



# Michigan Department of Agriculture & Rural Development

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# Food Digest

Food and Dairy Division 2015 Edition

## MDARD Seeks Fee Increases

In addition to an increase in the number of inspections required due to industry growth, the complexity and food safety risk assessment requirements during inspections has increased, based on customer demand for a greater variety of food products. Most food licensing fees have remained the same since 2000. MDARD is at a point where it can no longer meet the demand for compliance assistance for new and growing food businesses and also evaluate food establishments often enough to assure the public's food safety. Fee increases are crucial for MDARD to continue to meet the needs of the industry and enforce state and federal food safety regulations.

Legislators will soon be discussing industry fees for the first time in 15 years. The proposed fee increase would phase in a \$2.5 million increase over the next three years as suggested by industry associations. Specifically, this would mean an increase for small food facilities from \$67 to \$183 over three years. For large food facilities, the increase would be from \$167 to \$468. These proposed fees are below the average of other states and well below Michigan local health departments. Even with these increases, the industry will move from paying 26 percent of the cost of MDARD's regulatory programs to paying just 37 percent. The majority of the cost would still be covered by other program funding sources (General Fund and federal grants).

With the proposed fee package MDARD can meet an inspection frequency schedule based on food safety risk of every six months for high-risk businesses, every 12

### Since 2000:



- Food Licenses up 15% (Food Processor Licenses up 50%)

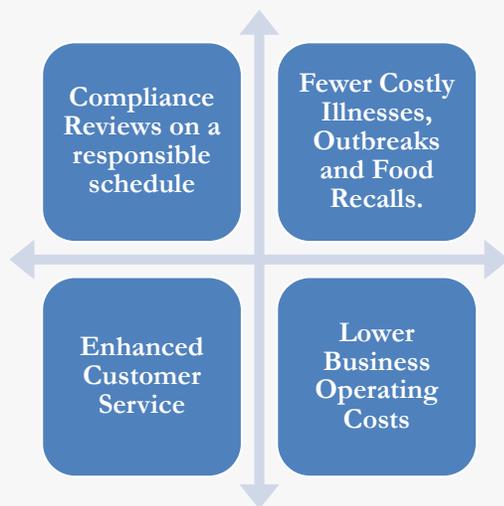


- Inspectors down 8%

months for medium-risk, and every 18 months for low-risk establishments, and at the same time meet all the business services needs for new and expanding food businesses in Michigan.

People buy Michigan food, in part, because they trust our food supply is safe. Michigan has long been considered a national leader in food safety. As the frequency of food evaluations goes up, industry compliance increases and the number of foodborne illness outbreaks goes down. The fee proposal will allow MDARD to strengthen our public health assurance and business development support programs for licensed food businesses in our state, while providing great customer service and assurance to businesses that their licenses have value when it comes to customer confidence and access to markets. If you have questions, please contact your food inspector or MDARD at 800-292-3939.

## How Increased Investment Benefits Business



**Risk Reduction**

**Decreased Liability**

**Recall Insurance Savings**

## Coming Soon: Accela Licensing, Inspection and Reporting System

MDARD will soon launch an online licensing, inspection and reporting system, incorporating licensing and inspection functions and records for all program areas department-wide, including food and dairy, nursery and pesticide, migrant labor housing, right to farm and more. This single web-based application, Accela, will replace the current MI-Inspector system used by food inspectors, as well as License 2000 used by the department's Central Licensing Unit.

In addition to streamlining the licensing and inspection process and providing mobile options for inspectors, Accela will make it easier for businesses to apply for, renew and track licenses and other interactions with MDARD online, including streamlining applications if businesses receive multiple licenses from MDARD. Accela will also give unlimited printing of license copies, and immediate inspection results. It also allows for requesting and scheduling of inspections. The public will also have immediate access to inspection reports for food businesses through Accela's Citizen Access Customer Portal. The Accela system will be field tested by food inspectors in May 2015 and go live in late summer of 2015.

## Avoid Late Fees: Submit License On Time

All food establishment licenses expire on April 30 each year. MDARD sends license renewals for current licensed establishments early in the year.

Late fees and fines are progressive and may include:

- \$100 late fee (\$10/day)
- \$400 fine (1st year late)
- \$800 fine plus \$80 administrative costs (2nd year late)
- Closure order and legal action

If you have not received a renewal application in the mail by March 15, call MDARD's Central Licensing Unit at 517-284-5771 to ensure the correct address is listed and request another application. Be sure to mail the renewal so it is postmarked before April 30.

If you are notified because your renewal was late, promptly submit any late fee in order to avoid additional fines and penalties. And remember, your food establishment license must be conspicuously posted. For additional information or questions, contact MDARD's Central Licensing Unit at 517-284-5771.

**Reminder: Your license must renewed using the paper application this year. We will have a new on-line system available for everyone next year.**

## Changes in Michigan's Food Law : Allergens and Wild Game Sausage

Two changes to Michigan's Food Law were made late in 2014. The first is effective immediately and allows hunter-taken wild game to be mixed with that of other hunters and made into sausage, if a consumer notice is provided.

The second change, effective January, 2017, requires certified managers at food establishments to take an additional allergen training course approved by MDARD and also post an allergen poster for employees. There is an exemption for chains with more than 20 locations. For more information, please contact your food inspector or MDARD at 800-292-3939.

## Meat Variance Enforcement

Michigan's Food Law requires licensed food establishments that conduct specialized meat processing for retail sales to obtain a variance, which includes a food safety plan. As of March 1, 2015, MDARD inspectors will begin enforcing the variance requirement, which was adopted into Michigan's Food Code in 2000. MDARD has been working with MSU, the Michigan Meat Association and other industry partners, and with meat processors directly, for the past three years, to make sure everyone was informed of the enforcement deadline.

Any specialized meat processors who applied for a variance by the March 1 deadline will not be subject to enforcement until MDARD has reviewed their application and approved or denied the variance. Any specialized meat processors who did not apply for a variance by the March 1 deadline will be required to operate under a 14 day shelf life restriction until they receive a variance.

MDARD will conduct routine inspections of every specialized meat processor within the next six months. Operating without a variance is a priority foundation (pf) violation, and shelf life "use by" dates found extending beyond 14 days is a priority violation. If violations are found, follow-up inspections will be scheduled.

Continued violations will result in fines ranging from \$60 to \$400 plus costs at \$80 per hour, depending on how long the violations are observed without the business filing a variance application. Other enforcement actions will progress from compliance review meetings and corrective action plans to informal hearings, license limitations, and finally, formal hearings and court action. If, by April 30, 2016, at license renewal time, all fines and fees are not paid, MDARD will not issue a license and will prosecute for operating without a license.

Information and training on the variance requirement is available at [www.michigan.gov/meatprocessing](http://www.michigan.gov/meatprocessing), or you can contact your MDARD inspector directly.

## Contact Us:

**Phone:** 1-800-292-3939

**After Hours Emergencies:** 517-373-0440

**Email:** [mda-fooddairyinfo@michigan.gov](mailto:mda-fooddairyinfo@michigan.gov)

**Fax:** 517-373-3333

**Web:**

[www.michigan.gov/mdard](http://www.michigan.gov/mdard) or [www.michigan.gov/foodsafety](http://www.michigan.gov/foodsafety)

**Licensing/Business Start-up Info:**

[www.michigan.gov/miagbusiness](http://www.michigan.gov/miagbusiness)

**Marketing Information:**

[www.michigan.gov/mdardmarketingguide](http://www.michigan.gov/mdardmarketingguide)

**Electronic Complaints Submission:**

[www.michigan.gov/complaints](http://www.michigan.gov/complaints)