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MICHIGAN COMMISSION OF AGRICULTURE POLICY MANUAL INDEX

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MICHIGAN COMMISSION OF AGRICULTURE POLICIES

OVERVIEW

This overview includes individual sections covering the following:

- Statement of Purpose
- Responsibilities
- Legal Authority
- Procedures
 - Officers
 - Per Diem and Expenses
 - Meetings
 - Voting
 - Ethics
- Resolutions
- Legislative Opinions
- Public Appearance Guidelines
- Duties of the Director of the Michigan Department of Agriculture
- Policy Development

STATEMENT OF PURPOSE

The Michigan Commission of Agriculture has the responsibility to recommend and in some cases determine policy on food and agricultural issues.

As gubernatorial appointees, the Commissioners are representatives of the Executive branch of government, and cooperate and collaborate with the Governor in the development, creation, implementation, and communication of policy. Effective and efficient administration requires a significant degree of interaction, especially in the implementation of Executive Orders and Executive Directives issued by the Governor that apply to the Commission and to the Department.

Michigan's multi-billion dollar food and agriculture industry needs ongoing focus and support for it to continue to grow. To this end, the Commission encourages a partnership of government, private industry, and citizens working toward common goals of protecting the public health, growing our economy, and preserving our environmental heritage.

The Commissioners strive to generate statewide citizen interest and mobilize support for issues important to the food and agriculture sector to promote the future health and growth of Michigan's second largest industry.

RESPONSIBILITIES

The Commission of Agriculture should assist the Governor in protecting Michigan's health, economy, and environment through policies that:

- Enhance food safety;
- Prevent and mitigate diseases and pests of humans, plants, and animals;
- Promote land and water stewardship;
- Develop land-use policies that allow for long-term agricultural viability;
- Develop, diversify, and expand agriculture's economic potential;
- Protect consumers and ensure fairness in the marketplace;
- Recognize and celebrate the heritage of agriculture, including the events and activities that make Michigan a great place to live, work, and play;
- Promote public awareness of Michigan agriculture, food, and fiber, and
- Coordinate and partner on food and agricultural interests with government agencies at the federal, state, and local levels; the private sector, academia, and the many diverse and interested organizations to achieve these goals.

LEGAL AUTHORITY

The Michigan Commission of Agriculture was created under Act 13 of 1921 (attachment A); and reorganized under Act 380 of 1965, as amended (attachment B); and other statutes that provide specific duties and responsibilities. Executive Orders 2009-45 (attachment C) and 2009-54 (attachment D) further explain the role, powers and duties of the Commission.

The Commission of Agriculture shall consist of five members, not more than three of whom shall be members of the same political party, appointed by the Governor and with the advice and consent of the Senate. The term of the office of each member shall be four years. A member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term. The Commission shall elect from its members such officers as it deems advisable, and not later than March 31st of each year the Commission shall designate a Chairperson to serve in that role through March 31st of the following year. A member may not serve as Chairperson for consecutive annual periods. One member of the Commission shall also serve as a member of the Natural Resources Commission. Commissioners "shall be knowledgeable about modern agriculture or food supply and committed to the protection, promotion, and preservation of the food, agricultural, conservation, and economic interests of the People of the State of Michigan." (Executive Order 2009-54).

A majority of the Commission members serving is required to constitute a quorum.

The business of the Commission shall be in compliance with the Open Meetings Act, Act 267 of 1976 (attachment E); and records of the Commission are subject to the Freedom of Information Act, Act 442 of 1976 (attachment F).

The chief executive officer of the department is the director of the Department of Agriculture. The director is appointed by the Governor and with the advice and consent of the Senate. The Commission shall conduct and transmit to the Governor an annual performance review of the Director, and not later than December 15 of each fiscal year, the Commission shall recommend an annual salary level for the Director to the Governor and the State Budget Director. The Director shall consult with the Commission on agricultural policy matters.

PROCEDURES

Officers

.Not later than March 31st of each year, the Commission of Agriculture shall designate a member of the Commission as the Chairperson through March 31st of the following year. A member of the Commission may not be designated as Chairperson for consecutive annual periods. The Commission may also designate a member to serve as Vice Chairperson and as Secretary.

In the absence of the Chairperson, the Vice Chairperson, or in the absence of both, the Secretary, shall serve as Acting Chairperson.

Compensation and Expenses

Members of the Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

Each Commissioner shall submit a signed expense voucher and statement of respective work completed to the Commission Assistant for payment.

Meetings

The Commission shall hold monthly meetings, with the exception of May and October, or as it deems necessary.

The yearly meeting schedule will be set at the preceding November meeting, but is subject to change with proper notification.

The Commission reserves the right to cancel meetings or hold special meetings at the direction of the chairperson and in accordance with the law.

The Commission shall:

1. Ensure that at least three Commissioners, a quorum, are present at the posted meeting location;
2. When necessary, provide for participation by Commissioners electronically via video conference, if possible to ensure that there is no question about the identity of the participants; and
3. If possible, post the alternate locations as part of the formal Open Meetings Act notice, allowing the public to attend and participate through public comment.

The Director, in consultation with the Chair, shall develop a proposed agenda for each meeting to include action items, staff reports, presentations, and public comment.

All Commission meetings shall be compliant with the Persons With Disabilities Civil Rights Act (attachment G).

Minutes will be kept of all meetings of the Commission and retained per the Open Meetings Act and the State of Michigan Records Retention and Disposal Schedule.

Voting

Unless otherwise requested by a Commissioner, voting on matters before the Commission is by voice vote. If any Commissioner requests a roll call vote, the Secretary shall record the vote of each Commissioner.

Ethics

The Director and members of the Commission are subject to Executive Directive No. 2003-1 *Standards of Ethical Conduct* (attachment H) that establishes standards of ethical conduct for department directors and appointees of the Governor. In addition, pursuant to Executive Order 2009-54:

A member of the Commission of Agriculture shall discharge the duties of the position in a nonpartisan manner, in good faith, in the best interests of this state, and with the degree of diligence, care, and skill that a fiduciary would exercise under similar circumstances in a like position. A member of the Commission shall not make or participate in making a decision, or in any way attempt to use his or her position as a member of the Commission to influence a decision, on a matter before the Department of Agriculture or the Commission regarding a loan, grant, or other expenditure in which the member is directly or indirectly interested. A member of the Commission shall not be interested directly or indirectly in any contract with the Department of Agriculture or the Commission that would cause a substantial conflict of interest. Members of the Commission shall comply, and the Commission shall adopt policies and procedures for members to comply, with the requirements of this paragraph and all of the following:

- a) 1978 PA 472, MCL 4.411 to 4.430 (Lobbyists, Lobbying Agents, and Lobbying).
- b) 1978 PA 566, MCL 15.181 to 15.185 (Incompatible Public Offices).
- c) 1968 PA 318, MCL 15.301 to 15.310 (Conflicts of Interest).
- d) 1968 PA 317, MCL 15.321 to 15.330 (Contracts of Public Servants with Public Entities).
- e) 1973 PA 196, MCL 15.341 to 15.348 (Standards of Conduct for Public Officers and Employees).
- f) Section 2(10) of the Julian-Stille Value-Added Act, 2000 PA 322, MCL 285.302.

RESOLUTIONS

The Commission may adopt resolutions to honor or recognize individuals and organizations, or to represent the Commission of Agriculture's position on a specific issue, topic or activity, and to convey that information or a request for action.

- A. For resolutions that are meant to represent the Commission of Agriculture's position on a specific issue, topic or activity, or to convey a request of action on the part of others, the following procedure should be followed:
- A Commissioner with a resolution request should contact the Chair at least 20 days prior to a regularly scheduled Commission meeting;
 - The Director is contacted and appropriate staff, with particular expertise in the subject area, will be assigned to draft the resolution;
 - The draft resolution is returned to the Commission Chair and the Commissioner making the original request for review;
 - The draft is distributed to all Commissioners in the pre-meeting mailing one week prior to a regularly scheduled Commission meeting.
 - If it is deemed necessary to draft a resolution on the day of the Commission meeting, a Commissioner may request that the Commission Chair consider the resolution for placement on the agenda. If the Chair places the resolution request on the agenda, the Commission shall vote to approve the addition of the resolution to the agenda. Once formally placed on the agenda, the full Commission may consider the resolution.
- B. To qualify for a Commission Resolution upon employee retirement or other celebratory occasion, each individual or organization must meet at least one of the following criteria:
- Retirement after 15 years or more of employment with the state of Michigan and outstanding service as an employee of MDA when recommended by division director and approved by the director.
 - Outstanding contribution to an industry serviced by this department when recommended by the director.
 - Any individual or organization so designated by the Commission of Agriculture.
 - Other special circumstances.

When appropriate, departmental retirees not qualifying for a Commission resolution shall receive a letter of commendation from the director of the Michigan Department of Agriculture.

Procedures for writing resolutions shall be established by the Office of Communications with approval of the Commission assistant and director.

LEGISLATIVE, LEGAL, and MEDIA ISSUES

Commissioners shall refer all legal, legislative, and media contacts relating to the duties of the Commission to the Director of the Department or the Director's designee.

To remain informed on important public policy matters before the Legislature, the Commission asks for regular updates on legislative activities, and for the Department to advocate positions on legislation in accordance with Commission policies and those policies established by the Governor.

When legislative urgency requires a response from the Department, and there is no applicable policy from the Commission or the Governor, the Commission may call a special meeting pursuant to the Open Meetings Act.

In the event that is not feasible, individual Commissioners may express their opinions to the director on legislative issues.

While each Commissioner as a member of the public is free to contact their legislators and voice opinions during the legislative process or to the media, no Commissioner shall speak on behalf of the Commission to the media or on legislative matters unless done in coordination with the Director.

PUBLIC APPEARANCE GUIDELINES

Public comment and input is important to the development of public policy. As a public body, the Commission of Agriculture needs and wants to hear from the public. In the interest of fairness and ensuring that there is adequate time for as many voices as possible, the Commission operates under the following guidelines:

1. Public appearances will be scheduled during the Public Comment period of a regular session of the Commission of Agriculture. If there is a change in this scheduled time, it will be noted on the original agenda distributed in advance of the meeting. Those registering in advance (prior to noon on Friday before the week of the Commission meeting) of the meeting will be notified.
2. Persons addressing the Commission will be requested to identify their: Name, address, and the organization (if any) which they are representing. In those instances in which a person is representing an organization, the presenter should indicate whether the presentation represents the official views of the organization.
3. All persons wishing to address the Commission must declare their intent by completing a Public Appearance card prior to or during the Public Appearance portion of the meeting, unless they have already contacted the Assistant to the Commission, and their names appear on the agenda.
4. The public comment period(s) (time(s) allotted on agenda) of the meeting will last until closed by the Chair or by vote of the Commission.
5. Persons contacting the Assistant to the Commission on or before the Friday preceding the Commission meeting will be allowed up to three (3) minutes for their presentation; providing that the topic for their presentation pertains to an item specifically related to Commission matters. Anyone wishing to address the Commission on an item not specifically appearing on the Commission agenda is limited to a presentation of no more than three (3) minutes. Persons signing up after the Friday preceding the meeting, or at the meeting, will be allowed up to three (3) minutes for their presentation. Extensions shall be at the discretion of the Commission Chair or by vote of the Commission.

In instances where there are several speakers on the same subject, the Chair is authorized to request that the group appoint a representative to address the Commission on the group's behalf -or- each individual presentation shall be limited to three (3) minutes. If a spokesperson is designated, that individual may be granted 10 minutes.

- a. A group of persons speaking on a common subject are encouraged to choose a spokesperson for their group.

- b. The Commission of Agriculture will make every attempt to accommodate all individuals who wish to speak, and may set time frames different from those referenced above in order to encourage and allow maximum public input.
 - c. Questions asked by Commissioners and/or MDA staff will not be considered part of the three minutes allotted for public comment.
6. Fifteen (15) copies of written comments (if possible) should be provided to the Assistant to the Commission for distribution, either prior to or at the meeting. This will allow the presenter to include detail and background not possible within the allowed time frame scheduled for oral presentation. These written comments will become a part of the formal Commission record and will provide the Commission and staff with a precise, clear reference upon which to base their response to concerns.

All documents distributed at the meeting will be considered public documents and are subject to provisions of the Freedom of Information Act. It is the responsibility of the presenter to make sure all statements made are accurate and based on fact.

7. The Commission, at its discretion, may or may not hear matters relative to litigation. The Commission will not comment or question presentations made relative to matters that are in litigation. Contacts on legal matters made to the Commission should be referred to the Department of Agriculture.
8. The public comment time provides the public an opportunity to speak. The Commission will not necessarily respond to the public comment.

DUTIES OF THE DIRECTOR OF THE
MICHIGAN DEPARTMENT OF AGRICULTURE

It shall be the responsibility of the director to provide leadership and administrative oversight in the day-to-day activities of the department and to carry out the tasks as designated under law.

- A. The director shall have authority over all employees, agents, and entities operating under the jurisdiction of the department.
- B. The director shall assist the Commission in policy decisions for the department, the industry, and government. The director shall also recommend adjustments in administrative policies both in the development and implementation thereof.
- C. The director shall report to the Commission on a monthly basis or otherwise as the Commission requests, and shall direct appropriate staff to report as needed.
- D. The director shall make recommendations to the Commission on issues that require Commission approval.
- E. The director is the chief budget officer for the department. It is the duty of the director to secure appropriate funding and human resources to carry out the department's programs and to recommend program adjustments where needed or required.
- F. The director is the chief legislative spokesperson (consistent with "G") for the department and shall be responsible for recommending changes in current law or to recommend new laws that further the goals and commitment of the department.
- G. The director shall be the chief spokesperson for the department on all matters affecting the department.
- H. The director is the appropriate person to respond to Commission issues regarding department operation.
- I. The Director is subject to an annual performance review by the Commission. The Commission shall also make a recommendation each year not later than December 15 on an annual salary level for the Director for the subsequent fiscal year. The performance review shall be transmitted to the Governor, and the salary recommendation to the Governor and to the State Budget Director.

POLICY DEVELOPMENT

Accurate information, based on scientific and economic research, is essential to development of sound policies. Further, public understanding is necessary to gain support of such policies.

The Commission may adopt policies as either overarching goals for, or as specific direction to the Department.

An intensive ongoing communications effort should be developed to generate public awareness and support of policies recommended.

Policies adopted by the Commission of Agriculture will be communicated to the Governor, Legislature, stakeholders, and the general public as necessary.

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Overview of the Michigan Commission of Agriculture Policies

Re-approved in East Lansing, Michigan
March 17, 2010

MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 1

Policy Title: **GUIDING PRINCIPLES**

By policy the Michigan Commission of Agriculture affirms the department's commitment to lead and serve the citizens of Michigan through the following values:

- Integrity** We say what we will do and we do what we say. We shall strive to be role models to ensure that honesty, respect, fairness, impartiality, trustworthiness, and dependability are standards of all employees' personal and professional conduct.
- Excellence** We are committed to getting the work done in a way that we are proud of and that our stakeholders are confident in and impressed with. We are committed to the development of our organization's mission, values, goals, and systems to monitor, measure, and sustain quality.
- Inclusion** We reach out to everyone in our society and every employee of the Department of Agriculture to be represented and involved in the important decisions that affects their lives.
- Teamwork** We focus on what we can do together, sharing information, resources, and energy to achieve our vision for the Department and the State.
- Customer Focus** We provide the highest quality of service to our customers. It is our responsibility to identify customers and their expectations, and to devise ways to address their needs in a timely manner.
- Meeting Staff Needs** We are committed to the development of our entire workforce and encourage participation, learning, and creativity to foster individual achievement at all levels of the organization.
- Effective Communication** We encourage the exchange of ideas and information throughout the Department of Agriculture and with our customers and organizational partners.
- Continuous Improvement** We will take responsibility to seek out and advocate new methods for improving our services.

MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 2

Policy Title: **EQUAL OPPORTUNITY PROGRAM**

The Commission of Agriculture is committed to equal opportunity in state employment and affirms the Department's policy. Pursuant to Executive Directive 2007-24 "Equal Opportunity In State Employment" (attachment I) the Michigan Department of Agriculture's policy is as attached.

Re-approved in East Lansing, Michigan
March 17, 2010

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EQUAL EMPLOYMENT OPPORTUNITY POLICY

The State of Michigan and the Department of Agriculture will provide equal employment opportunity for all persons regardless of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position. This policy is promulgated consistent with state and federal law, and consistent with Executive Order No. 2007-24, "Equal Opportunity in State Employment."

This policy statement and attached plan replaces any existing Equal Employment Opportunity and/or Affirmative Action Plan.

The State of Michigan, Department of Agriculture and I, as the department director, firmly support equal employment opportunity. I will ensure that the Department of Agriculture is committed to reviewing all aspects of employment, including recruitment, selection, retention, and promotion, to identify and eliminate barriers to providing all persons equal employment opportunity.

A handwritten signature in black ink that reads "Don Koivisto". The signature is written in a cursive, flowing style.

Don Koivisto, Director

Dated: 8/1/07

MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 3

Policy Title: **DEPARTMENTAL SAFETY**

It shall be the policy of the Michigan Commission of Agriculture to foster the safety and occupational well-being of the Department's employees during the performance of their official duties. All departmental employees shall work cooperatively to identify unsafe working conditions involving themselves and others. The department shall strive to meet or exceed federal, state, local and industrial safety and health standards.

This policy shall be implemented within the department by utilizing the following:

- A. An active safety program shall be developed, implemented and annually reviewed.
- B. The director shall appoint a safety committee, composed of departmental staff, to provide recommendations to the director regarding safety issues and programs.
- C. The director shall provide ongoing education for employees on safety and the safe use of materials within the work place.
- D. The director shall designate an individual to serve as Department Safety Officer.

MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 4

Policy Title: **PROMOTION OF AGRICULTURE**

It shall be the policy of the Commission of Agriculture to foster and encourage the expansion and promotion of all agricultural goods and services and improve public awareness of Michigan food products.

We encourage proactive advertising and promotion of Michigan's products in cooperation with the agricultural industry, including legislatively established commodity marketing programs such as the "Select Michigan" program. It is important that consumers recognize food safety and quality of Michigan products within the state and at regional, national and international levels.

We encourage continued support of export development programs in cooperation with the Michigan Economic Development Corporation, the Michigan State University Product Center for Agriculture and Natural Resources, and private industry. It is important to identify and develop opportunities in new and existing markets around the world and to provide the agricultural industry with current information, financing, and other data designed to assist agricultural exporters.

Further, we encourage the expansion of Michigan agriculture through business, education, research, legislative changes, and cooperation with other governmental agencies and organizations.

We encourage the Department to work closely with commodity programs that are organized voluntarily or through various legislative authorities, and processors, distributors, and other agri-businesses in the areas of promotion, education and market research.

We encourage the promotion of Michigan agriculture including products, tourism, and fairs and expositions. Not only is it necessary for agricultural products to be showcased to customers around the world, it is equally important to encourage residents of Michigan and tourists to see, use, and enjoy these products at state and county fairs, expositions, agricultural events, and horse races.

We encourage the Department to continue to provide leadership in strengthening agricultural tourism in conjunction with Travel Michigan and other partners to focus public attention on the vast variety of educational, entertainment, and food & fiber products offered by Michigan's growing agri-tourism industry.

We are committed to and encourage expanding opportunities to utilize renewable energy, agri-energy efficiency, bio-materials, and other aspects of the growing and vibrant bio-economy. The Commission directs the department to assist in the coordination, development, and promotion of the bio-economy to improve the environment and economy of the Great Lakes State.

Re-approved in East Lansing, Michigan
March 17, 2010

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MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 5

Policy Title: **FOOD SAFETY**
 ANIMAL AND PLANT HEALTH
 CONSUMER PROTECTION & INDUSTRY SUPPORT

It is the policy of the Commission of Agriculture to help safeguard the health and welfare of consumers of this state and to protect the food chain by assuring safe, secure, wholesome and accurately labeled food and other consumer products.

In accordance with its statutory duties, the Department shall:

- Prevent, control, and eradicate reportable infectious, contagious and communicable diseases of domestic animals; and work with others on the prevention, control, and response to all diseases of animals;
- Prevent, control, and eradicate pests and diseases of plants;
- Prevent and respond to contamination of any portion of the food or feed supply by noxious materials or toxic substances;
- Protect consumers' health by maintaining a safe and wholesome food supply; and,
- Promote the economic viability of food and agricultural industries in this state through producer security programs; grading, testing, and evaluation certification programs; and industry collaboration programs.

To achieve this it shall be the mandate of the Michigan Department of Agriculture to:

- A. Enforce laws and regulations that: protect the safety and wholesomeness of foods; govern weights and measurers and their respective devices and practices; govern the commercial handling, inspecting, and processing of farm produce; and govern product advertising and labeling;
- B. Provide regulatory response and resource expertise for support of domestic animal health and welfare programs, food and dairy, and weights and measures regulatory programs, and assist the livestock, food, and dairy industries;
- C. Enforce laws and regulations that protect the welfare of the public and the health of the livestock and animal industries of this state and work with the regulated industries and the veterinary profession to promote compliance;
- D. Provide, through laboratory services, accurate scientific analyses and technical data necessary to support the consumer protection and regulatory services of the department;

- E. Provide Michigan consumers and agri-businesses the necessary technical assistance to ensure wholesomeness and purity of food, dairy, meat, poultry and consumer products;
- F. Conduct investigations and surveys and support research, when necessary, to monitor the state's food chain and recommend changes and modifications to existing standards to protect the food chain;
- G. Recommend necessary changes to existing laws and policies to accomplish these mandates;
- H. Provide personnel and expertise in the management and control of the food chain and animal and livestock industry during a crisis by providing effective emergency services planning and response within the department and participate in a coordinated statewide emergency preparedness program, to ensure the food chain, animal food supply, and livestock and plant industries are free from undesirable substances, diseases, and pathogens;
- I. Seize, control, or quarantine animals and plants, when necessary, to protect the food chain and the animal and plant industries of this state and destroy and dispose of animals and plants in those situations where threat of exposure to the food chain or the environment is imminent;
- J. Seize or otherwise control food and food products to protect the health and welfare of consumers;
- K. Seize or otherwise control animal feeds and other products to protect plants and animals, and the health and welfare of consumers;
- L. Work with the dairy, grain, nursery and other industries to facilitate legislatively enacted producer security and inspection programs; and
- M. Collaborate with Michigan's fairs, festivals, and other agricultural events to celebrate Michigan's agricultural heritage and promote understanding and support for Michigan's second largest industry.

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MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 6

Policy Title: **EMERGENCY MANAGEMENT**

It is the policy of the Michigan Commission of Agriculture that the Michigan Department of Agriculture maintain an ongoing capability to prepare for, respond to, recover from, and mitigate impacts of emergencies and disasters which affect the food and agricultural resources of this state.

The department will appoint an Emergency Management Coordinator to provide leadership, assistance, and support to employees of the department in meeting their responsibilities to agricultural producers, processors, retailers, and consumers during times of emergency or disaster. The principal duties of the Emergency Management Coordinator are:

- Establish and maintain an emergency management program based on departmental duties and structure that is capable of responding to emergencies and disasters affecting Michigan's food and agricultural resources;
- Maintain the Agriculture Annex to the Michigan Emergency Management Plan as required by Public Act 390 of 1976 (attachment J);
- Prepare and train departmental personnel to meet the emergency and disaster responsibilities of the department.
- Represent the department and its stakeholders on the Michigan Citizen-Community Emergency Response Coordinating Council to advance the cause of emergency planning in agriculture settings as required by SARA Title III, PL 99-499 of 1968 and Executive Order 2007-18 Michigan Citizen-Community Emergency Response Coordinating Council (attachment K);
- Cooperate and coordinate with federal, state, and local emergency management agencies in providing emergency and disaster services to the affected public;
- Develop relationships with the food and agricultural community that enhance the delivery of emergency and disaster services; and
- Coordinate with other agencies and the private sector to provide human and animal food and water to victims of disasters and emergencies when normal food and feed delivery systems are unable to do so.

It is further the policy of the Michigan Commission of Agriculture that all personnel and divisions of the department will fully support the emergency management program whenever the opportunity to do so arises.

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March 17, 2010

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MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 7

Policy Title: **ENVIRONMENTAL STEWARDSHIP AND FARMLAND PRESERVATION**

It is the policy of the Commission of Agriculture to strive to cooperate with local, state and federal agencies to protect soil, air, surface water, groundwater and other natural resources, promote energy conservation and efficiency. This may include, but is not limited to:

- Air, surface water and groundwater pollution prevention strategies;
- Soil erosion prevention programs;
- Regulation and education regarding agri-chemical use and storage;
- Animal manure and nutrient management systems;
- Energy conservation and efficiency programs;
- Private wildlife habitat programs;
- Forest stewardship programs on private land and;
- Drainage of land for agricultural and food production;
- Use of innovative technologies that promote sound resource management

The impact of farmland and agriculture should be carefully considered during the planning stages of any infrastructure project. Public policy should support the planned further development of existing communities and redevelopment of abandoned industrial or residential sites where infrastructure already exists as a priority over Greenfield development.

An important part of farmland and natural resource protection policy, Michigan must continue to strengthen the economic viability of the agricultural industry and help provide profitable economic opportunities for farming operations, including retention and expansion of value-added agricultural processing. Farm operations must have the protection and freedom to expand or change to remain competitive and profitable. Michigan must also encourage the development of policy and programs that ensure and promote clean water, air, energy efficiency, and protection of our valuable natural resources.

The Commission is committed to the fair, non-discriminatory treatment of all people in the development, implementation, and enforcement of environmental laws, regulations, and policies.

MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 8

Policy Title: **RIGHT TO FARM PROGRAM**

Pursuant to the Michigan Right to Farm Act (Act), P.A. 93 of 1981, as amended, the Michigan Commission of Agriculture (Commission) has the responsibility to define Generally Accepted Agricultural and Management Practices (Practices).

When defining Practices, the Commission will give due consideration to available Michigan Department of Agriculture (MDA) information and written recommendations from the Michigan State University, College of Agriculture and Natural Resources, MSU Extension, and the Agricultural Experiment Station in cooperation with the United States Department of Agriculture, Natural Resources Conservation Service, the Farm Services Agency, the Michigan Department of Environmental Quality, the Department of Natural Resources and other professional and industry organizations.

The Practices will be developed, adopted, and revised pursuant to the procedures in the Appendices. The Commission will define generally accepted agricultural and management practices by formal resolution. Practices will be reviewed annually and revised by the Commission when necessary.

The Commission recognizes the diversity of Michigan's agricultural industry, which produces more than 125 commodities using a multiplicity of varied management procedures and techniques, and will strive to define specific Practices encompassing all sectors of the industry. Given the breadth of the industry, it is the policy of this Commission that Generally Accepted Agricultural and Management Practices include any traditional farming practice which is not detrimental to the environment or human and animal health.

The following list includes categories and examples of farm products as defined under the Michigan Right to Farm Act:

- A. Forages, Sod Crops, and Renewable Fuels: forages, grasses, pasture, seed crops, sod crops, and turf.
- B. Field Crops: cereal grains, feed grains, feed crops, field crops, seed crops, soybeans, dry beans, potatoes, sugar beets, mint, hops, ginseng, and other herbs.
- C. Livestock and Dairy: breeding and grazing livestock, dairy cattle and dairy products, beef cattle, veal, swine, equine, sheep, goats, bison, llama, privately owned cervid, and wool. (Livestock does not include dogs and cats.)

- D. Poultry and Ratites: laying chickens and eggs, broiler chickens, turkeys, ducks, geese, guinea fowl, peafowl, ostriches, emus, rheas, cassowaries, kiwis, and game birds that are propagated and maintained under the husbandry of humans.
- E. Fish and Fish Products: aquatic animals such as fish, shrimp and other crustaceans, mollusks, reptiles, and amphibians, aquatic plants, and other aquacultural products reared or cultured under controlled conditions.
- F. Bees: colonized bees raised for pollination or to produce honey, and wax.
- G. Small Fruit: blueberries, grapes, strawberries, raspberries, and cranberries.
- H. Tree and Tree Crops: fruit trees, nut trees, coniferous trees, deciduous trees, saw logs, firewood, pulpwood, and maple syrup.
- I. Vegetable Crops: asparagus, carrots, celery, cole crops, cucurbits, lettuce, onions, peppers, snap beans, sweet corn, and tomatoes.
- J. Greenhouse and Nursery Products: bedding plants, vegetable and flower seedlings, foliage plants, flowering plants, cut flowers, seeds, tree seedlings, shrubs, ornamental plants, and other nursery stock.
- K. Mushrooms: agaricus, shiitake, oyster, morel, and chanterelle.
- L. Fur Bearers: mink, fox, rabbits, and chinchilla.

This listing should not be construed to be all encompassing. Other products may be identified and added to the above list at the discretion of the Commission consistent with the Act.

Pursuant to the Memorandum of Understanding with the MDEQ, MDA staff will be utilized for the investigation and resolution of non-emergency environmental complaints. MDA procedures will be followed for the investigation and resolution of other farm-related complaints. MDA staff will provide public information and education on the Act, the Practices, and other statutes. MDA and MSU may conduct informational seminars in cooperation with other agencies and individuals concerning the Practices. MDA staff may request other public agencies, professional and industry organizations, and individuals to assist on Right to Farm issues.

**MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 9**

Policy Title: **GENERALLY ACCEPTED AGRICULTURAL AND
MANAGEMENT PRACTICES
DETERMINATION OF NON-COMPLIANCE**

It is the policy of the Michigan Commission of Agriculture to determine that a farm/farmer is not following Generally Accepted Agricultural and Management Practices if a Right to Farm complaint case involves air and/or odor issues, and Michigan Department of Agriculture (MDA) staff is refused access to review practices and/or records related to the appropriate Generally Accepted Agricultural and Management Practices.

Re-approved in East Lansing, Michigan
March 17, 2010

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MICHIGAN COMMISSION OF AGRICULTURE
POLICY NO. 10

Policy Title: **ENFORCEMENT**

It is the policy of the Michigan Department of Agriculture to utilize progressive enforcement when possible, including, but not limited to non-judicial actions such as: compliance assistance; official warning letter; assessment of civil penalties which may include specified performance requirements as part of the “Consent Agreement”; the designation of a probationary period; or a combination of these. The department will consider various factors when assessing non-judicial penalties, such as:

- nature of the violation
- establishment compliance history
- establishment maintenance and/or self-inspection programs;
- establishment probationary status
- economic benefit for the establishment versus harm to the consumer associated with the alleged violation(s)
- other evidence/special circumstances offered by the establishment operator

A maintenance and/or self-inspection program is considered an essential component of “Good Business Practices” and the implementation of these programs will be considered and weighted accordingly.

Serious, repeated, and/or multiple violation(s) of department law and/or regulation may result in criminal prosecution.

MICHIGAN COMMISSION OF AGRICULTURE

POLICY NO. 11

Policy Title: **FISCAL CONTROL**

It is the policy of the Commission that sound fiscal control practices be utilized in the conduct of department activities. All memoranda of understanding or other documents which commit department resources shall be reviewed by the Finance and Administrative Services Division following procedures approved by that division and the Department Director.

ATTACHMENTS

- A) PA 13 of 1921, Department of Agriculture
- B) PA 380 of 1965, Executive Organization Act
- C) EO 2009-45, Executive Reorganization (Creation of Department of Natural Resources and Environment and Direct Governor Appointment of Director)
- D) EO 2009-54, Executive Reorganization (Restoration of Commission Oversight of Policy)
- E) PA 267 of 1976, Open Meetings Act
- F) PA 442 of 1976, Freedom of Information Act
- G) PA 220 of 1976, Persons With Disabilities Civil Rights Act
- H) ED 2003-1, Standards of Ethical Conduct
- I) ED 2007-24, Equal Opportunity In State Employment
- J) PA 390 of 1976, Michigan Emergency Management Plan
- K) EO 2007-18, Michigan Citizen-Community Emergency Response Coordinating Council