry into effect the intent and purpose of this act.

History: 1935, Act 137, Imd. Eff. June 4, 1935;—CL 1948, 286.345.

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