

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES ~~LICENSING AND REGULATORY AFFAIRS~~

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

FILED WITH THE SECRETARY OF STATE ON APRIL 5, 2013

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306.

Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of **licensing and regulatory affairs** ~~labor and economic growth~~ by sections 14 and 24 of 1974 PA 154 **MCL 408.1014 and 408.1024**; and Executive Reorganization Order Nos. 1996-1, 1996-2, **2003-1, 2008-4, and 2011-4**, and ~~2003-18, MCL 408.1014, 408.1024, 330.3101, 445.2001, and 445.2011, 445,2025, and 445.2030.~~)

R 325.51139 is amended to the Michigan Administrative code and R 325.51143 is rescinded as follows:

PART 511. TEMPORARY LABOR CAMPS

R 325.51139 Construction and operation of kitchens, dining halls, and feeding facilities.

Rule 9. (1) In all camps where central dining or multiple family feeding operations are permitted or provided, the food handling facilities shall comply with the requirements of the United States ~~department of Public Health and Human Services~~, Food and Drug Administration, Food Code, 2005 Edition. A copy of the Food Code may be obtained in **either** ~~any~~ of the following ways:

(a) At no cost from the United States ~~department of Public Health and Human Services~~, Food and Drug Administration, via the internet at website: [www.fda.gov](http://www.fda.gov). ~~[www.cfsan.fda.gov/](http://www.cfsan.fda.gov/)~~

(b) From the **United States Department of Commerce**, National Technical Information Service, **6301 Shawnee Road, Alexandria, Virginia, 22312**, ~~5285 Port Royal Road, Springfield, VA 22161~~, USA, Phone: 1-888-584-8332 or via the internet website: [www.ntis.gov/](http://www.ntis.gov/), at a cost of \$59.00 at the time of **adoption** ~~publication~~ of these rules.

~~(c) From the Department of MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in subrule (1)(b), plus \$20.00 for shipping and handling.~~

**(2) The standards adopted in subrule (1) of this rule are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.**

**(3) Copies of the standard adopted in subrule (1) of this rule may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.**

~~(4)~~**(2)** A properly constructed kitchen and dining hall adequate in size, separate from the sleeping quarters of any of the workers or their families, shall be provided in connection with all food handling facilities. There shall be no direct opening from living or sleeping quarters into a kitchen or dining hall.

~~(5)~~**(3)** No person with any communicable disease shall be employed or permitted to work in the preparation, cooking, serving, or other handling of food, foodstuffs, or materials used therein, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

R 325.51143 **Rescinded** ~~Rules; department of agriculture.~~

~~Rule 13. Agricultural labor camps shall comply with R 325.3601 to R 325.3699 of the department of agriculture and the licensing requirements as set forth in 1978 PA 368, MCL 333.12421. Copies of these rules may be obtained at no charge from the Michigan Department of Agriculture, Environmental Stewardship Division, Migrant Labor Housing Program, P.O. Box 30017, Lansing, Michigan 48909, Phone: 517-241-1174.~~