



Michigan Feed Recall Notification Requirements (Q & A)

Recalls of Adulterated or Misbranded Animal Feed

Q When a feed manufacturer conducts a voluntary recall of a commercial feed it has manufactured and released into distribution, does it have any obligation to notify the Michigan Department of Agriculture & Rural Development?

A If the recall is based on the conclusion that the feed is adulterated or misbranded in a manner which would create an unreasonable risk to animals or to the public health; and the feed has been introduced into channels of trade beyond its control, the answer is yes according to the Michigan Commercial Feed Law.

Q How does one notify the MDARD of a feed recall?

A A feed manufacturer must notify the Michigan Department of Agriculture & Rural Development (MDARD) as soon as it initiates a voluntary recall that meets these criteria. Initially, notification should be done by telephone, with written notification recommended as a follow-up.

1. Call Feed Program Manager at 517-284-5644 or 800-292-3939.

Note: When calling this number, if you are sent to a voice mail box and asked to leave a message, press "0" to be redirected to the division's operator. State that your call involves a feed recall and you need to speak to the program manager directly. If unavailable, ask to speak to the person in charge.

2. Written follow-up notification may be sent as follows:

By Mail: Michigan Department of Agriculture & Rural Development
Pesticide & Plant Pest Management Division
P.O. Box 30017
Lansing, MI 48909
Attn: Feed Recall Notice

By FAX: 517-335-4540; Attention: Feed Program Manager

By Email: MDARD-Tonnage@michigan.gov

Q What kind of notification is required?

A The notification required by the Commercial Feed Law must contain:

1. A clear description of the adulterated or misbranded feed. Include the product's name, lot number, size(s), quantity involved, and any additional information that will aid in distinguishing it from similar products that are not involved in the recall.

2. An evaluation of the risk related to use of the feed.
3. A statement of the measures needed in order to protect animals or the public from the risk.

Q Can information provided in the notification be used against the company conducting the recall?

A The reason the State of Michigan requires notification in the case of some feed recalls is to make sure that all reasonable efforts are being made to protect animals and/or the public health from unnecessary risk. Companies demonstrate responsible citizenship when they voluntarily recall feeds that have accidentally become misbranded or adulterated. Feed manufacturers should feel comfortable in notifying MDARD in the event of a recall, that the information they furnish cannot, in and of itself, be used as evidence against them in any legal proceedings.

The Commercial Feed Law provides that the "information or a statement derived exclusively from notification required under this section (Section 10), except for information contained in records required to be maintained under this act, shall not be used as evidence in a proceeding brought against them pursuant to this act with respect to a violation of law occurring prior to or concurrently with the notification."