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The Law and Michigan Agriculture
Michigan State University Extension Service
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Department of Agricultural Economics
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The Law and Michigan Agriculture

a referral compendium
of state and federal statutes

Cooperative Extension Service
Michigan State University



The Law and Michigan Agriculture

**a referral compendium
of state and federal statutes**

Compiled by Allen E. Shapley,
Extension Specialist, Farm Management and Labor
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**Cooperative Extension Service
Michigan State University**

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FOREWORD

MOST LAWS can be grouped into one of three categories: laws to protect people, laws to protect natural resources and laws to regulate the economy.

Laws that protect people deal with employment, consumer protection and protection of the citizen.

Laws that protect natural resources regulate the use of land, the control of pollution and water rights.

Laws that regulate the economy, govern taxes and marketing.

Farmers use **natural resources** and **people** to produce **consumer goods** in an **economic** context. This activity exposes them to a myriad of laws and regulations that affect their operations. No farmer is expected to fully understand the details of every law that might concern him, but every farmer should be aware of the basic purpose or intent of the relevant laws.

This reference manual covers many laws affecting Michigan farms. It attempts to state the purpose or intent of the law and then lists the name, address and telephone number of the enforcement agency. Available publications that explain the law are also listed. It is not intended to constitute legal advice—its purpose is educational.

Most laws by necessity, are broad and lack specificity, and therefore are open to interpretation. Specificity is created through the enactment of regulations and through court action that determines what interpretation will be used (this latter is

called "case law"). For this reason a copy of a law as passed by the legislature may be of little value to a farmer in finding out what he must do to comply or in determining his rights. Often a call or letter to the enforcement agency will yield considerably more relevant information. If a law is not clear and potential cost is involved, the farmer may wish to contact a lawyer.

From the sheer number of laws listed here, the reader may feel that farmers are being unduly burdened, that they are being legislated to death. However, it should be pointed out that most nonfarm businesses come under more laws than farms, and furthermore many of the laws herein are for the protection and benefit of farmers. Some of the laws require considerable paper work. Farmers, legislators and government employees should be constantly on the alert to avoid, as much as possible, this non-productive expense of time and money.

The authors are hopeful that this publication will help farmers and those assisting farmers cut through some of the confusion surrounding the legal aspects of the production of food and fiber in Michigan.

The reader will note letters and numbers accompanying the title of each law. The meaning of these is as follows:

Example: (M.A. 86-29) is Michigan Public Act #86 of 1929

Example: (U.S.P.L. 92-516) is United States Public Law, 92nd Congress, #516

Example: (U.S.P.L. 76-354-1939 as amended) is U.S.P.L. 76-354 including amendments passed after 1939 up through 1978.

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X. Pollution

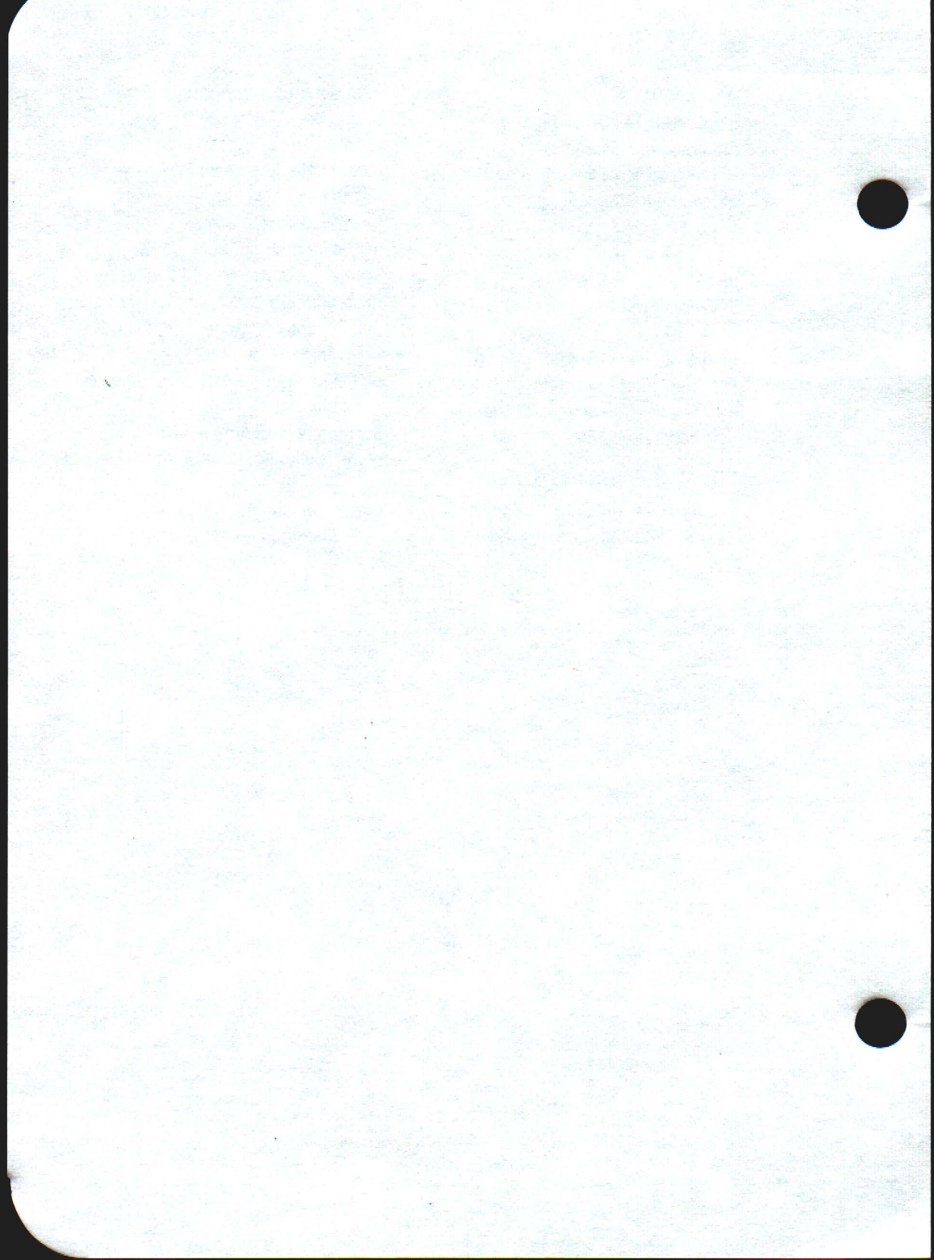
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I. Agricultural Chemicals and Pest Control

CHERRY FRUIT FLIES AND OTHER CHERRY PESTS ACT

(M.A. 86-29)

Provides control of cherry fruit flies and other cherry pests by giving the director of agriculture authority to issue rules and regulations involving movement of cherries and other horticultural products, required spraying of trees, etc.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA)

(U.S.P.L. 92-516)

Requires that all pesticides be classified as either general or restricted and that pesticide applicators be certified or under the supervision of a certified applicator to use any restricted pesticides. Michigan Public Act 171-76 meets the national standards developed by this act.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

"Standards for Certification of Pesticide Applicators"

"What You Should Know About the Pesticide Law"

"An Overview of Pesticide Applicator Certification"

"Farmers - Know Your Responsibilities under the Federal Pesticide Act"

Available from Operations Division, Office of Pesticide Programs, U.S. Environmental Protection Agency, Washington, D.C. 20460

INSECT PEST AND PLANT DISEASE ACT

(M.A. 189-31)

Regulates the sale and distribution of nursery stock, plants and plant products in order to prevent insect pests and plant diseases from entering the state.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

PBB ACT

(M.A. 77-77)

Prohibits sale of milk contaminated with PBB; provides for the quarantine of contaminated dairy cattle, etc. (Other laws impact on PBB, so if there is a problem in this area, the concerned individual may wish to contact the responsible agency concerning these other laws.)

Responsible Agency

Michigan Department of Agriculture
PBB Unit
501 S. Capital Avenue
Lansing, MI 48909
517/374-9480

Publications

Cross reference (Dairy)

PESTICIDE CONTROL ACT

(M.A. 171-76)

Requires certification and licensing of pesticide applicators (private and commercial). All pesticides that are classified as "restricted" by the EPA may be applied only by someone who is certified or under a certified person's supervision.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

"Safe, Effective Use of Pesticides - a Manual for Private Applicators," E-1025, E-1025(a), E-1025(b), available from Local Cooperative Extension Service. Regulation No. 636 - "Pesticide Applicators," M.D.A.2, available from the responsible agency.
"Seed Treatment for Field Crops," E-1199, available from Local Cooperative Extension Service.

RESTRICTED USE OF 2-4-D, 2-4-5-T, AND MCP ACT

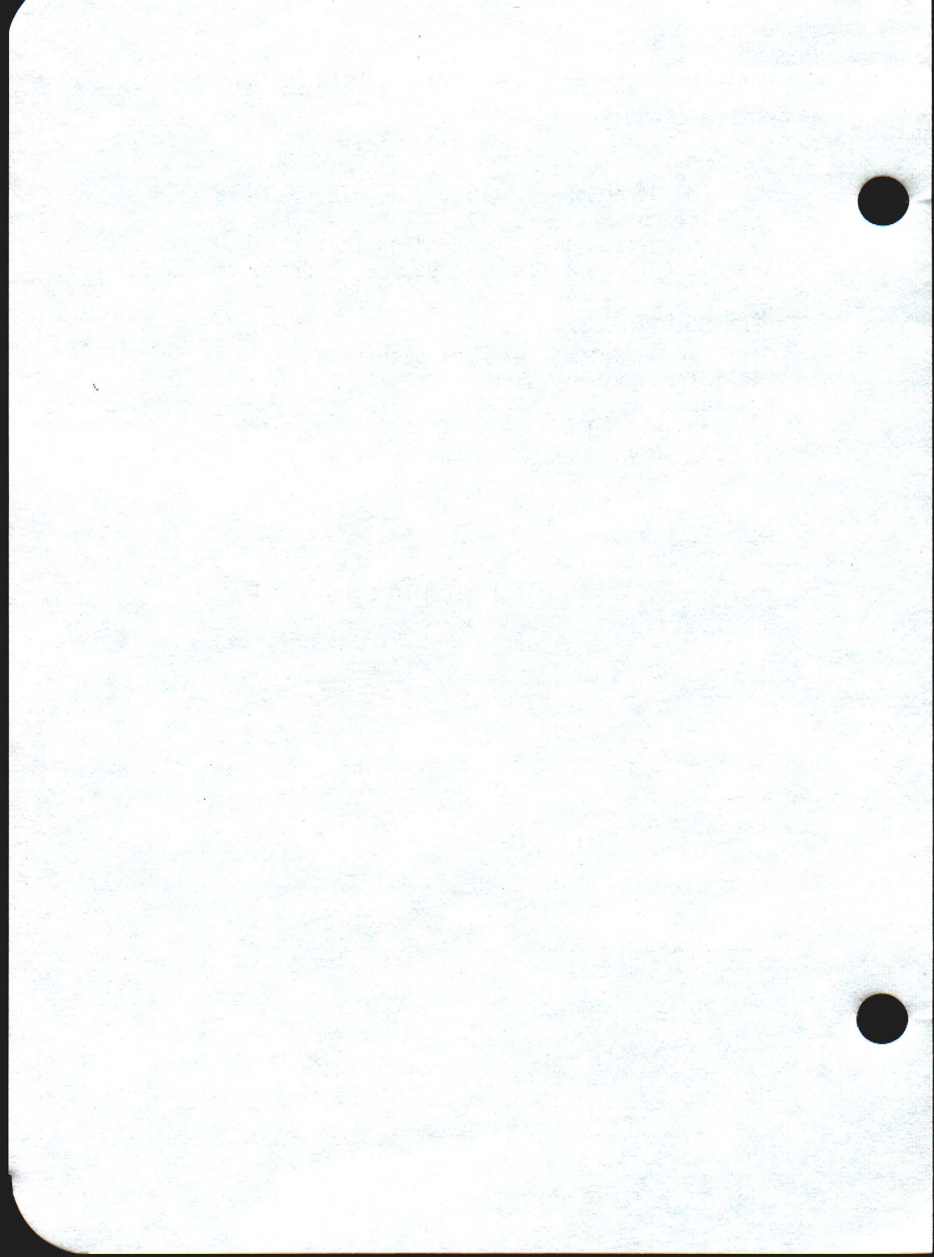
(M.A. 6-59)

The director of agriculture can prohibit or restrict the use of 2-4-D, 2-4-5-T and MCP in certain areas when it is determined that the use of these chemicals is causing damage to grape vineyards.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
Box 30017
Lansing, MI 48909
517/373-1087

Publications



II. Animal Health and Control

ANIMAL HEALTH ACT

(M.A. 181-19)

Sets up specific procedures "for the prevention and suppression of contagious, infectious and communicable diseases of livestock." Such control measures as quarantines, vaccinations, transportation of animals, disposal of infected animals are covered.

Responsible Agency

Michigan Department of Agriculture
Animal Health Division
Box 30017
Lansing, MI 48909
517/373-1077

Publications

ANIMALS RUNNING AT LARGE ACT

(M.A. 185-1867 as amended)

Designed to prevent animals from running at-large on public highways.

Responsible Agency

Local Law Enforcement Officer

Publications

APIARY ACT

(M.A. 412-76)

Provides for the suppression of serious diseases among bees. Requires, among other things, that all persons owning bees annually register as a beekeeper by March 31.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

BURIAL OF DEAD ANIMAL ACT

(M.A. 328-31)

Requires that dead animals be buried at least 4 feet underground within 24 hours of their death.

Responsible Agency

Michigan Department of Agriculture
Dairy Division
Lewis Cass Building
Lansing, MI 48913
517/373-1084

Publications

CRUELTY TO ANIMALS ACT

(M.A. 70-1877)

Designed to prevent cruelty and provide for proper care and treatment of animals.

Responsible Agency

Michigan Department of Agriculture
Animal Health Division
Lewis Cass Building
Lansing, MI 48909
517/373-1077

Publications

DOG ACT

(M.A. 339-19)

Provides for the licensing of dogs; protection of livestock and poultry from damage by dogs; regulation of dogs; and for the determination and payment of damages done by dogs to livestock and poultry.

Responsible Agency

Local Law Enforcement Officer

Publications

GAME ACT

(M.A. 286-29)

Requires a license to hunt for or kill any wild game, with the following exceptions: state residents, their children and employees may hunt small game without a license upon their own enclosed farmlands where they regularly reside; and special permits may be obtained to prevent or control, by shooting or trapping, damage caused by birds and animals on your own property.

Responsible Agency

Local Michigan Department of Natural Resources
Conservation Office

OR

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

"Controlling Vertebrate Damage," E-860-E-879A, available from Local Cooperative Extension Service.

LIVESTOCK DEALER LICENSE ACT

(M.A. 284-37)

Requires licensing of livestock dealers in an effort to prevent the spread of infectious and contagious diseases of livestock and to guarantee financial integrity.

Responsible Agency

Michigan Department of Agriculture
Animal Health Division
Lewis Cass Building
Lansing, MI 48909
517/373-1077

Publications

STALLION ENROLLMENT ACT

(M.A. 72-29)

Requires registration of all stallions used for public service, also requires a soundness examination of stallions, and only registered animals from recognized breeds are eligible for registry.

Responsible Agency

Michigan Department of Agriculture
Animal Health Division
Lewis Cass Building
Lansing, MI 48909
517/373-1077

Publications

III. Dairy

BURIAL OF DEAD ANIMAL ACT

(M.A. 328-31)

Requires that dead animals be buried at least 4 feet underground within 24 hours of their death.

Responsible Agency

Michigan Department of Agriculture
Dairy Division
Lewis Cass Building
Lansing, MI 48913
517/373-1084

Publications

FLUID MILK ACT

(M.A. 233-65)

Provides for the adoption of the Grade A Pasteurized Milk Ordinance and creates a uniform state-wide milk inspection program. Requires producers to have valid permits in order to sell milk.

Responsible Agency

Michigan Department of Agriculture
Dairy Division
Lewis Cass Building
Lansing, MI 48913
517/373-1084

Publications

"Laws Affecting Grade A Milk Producers," E-880, available from Local Cooperative Extension Service.

"Pasteurized Milk Ordinance," available from responsible agency.

"Fluid Milk and Milk Products," Regulation 408, available from responsible agency.

MANUFACTURING MILK ACT

(M.A. 222-13)

Contains the sanitary requirements for all milk and cream used for human consumption.

Responsible Agency

Michigan Department of Agriculture
Dairy Division
Lewis Cass Building
Lansing, MI 48913
517/373-1084

Publications

"Milk Manufacture (Regulation No. 407)," available from responsible agency.

"Laws Affecting Grade A Milk Producers," E-880, available from local Cooperative Extension Service.

MILK FAT TEST ACT

(M.A. 212-35)

Provides for the licensing of milk fat testers in order to assure use of approved testing techniques.

Responsible Agency

Michigan Department of Agriculture
Dairy Division
Lewis Cass Building
Lansing, MI 48913
517/373-1084

Publications

PBB ACT

(M.A. 77-77)

Prohibits sale of milk contaminated with PBB; provides for the quarantine of contaminated dairy cattle, etc. (Other laws impact on PBB, so if there is a problem in this area, the concerned individual may wish to contact the responsible agency concerning these other laws.)

Responsible Agency

Michigan Department of Agriculture
PBB Unit
501 S. Capital Avenue
Lansing, MI 48909
517/374-9480

Publications

Cross reference (Dairy)

SEIZURE ACT - INSANITARY NOTICES

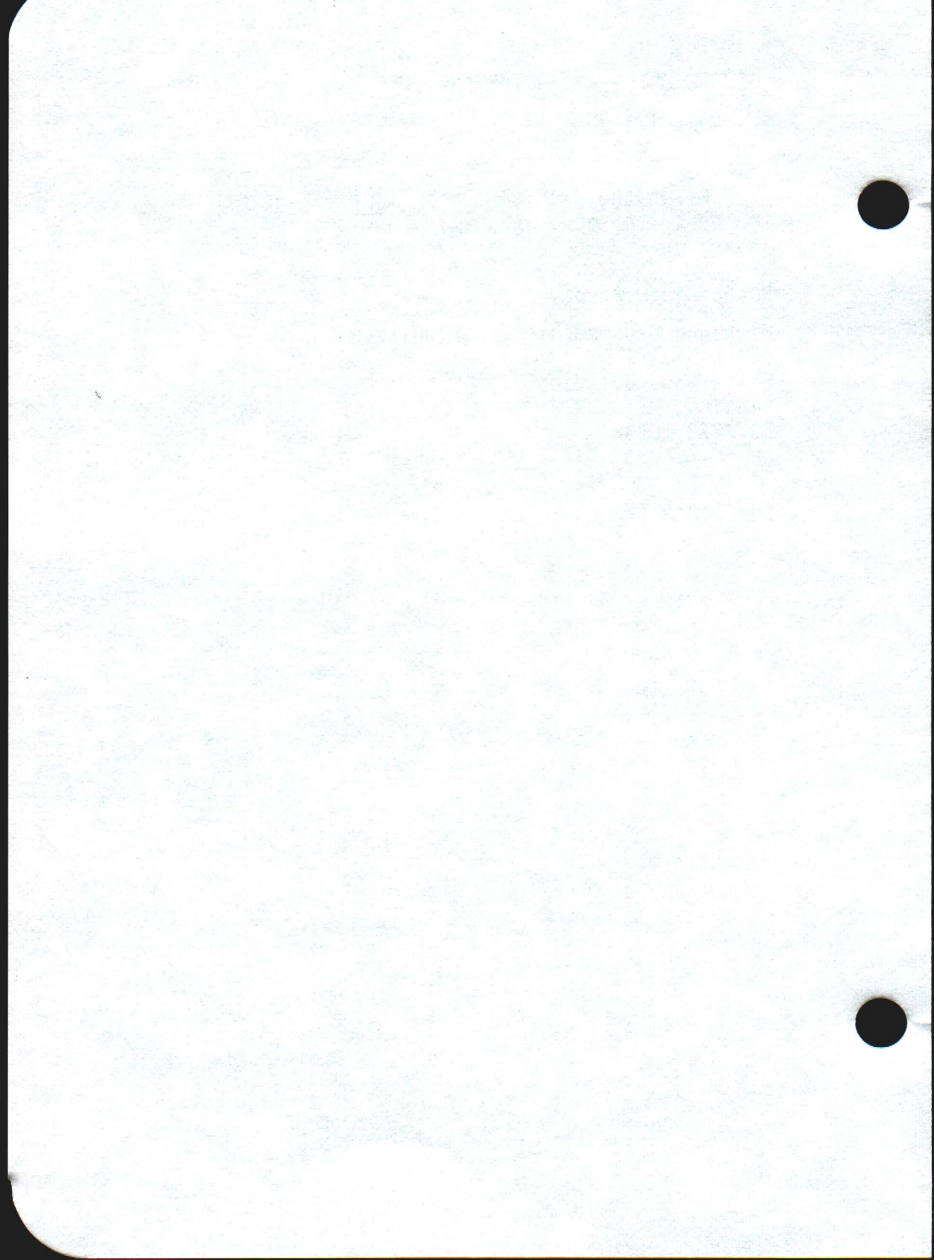
(M.A. 211-1893)

Gives the Michigan Department of Agriculture the power to serve insanitary notices and seize any insanitary, unwholesome or impure milk products.

Responsible Agency

Michigan Department of Agriculture
Dairy Division
Lewis Cass Building
Lansing, MI 48913
517/373-1084

Publications



IV. Farm Vehicles

MOTOR CARRIER SAFETY LAW

(Part of Interstate Commerce Act as amended by U.S.P.L. 49-304 and U.S.P.L. 49-1655)

Requires that drivers of certain large trucks be tested and certified if they transport across state lines or over 150 miles.

Responsible Agency

Local Law Enforcement Agency

OR

Office of Motor Carriers
211 Federal Building
Lansing, Michigan 48933
517/372-1910

SLOW MOVING VEHICLE EMBLEM

(Part of Michigan Vehicle Code M.A. 300-49,
as amended in 1977, Section 688g)

Requires use of a SMV emblem on tractors and machinery and other vehicles designed for operation at 25 miles per hour maximum speed when operated on public roads or highways.

Responsible Agency

Local County Sheriff's Department

OR

Nearest Michigan State Police Post

Publications

*"Facts About the Slow Moving Vehicle Emblem," E-568,
available from Local Cooperative Extension Service.
"Your Farm Equipment on Michigan Roads," available
from the Michigan Office of Highway Safety
Planning, 7150 Harris Dr., General Office Building,
Lansing, Michigan 48913*

SPECIAL FARM VEHICLE REGISTRATION ACT

(M.A. 74-76)

Permits farmers to obtain a special license for an annual fee of \$15.00, for vehicles "designed and used exclusively for the purpose of gratuitously transporting farm crops between the field where produced and the place of storage."

Responsible Agency

Michigan Department of State
Special Registration
7064 Crouner Drive
Lansing, MI 48910
517/373-2700

Publications

TRUCK DRIVER CERTIFICATION LAW

(M.A. 139-78)

Requires that anyone driving a truck of 24,000 lbs. gross weight or more and certain other vehicles (such as hauling a trailer of 10,000 pounds gross weight or more) must be 18 or over and be able to pass both a written exam and special road test.

Responsible Agency

Local Law Enforcement Officer

Publications

VEHICLE CODE

(M.A. 300-49 as
amended in 1977)

Regulates moving vehicles on Michigan roadways. With reference to farm vehicles (machinery) it regulates size, weight and loads, lighting and warning equipment and prohibits farm machinery from being operated on freeways or limited access highways.

Responsible Agency

Local Law Enforcement Officer

Publications

"Your Farm Equipment on Michigan Roads," available from the Michigan Office of Highway Safety Planning, 7150 Harris Dr., General Office Building, Lansing, Michigan 48913

V. Feed, Seed and Fertilizer

CERTIFIED SEED ACT

(M.A. 221-59 as amended)

Defines certified and certain classes of seed (such as breeder, registered, and foundation seed). Regulates the certification of seed as to certain genetic and other standards and authorizes official seed certification agencies.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

- "Field Seed Certification," Regulation No. 623, available from the responsible agency.*
- "Seed Potato Certification," Regulation No. 628, available from the responsible agency.*
- "Seed Certification in Michigan," E-1019, available from Local Cooperative Extension Service.*

COLORATION OF TREATED SEED ACT

(M.A. 69-56)

Requires that any wheat, oats, rye, barley, field corn, field peas, or field beans treated with any poisonous or injurious substance be colored or dyed with a color that contrasts the natural color.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

"Seed Treatment for Field Crops," E-1199, available from local Cooperative Extension Service.

COMMERCIAL FEED ACT

(M.A. 120-75)

Regulates the manufacture and distribution of commercial feeds. Includes requirements for bags and containers, feed formula documentation, labeling, and requires a license to manufacture or distribute commercial feed.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

FERTILIZER ACT

(M.A. 198-76)

Regulates "the manufacture, distribution, sale, labeling, and advertising of fertilizers and soil conditioners." Requires a license to manufacture or distribute a fertilizer or soil conditioner.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

GRAIN DEALERS ACT

(M.A. 141-39)

Regulates the storage, warehousing, buying, and selling of farm produce within this state. Provides for the licensing, regulation, and bonding of grain dealers, and for warehouse receipts and price later agreements.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

- "Grain Grading Laboratory Manual," Dr. L. O. Copeland, Department of Crop and Soil Sciences, Michigan State University, East Lansing, available from the author.*
- "The Official United States Standards for Grains," January 1978, available from the Inspection Division, Federal Grain Inspection Service, U.S. Department of Agriculture.*

PLANT VARIETY PROTECTION ACT

(U.S.P.L. 91-577-1970)

Establishes the Plant Variety Protection Office to provide protection to those who breed, develop, or discover novel varieties of sexually reproduced plants.

Responsible Agency

U.S. Department of Agriculture
Agricultural Marketing Service
Livestock, Poultry, Grain and Seed Division
Plant Variety Protection Office
Room 204 - National Agricultural Library
Beltsville, Maryland 20705
301/344-2518

Publications

*"Plant Variety Protection and How It Works For You,"
PA-1191, available from the responsible agency.*

FEDERAL SEED ACT

(U.S.P.L. 76-354-1939 as amended)

Regulates interstate and foreign commerce in seeds; requires labeling and prevents misrepresentation of seeds in interstate commerce.

Responsible Agency

U.S. Department of Agriculture
Agricultural Marketing Service
Livestock, Poultry, Grain and Seed Division
Seed Regulatory Branch
Room 2610 South Building at 14th and Independence,
S.W.
Washington, D.C. 20250
202/447-9340

Publications

The following publications are available from the responsible agency.

"Federal Seed Act Regulations-Part 201-Certified Seed Regulations."

"Federal Seed Act Regulations-Parts 201-202-Interstate Commerce, Foreign Commerce, and General Regulations."

MICHIGAN SEED ACT

(M.A. 329-65)

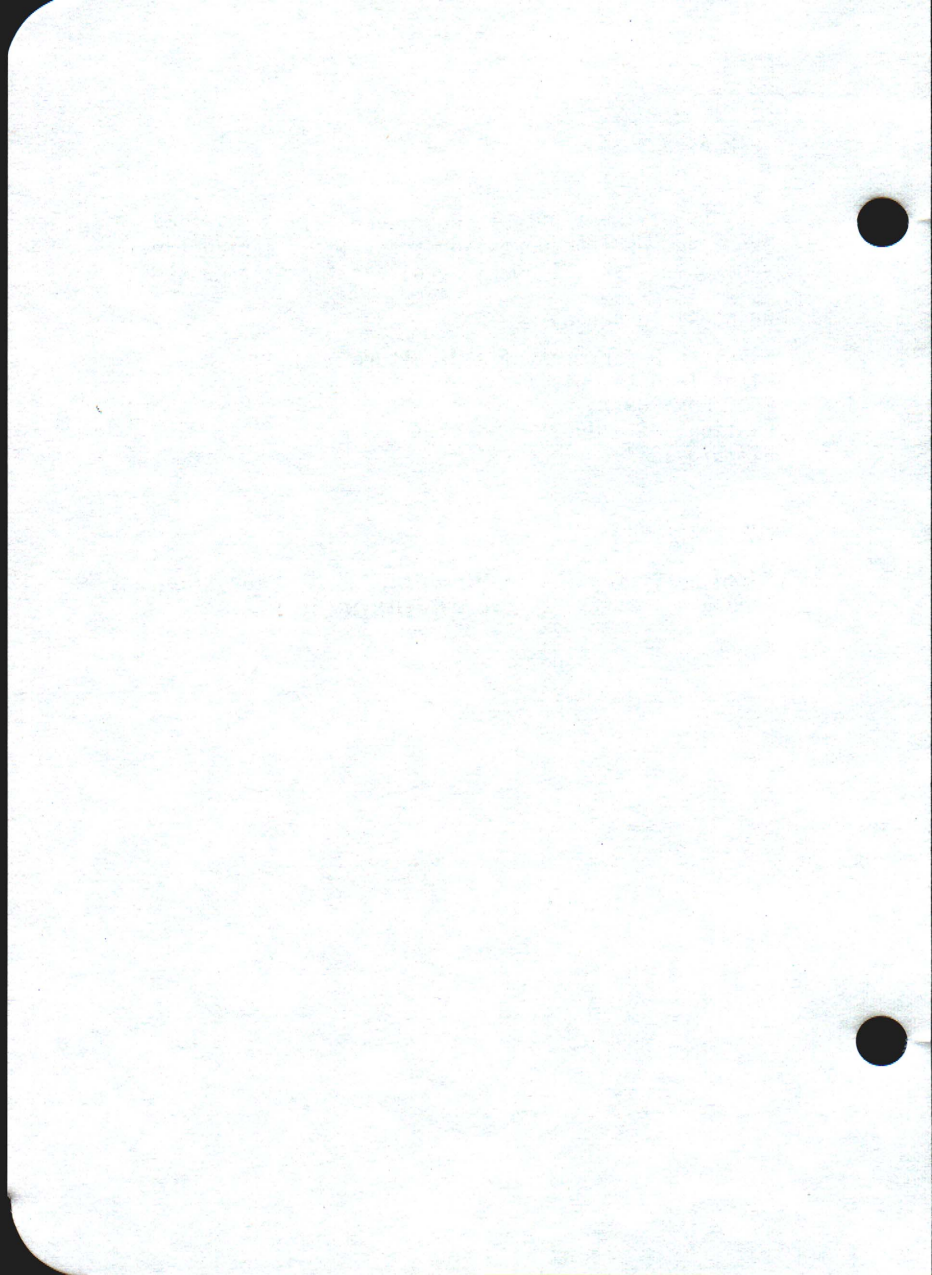
Regulates the labeling, advertising, sale, offering, exposing, or transportation for sale of agricultural, vegetable, lawn, flower, herb, and forest tree seeds.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

"Seed Certification in Michigan," E-1019, available from local Cooperative Extension Service.



VI. Food Inspection

COLORATION OF TREATED SEED ACT

(M.A. 69-56)

Requires that any wheat, oats, rye, barley, field corn, field peas, or field beans treated with any poisonous or injurious substance be colored or dyed with a color that contrasts the natural color.

Responsible Agency

Michigan Department of Agriculture
Plant Industry Division
P.O. Box 30017
Lansing, MI 48909
517/373-1087

Publications

"Seed Treatment for Field Crops," E-1199, available from local Cooperative Extension Service.

CONTROLLED ATMOSPHERE STORAGE FOR FRUITS AND VEGETABLE ACT
(M.A. 228-59)

Defines certain types and methods of fruit and vegetable storage, and prohibits the sale of fruits and vegetables misbranded as to type of storage.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Governing Controlled Atmosphere (CA) Storage for Apples in Michigan," Regulation No. 530, available from the responsible agency.

DISPLAY OF GOODS, PRODUCE OR MERCHANDISE WITHIN RIGHT OF
WAY ACT

(M.A. 269-57)

Prohibits the sale or display of any goods (including fruits and vegetables) within the right of way of any highway outside of the corporate limits of any city or village.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

MICHIGAN FOOD ACT

(M.A. 39-68)

Prohibits such activities as misbranding or adulteration of food sold directly from any farmer to consumers.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Food Establishments," Regulation No. 553, available from the responsible agency.

FOOD, DRUG AND COSMETIC ACT

(U.S.P.L. 75-717-1938 as amended)

Regulates food quality, insuring that food is produced under sanitary conditions, that drugs and medical devices are safe and effective (includes drugs used in medicated food for animals), that cosmetics are safely and properly labeled, and that the packaging and labeling of these products is truthful and informative.

Responsible Agency

Food and Drug Administration
1560 E. Jefferson Ave.
Detroit, MI 48207
313/226-6260

OR

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"The Laws Enforced by FDA," HEW Publication No. (FDA) 75-1007, available from the first responsible agency.

"We Want You to Know About Today's FDA," HEW Publication No. (FDA) 77-1021, available from the first responsible agency.

INVESTIGATION OF MARKET CONDITIONS ACT

(M.A. 91-15)

Gives the director of agriculture the right to free access to any place wherein farm products are being marketed and the right to open any container of farm products for inspection.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

MEAT INSPECTION ACT

(M.A. 280-65)

Provides for the licensing and regulating of slaughterhouses, processing or storage (etc.) establishments of meat, and for the antemortem and postmortem inspection and reinspection of slaughtered meat animals.

Responsible Agency

Michigan Department of Agriculture
Animal Health Division
Lewis Cass Building
Lansing, MI 48909
517/373-1077

Publications

OFFICIAL SEAL OF QUALITY EMBLEM ACT

(M.A. 70-61)

Establishes standards of quality for various fruits and vegetables. If these standards of quality are met and if the fruit or vegetable is produced, packed, and processed within the state of Michigan, then it may be sold under Official Seal of Quality Emblem.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

The following regulations are available from the responsible agency.

"Official Seal of Quality Emblem," Regulation No. 534.

"Insert Commodity for Sale Under Seal of Quality":

Shell Eggs, Regulation No. 532

Mushrooms, Regulation No. 545

Apples, Regulation No. 546

Sweet Cherries, Regulation No. 544

Celery, Regulation No. 531

Potatoes, Regulation No. 539

POTATO INDUSTRY COMMISSION ACT

(M.A. 29-70)

Creates a state potato industry commission, provides for assessments on potatoes grown in Michigan, advertising, market expansion and research.

Responsible Agency

Michigan Department of Agriculture
Marketing Division
Food Inspection Division - Enforcement Responsibility
P.O. Box 30017
Lansing, MI 48909
517/373-3783

Publications

SALE OF FOODS AND BEVERAGES AT FAIR GROUNDS, CIRCUS
GROUNDS, CARNIVALS, PARKS, RESORTS, AND ROADSIDE STANDS
ACT

(M.A. 344-17)

Provides for the establishment of rules and regulations governing the cooking, dispensing, and sale of foods and beverages offered for sale at the above mentioned places which includes roadside stands.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Rules and Regulations Governing the Sale of Foods and Beverages at Fair Grounds, Circus Grounds, Carnivals, Parks, Resorts, and Roadside Stands," Regulation No. 514, available from the responsible agency.

TABLE STOCK POTATOES MARKETING ACT

(M.A. 220-29 as amended)

Specifies the standard grades for table stock potatoes and sale of unclassified potatoes. Covers all sales including direct marketing by farmers.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Unclassified Potatoes," Regulation No. 552, available from the responsible agency.

WEIGHTS AND MEASURES ACT

(M.A. 283-64 as amended)

Regulates and provides standards for weights and measures, and the packaging and advertising of certain commodities. Provides penalties for fraud and deception in the use of false weights and measures and other violations.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Weights, Measures, Packaging and Labeling," Regulation No. 551, available from the responsible agency.

WHOLESALE POTATO DEALERS ACT

(M.A. 158-64 as amended)

Requires the licensing of wholesale potato dealers, including grower cooperatives engaged in the marketing, bargaining, shipping or processing of potatoes.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

VII. Labor

AGRICULTURAL LABOR CAMP LAW

(Part 124 of the Michigan Public Health Code M.A.
368-78)

Farmers providing housing for five or more seasonal agricultural workers, including mushroom workers, must have the housing licensed by the Department of Public Health.

Responsible Agency

Michigan Department of Public Health
Community and Environmental Health Division
Agricultural Labor Camp Section
3500 N. Logan Street
P.O. Box 30015
Lansing, MI 48909
517/373-1373

Publications

"The Acts" and "The Rules," available from the responsible agency.

"1979 Revision: The Law and Michigan Agricultural Labor," E-831, available from your Cooperative Extension Service.

CIVIL RIGHTS ACT

(M.A. 453-77)

Prohibits discrimination in employment based on religion, race, color, national origin, age, sex, height, weight or marital status.

Responsible Agency

Michigan Department of Civil Rights
520 Seymour Avenue
Lansing, MI 48913
517/373-3590

Publications

The following publications are available from the responsible agency.

"For Victims of Unlawful Discrimination"

"Know Your Rights as a Woman"

"Procedures in Investigating and Resolving"

"Complaints of Discrimination"

FARM LABOR CONTRACTOR REGISTRATION ACT (FLCRA)

(U.S.P.L. 94-259)

Farmers who engage the services of any farm labor contractor (crew leader) must determine that the contractor possesses a valid certificate from the U.S. Department of Labor and comply with the other regulations under this law.

Responsible Agency

U.S. Department of Labor
Employment Standards Administration
Wage Hour Division
134 Federal Building
110 Michigan Street, N.W.
Grand Rapids, MI 49502
616/456-2338

Publications

*"Information for Farm Labor Contractors and Growers," WH
Publication 1365, available from the responsible agency.
"1979 Revision: The Law and Michigan Agricultural Labor,"
E-831, available from local Cooperative Extension
Service.*

HAZARDOUS OCCUPATIONS LAW

(Part of Fair Labor Standards Act Amendments U.S.P.L. 81-393-1949, as amended by U.S.P.L. 95-151-1977, Sec. 13)

The federal government has identified certain farm occupations as hazardous to youth under 16. Many of the "hazardous" occupations can be performed by such workers if they have been trained and certified by a 4-H or Vo Ag instructor.

Responsible Agency

U.S. Department of Labor
Employment Standards Administration
Wage - Hour Division
134 Federal Building
110 Michigan Street, N.W.
Grand Rapids, MI 49502
616/456-2338

Publications

- "1979 Revision: *The Law and Michigan Agricultural Labor*,"
E-831, available from local Cooperative Extension
Service.
- "*Youth Employment in Hazardous Jobs in Agriculture*,"
AEIS-315-File No. 1862, available from the Olan Service
office of the Agricultural Engineering Department,
Michigan State University, East Lansing.

INSURANCE CONTRIBUTIONS ACT (FICA) (SOCIAL SECURITY)

(Part of Internal Revenue Code U.S.P.L. 83-591-1954,
Chapter 21, as amended)

Any farmer paying an employee \$150 or more cash wages in the year for agricultural work or employing an employee 20 or more days during the year must deduct social security tax from the employee's wages and deposit it plus an equal amount from his own income.

Responsible Agency

Local IRS office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

"Circular A, Agricultural Employer's Tax Guide," IRS
Publication, available from the responsible agency.
"1979 Revision: The Law and Michigan Agricultural Labor,"
E-831, available from local Cooperative Extension
Service.

FEDERAL MINIMUM AGE LAW

(Part of Fair Labor Standards Act Amendments U.S.P.L. 81-393-1949, as amended by U.S.P.L. 95-151-1977, Sec. 12)

Farmers may not employ children (other than their own) under 12 years of age unless their farm is exempt from the minimum wage law by virtue of the "500 man-day test."

Responsible Agency

U.S. Department of Labor
Employment Standards Administration
Wage - Hour Division
134 Federal Building
110 Michigan Street, N.W.
Grand Rapids, MI 49502
616/456-2338

Publications

*"1979 Revision: The Law and Michigan Agricultural Labor,"
E-831, available from local Cooperative Extension
Service.*

FEDERAL MINIMUM WAGE LAW

(Part of Fair Labor Standards Act Amendments U.S.P.L.
81-393-1949, as amended by U.S.P.L. 95-151-1977,
Sections 6 and 13)

Farmers employing 500 mandays or more of hired labor in any calendar quarter of the preceding year must pay at least the federal minimum wage.

Responsible Agency

U.S. Department of Labor
Employment Standards Administration
Wage - Hour Division
134 Federal Building
110 Michigan Street, N.W.
Grand Rapids, MI 49502
616/456-2338

Publications

*"1979 Revision: The Law and Michigan Agricultural Labor,"
E-831, available from Local Cooperative Extension Service.*

MICHIGAN MINIMUM WAGE ACT

(M.A. 154-64)

Any farmer employing two or more employees 18 and over at any one time during the calendar year must pay at least the state minimum wage or the relevant state minimum piece rate.

Responsible Agency

Michigan Department of Labor
Bureau of Safety and Regulation
Wage Hour Division
7150 Harris Drive
P.O. Box 30015
Lansing, MI 48909
517/322-1825

Publications

"Michigan Minimum Wage Law," available from the responsible agency.

"1979 Revision: The Law and Michigan Agricultural Labor," E-831, available from local Cooperative Extension Service.

MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT (MIOSHA)

(M.A. 154-74)

Any farm employer is required to maintain a safe and healthy work environment for his employees and to comply with the agricultural standards promulgated under the law.

Responsible Agency

Michigan Department of Labor
General Industry Safety Division
7150 Harris Drive
P.O. Box 30015
Lansing, MI 48909
517/322-1831

OR

Michigan Department of Public Health
Division of Occupational Health
3500 N. Logan Street
P.O. Box 30035
Lansing, MI 48909
517/373-1410

Publications

"OSHA for Agriculture: 32 Questions and Answers," MSU Ag Facts #79, available from local Cooperative Extension Service.

"Guarding Farmstead and Farm Field Equipment," MSU Ag Facts #79 Supplement, available from local Cooperative Extension Service.

"Roll-over Protection on Farm Tractors: MIOSHA Standards in a Nutshell," AEIS 362-File No. 1862, available from the Plan Service office, Agricultural Engineering Department, Michigan State University, East Lansing.

"1979 Revision: The Law and Michigan Agricultural Labor," E-831, available from local Cooperative Extension Service.

SCHOOL AND HOURS REGULATIONS

(Part of Fair Labor Standards Act Amendments U.S.P.L.
81-393-1949, as amended by U.S.P.L. 95-151-1977,
Sec. 13)

Prohibits the employment of youth under 16 during
hours that the local school is in session.

Responsible Agency

U.S. Department of Labor
Employment Standards Administration
Wage - Hour Division
134 Federal Building
110 Michigan Street, N.W.
Grand Rapids, MI 49502
616/456-2338

Publications

TARGETED JOBS TAX CREDIT

(Part of Revenue Act - U.S.P.L. 95-600-1978)

A credit may be elected by employers who hire individuals from certain target groups with respect to wages and salaries paid to these individuals after 1978.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

*"Highlights of 1978 Changes in the Tax Law," IRS
Publication 553, available from the responsible agency.*

TIME AND MANNER OF PAYMENT ACT

(M.A. 390-78)

Requires all employers to keep certain payroll records and provide wage statements to employees. The law also determines maximum pay periods and employee complaint procedures.

Responsible Agency

Michigan Department of Labor
Bureau of Safety & Regulation
Wage & Hour Division
7150 Harris Drive
P.O. Box 30015
Lansing, MI 48909
517/322-1825

Publications

UNEMPLOYMENT INSURANCE ACT

(U.S.P.L. 94-566)

Any farmer employing 10 or more workers in each of 20 weeks or paying \$20,000 or more to workers in any calendar quarter must provide unemployment insurance coverage for his employees.

Responsible Agency

Nearest Michigan Employment Security Commission (MESC)
Office

Publications

"Unemployment Insurance on Michigan Farms: Questions and Answers," E-1198, January 1979, available from local Cooperative Extension Service.

WORKER'S COMPENSATION ACT

(M.A. 317-69)

All employers who regularly employ three or more employees at one time or employ at least one employee for 35 or more hours per week for 13 weeks or longer during the year must provide worker's compensation insurance (available from a private insurance agency) for employees that come under this Act.

Responsible Agency

Michigan Department of Labor
Bureau of Worker's Disability Compensation
309 North Washington Avenue
P.O. Box 30016
Lansing, MI 48909
517/373-3490

Publications

*The following publications are available from the
Agricultural Economics Department, Michigan State
University, East Lansing.*

*"Worker's Compensation Insurance and Michigan Agriculture,"
CRMPA Report #37*

*"Clarification of Worker's Compensation Insurance," CRMPA
Special Paper #16*

*"1979 Revision: The Law and Michigan Agricultural Labor,"
E-831, available from local Cooperative Extension
Service.*

YOUTH EMPLOYMENT STANDARDS ACT

(M.A. 90-78)

Provides for the development of standards to control employment of minors in certain occupations considered "hazardous."

Responsible Agency

Michigan Department of Labor
Bureau of Safety and Regulation
Child Labor Division
7150 Harris Drive
P.O. Box 30015
Lansing, MI 48909
517/322-1828

Publications

*"1979 Revision: The Law and Michigan Agricultural Labor,"
E-831, available from Local Cooperative Extension Service.*

VIII. Land Use

BOUNTIES ON COYOTES ACT

(M.A. 52-37)

Allows Michigan conservation officers and state-appointed trappers to enter upon any private or public property for the purpose of taking and trapping coyotes and wolves, without being liable for trespass in doing so.

Responsible Agency

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

FARMLAND AND OPEN SPACE PRESERVATION ACT

(M.A. 116-74)

A farmer who wishes to keep his land in agricultural production for at least ten years can enter into an agreement with the state that entitles him to a credit against his state income tax equal to the amount of property taxes paid in excess of 7 percent of household income and exempts him from certain special tax assessments.

Responsible Agency

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

- "Farmland and Open Space Preservation Act," E-792, available from Local Cooperative Extension Service.*
- "An Evaluation of Public Act 116 - Michigan's Farmland and Open Space Preservation Program," CRMFA Report No. 42, available from the Department of Agricultural Economics, Michigan State University, East Lansing.*
- A Series of leaflets--including Summaries of the Act, eligibility fact sheets, application forms, approval process flow chart--available from the responsible agency.*

FLOOD DISASTER PROTECTION ACT

(U.S.P.L. 93-234-1973)

Gives the Department of Housing and Urban Development (HUD) supervision over the National Flood Insurance Program by identifying flood hazard areas and requiring those communities to perform the necessary land use planning and control of the flood plain in order to participate in the National Flood Insurance Program.

Responsible Agency

Michigan Department of Natural Resources
Water Management Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

OR

HUD
Chicago Office - 312/353-5298
Toll Free D.C. - 800/424-8872

Publications

FOREST FIRE ACT

(M.A. 329-69)

Prohibits the burning of any flammable material on or adjacent to forest land (whenever the ground is not snow-covered) without a permit from the Michigan Department of Natural Resources, except when the burning is done in a debris burner.

Responsible Agency

Michigan Department of Natural Resources
Forestry Management Division
P.O. Box 30028
Lansing, MI 48909
517/373-1218

Publications

GAME ACT

(M.A. 286-29)

Requires a license to hunt for or kill any wild game, with the following exceptions: state residents, their children and employees may hunt small game without a license upon their own enclosed farmlands where they regularly reside; and special permits may be obtained to prevent or control, by shooting or trapping, damage caused by birds and animals on your own property.

Responsible Agency

Local Michigan Department of Natural Resources
Conservation Office

OR

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

"Controlling Vertebrate Damage," E-860-E-879A, available from Local Cooperative Extension Service.

INLAND LAKE IMPROVEMENT ACT

(M.A. 345-66)

Authorizes special improvements for certain inland lakes (public and private). These improvements may include dredging, weed control, and acquisition of lands.

Responsible Agency

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

The following publications are available from the responsible agency.

"Administrative Rules on Control of Nuisance Aquatic Plants"

"Wetlands and You"

"Wetlands Are Nature's Masterpiece"

INLAND LAKES AND STREAMS ACT

(M.A. 346-72)

Regulates inland lakes and streams and protects riparian rights (the rights of those associated with the ownership of the bank or shore of an inland lake or stream). Permits are required for such activities as dredging and filling bottomlands, construction on bottomlands, structurally interfering with the natural flow of an inland lake or stream, or construction of any artificial water or waterway within 500 feet of the ordinary high water mark of an existing inland lake or stream.

Responsible Agency

Department of Natural Resources
Hydrological Survey Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

Publications

"Rules and Regulations Concerning Inland Lakes and Streams Act," available from the responsible agency.

LIMITED LIABILITY OF PROPERTY OWNERS ACT

(M.A. 177-74)

A landowner is not liable for injuries to recreational users who use his lands (with or without the landowner's permission), if a fee is not charged and if the injuries were not caused by the gross negligence or willful misconduct of the landowner.

Responsible Agency

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

LINE FENCE ACT

(M.A. 34-78)

A property owner who constructs a fence shall pay for the construction and maintenance of that fence. However, if an adjoining property owner or tenant uses the fence to contain animals, then he must compensate the fence owner for his proportionate share of the current value of the fence as based upon his use of the fence.

Responsible Agency

Local Fence Viewer - appointed by your Township Board

Publications

NATURAL RIVER ACT

(M.A. 270-70)

Land adjoining or related to rivers that have been designated "natural rivers" is subject to special zoning ordinances related to the use of that land. Permits land acquisition for lands adjacent to a designated natural river.

Responsible Agency

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

"Michigan's Natural Rivers Program," available from the responsible agency.

PUBLIC ACCESS STAMP ACT

(M.A. 373-76)

Under this act the DNR leases land from private owners in Zone 3 (the southern 40 counties of Michigan) for hunting purposes. Any person hunting in Zone 3 must have a Public Access Stamp in his possession while hunting.

Responsible Agency

Michigan Department of Natural Resources
Wildlife Division
P.O. Box 30028
Lansing, MI 48909
517/373-1263

Publications

The responsible agency has applications and explanations for the leasing lands.

RECREATIONAL TRESPASS ACT

(M.A. 323-76)

Prohibits entry upon farm lands or connected farm wood lots for the purpose of hunting, fishing in private waters, or operating a snowmobile, off-road recreational vehicle or other motorized vehicle without written consent from the owner whether or not fenced, enclosed, or posted. Also guarantees same protection as found under the "Limited Liability of Property Owners Act" (M.A. 177-74).

Responsible Agency

Local Michigan Department of Natural Resources
Conservation Office

OR

Local Sheriff

OR

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

"Information on Recreational Trespass Act," available from the above address.

REGISTRATION OF OFF-ROAD RECREATION VEHICLES ACT

(M.A. 319-75)

Requires registration of off-road recreational vehicles and regulates their use. To operate on farm lands and connected farm wood lots any off-road vehicle operator must obtain written consent to do so from the farmer whose land will be used.

Responsible Agency

Local Michigan Department of Natural Resources
Conservation office

OR

Local Sheriff

Publications

REGISTRATION AND REGULATION OF SNOWMOBILES ACT

(M.A. 74-68)

Requires registration of snowmobiles and regulates their use. To snowmobile on farm lands or connected farm wood lots, any snowmobiler must obtain written consent to do so from the farmer whose land will be used.

Responsible Agency

Local Michigan Department of Natural Resources
Conservation office

OR

Local Sheriff

Publications

SHORELANDS PROTECTION AND MANAGEMENT ACT

(M.A. 245-70)

Subjects land 1000 feet from the ordinary high water mark of a Great Lake or a connecting waterway to special zoning.

Responsible Agency

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

"Erosion," available from the responsible agency.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

(U.S.P.L. 74-461-1936)

Promotes the conservation and profitable use of agricultural land resources by providing temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to states for such purposes.

Responsible Agency

U.S. Department of Agriculture
Soil Conservation Service
1405 S. Harrison Road - Room 101
East Lansing, MI 48823
517/372-1910

Publications

SOIL CONSERVATION SERVICE ESTABLISHING ACT (SCS)

(U.S.P.L. 74-46-1935)

Creates the Soil Conservation Service for the purpose of the protection of the land resources of the United States against soil erosion. The SCS possesses information, technical expertise, and a delivery system for providing assistance to land users, including the possibility of financial aid to any agency or person for the purposes of this act.

Responsible Agency

U.S. Department of Agriculture
Soil Conservation Service
1405 S. Harrison Road - Room 101
East Lansing, MI 48823
517/372-1910

Publications

SOIL EROSION AND SEDIMENTATION CONTROL ACT

(M.A. 347-72)

Gives local units of government power to work with soil conservation districts in review of proposed land use plans regarding control of soil erosion and sedimentation and gives them power to administer a permit program for earth changes occurring within 500 feet of a lake or stream or disturbing over one acre of land.

Responsible Agency

Local Soil Conservation Service Office

OR

Michigan Department of Natural Resources
Division of Land Resources Programs
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

"A Better Environment Through Soil Erosion and Sedimentation Control," available from the responsible agency.

SOIL AND WATER RESOURCES CONSERVATION ACT

(U.S.P.L. 95-192-1977)

The Secretary of Agriculture is directed to conduct continuous appraisal of soil, water and related resources of the nation, identify costs and effectiveness of various conservation practices and prepare a 5 year Program to guide conservation activities. The Soil Conservation Service is the lead agency though all USDA agencies are involved. The Program will be updated every 5 years.

Responsible Agency

U.S. Department of Agriculture
Soil Conservation Service
1405 S. Harrison Road - Room 101
East Lansing, MI 48823
517/372-1910

Publications

SOLID WASTE ACT

(M.A. 87-65)

Under Section 7 the disposal of refuse from households on privately owned farmlands is exempted from the restrictions of this Act, and it is permitted to dispose refuse from your own household on your own land as long as such disposal doesn't create a health hazard or nuisance.

Responsible Agency

Michigan Department of Natural Resources
Resource Recovery Division
P.O. Box 30028
Lansing, MI 48909
517/322-1315

Publications

SPORTSFISHING ACT

(M.A. 244-75)

Regulates the taking and sale of fish in this state and requires a license to fish. Anyone regularly domiciled on a farm or other lands throughout the year, and who fishes within the limits of his own land (when permitted by law), is exempt from the license requirement.

Responsible Agency

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

SUBDIVISION CONTROL ACT

(M.A. 288-67)

Regulates the subdivision of property for the purposes of sale, of lease for more than one year, or of a building development, where the act of division creates five or more parcels of land each of which is 10 acres or less in area, or where this amount of parcels is created in successive divisions within a ten-year period.

Responsible Agency

Local Township Board

OR

Local County Plat Board

OR

Michigan Department of Treasury
Bureau of Local Government Services
Lansing, MI 48922
517/373-3237

Publications

WATER POLLUTION CONTROL ACT

(U.S.P.L. 92-500-1972 as amended)

Under section 208, water pollution control plans are required in every state that utilizes land use and land management controls. The EPA administers the act, in conjunction with substate regional planning commissions.

Responsible Agency

Michigan Department of Natural Resources
Water Quality Division
P.O. Box 30028
Lansing, MI 48909
517/373-1947

Publications

The responsible agency has the address and telephone number of each Regional Commission.

ZONING ACTS

County Rural Zoning Enabling Act (M.A. 183-43)
Township Rural Zoning Act (M.A. 184-43)
City and Village Zoning Act (M.A. 207-21)

Enabling legislation giving various governmental units in Michigan the power to zone. Requires permits to be obtained from local Zoning Administrators before any changes can be made on zoned property.

Responsible Agency

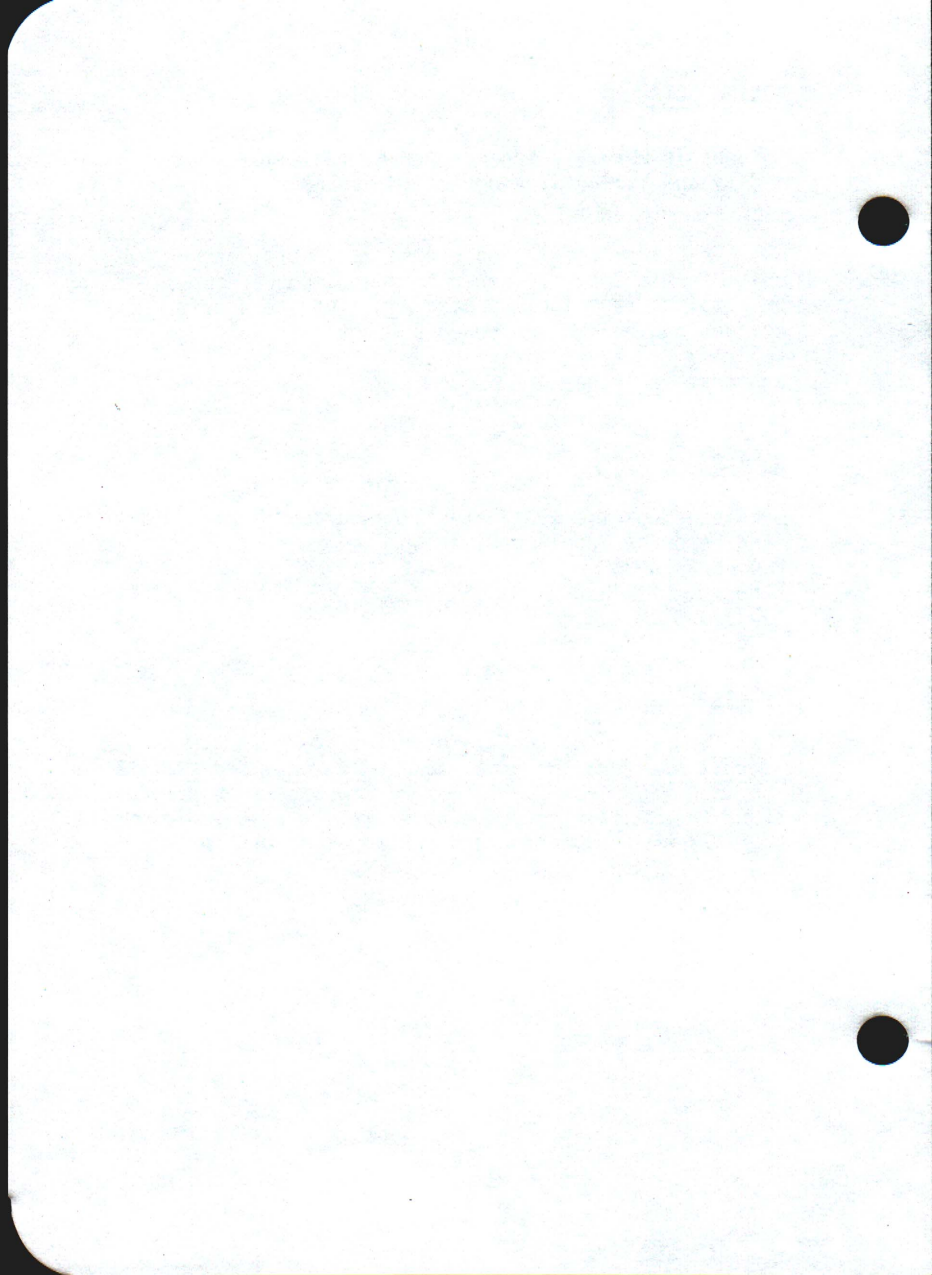
Local Zoning Boards

OR

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

"The Use of Zoning to Retain Essential Agricultural Lands," available from the Michigan Farm Bureau, responsible agency (DNR), or Local Cooperative Extension Service.
"Land Use Regulation: Zoning Ordinances," E-1072, available from Local Cooperative Extension Service.



IX. Marketing

AGRICULTURAL COMMODITIES MARKETING ACT

(M.A. 232-65 as amended)

Provides for marketing programs, agreements, referendums by producers, assessments on producers, and commodity committees. Committees exist for apples, asparagus, plums, cherries, soybeans, and onions.

Responsible Agency

Michigan Department of Agriculture
Marketing Division
Food Inspection Division - Enforcement Responsibility
Michigan *insert commodity* Committee
Lewis Cass Building
Lansing, MI 48909

Apple	517/373-6847
Asparagus	517/323-7000 (Ext. 701)
Cherry	517/332-0869
Onion	616/772-9200
Plum	517/373-1054
Soybean	517/625-3768

Publications

M.D.A. Regulation 301, available from the responsible agency.

FEDERAL AGRICULTURAL MARKETING AGREEMENT ACT

(U.S.P.L. 75-137-1937 as amended)

Provides the enabling legislation for marketing order programs for individual commodities. Marketing orders are authorized to do any or all of the following: to regulate quality, quantity, to create research and development projects, to specify unfair trade practices, to post prices, to require standardization of containers or packs, and to provide marketing information. The important Federal marketing orders affecting the Michigan farmer are the 2 milk marketing orders. These are Federal Orders #40 (southern Michigan) and #44 (Upper Peninsula). The purpose of these marketing orders is to insure an adequate supply of pure and wholesome milk and orderly marketing procedures, to establish minimum prices, and to be in the public interest.

Responsible Agency

U.S. Department of Agriculture
Market Administrator for Federal Orders #40 and #44
2684 W. 11 Mile Rd.
Berkley, MI 48072
313/548-1603

Publications

Available from the responsible agency.

"Class Price Announcement"

"Uniform and Base Price"

"Statistical Analysis"

"Market Administrator's Bulletin"

MICHIGAN AGRICULTURAL MARKETING AND BARGAINING ACT

(M.A. 344-72)

Permits producers of perishable fruits and vegetables to be represented by associations that act as the sole bargaining agents in negotiations with handlers.

Responsible Agency

Michigan Department of Agriculture
Agricultural Marketing and Bargaining Board
Lewis Cass Building
Lansing, MI 48909
517/373-8043

Publications

Available from the responsible agency.

*"Michigan Agricultural Marketing and Bargaining Act -
Creation of Bargaining Unit"*

"Rules"

BEAN COMMISSION ACT

(M.A. 114-65 as amended)

Creates a bean commission for the purpose of promoting research on bean varieties and agronomic practices, and to carry out market development, market research and promotional programs, among other things. Calls for an assessment on growers of 5 cents per hundredweight (when beans are sold or shipped) for all beans grown and produced in this state.

Responsible Agency

Michigan Department of Agriculture
Marketing Division
Food Inspection Division - Enforcement Responsibility
P.O. Box 30017
Lansing, MI 48909
517/373-0090

Publications

BEEF INDUSTRY COMMISSION ACT

(M.A. 291-72 as amended)

Establishes the Beef Industry Commission designed to create a beef promotion, consumer marketing, industry information, research and education program. The Commission may place an assessment on the gross receipts from the sale of all cattle which shall be collected by the market agency at the time of sale.

Responsible Agency

Michigan Department of Agriculture
Marketing Division
Food Inspection Division - Enforcement Responsibility
P.O. Box 30017
Lansing, MI 48909
517/373-3101

Publications

PACKERS AND STOCKYARDS ACT

(U.S.P.L. 67-51-1921 as amended)

Regulates interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs. A trust provision gives certain kinds of protection to those who sell livestock to meat packers and don't get paid.

Responsible Agency

U.S. Department of Agriculture
Agricultural Marketing Service
Packers and Stockyards
537 Turtle Creek South Dr.
Indianapolis, Indiana 46227
317/269-6424

OR

U.S. Department of Agriculture
Deputy Administrator for Packers and Stockyards
Agricultural Marketing Service
Washington, D.C. 20250
202/447-7051

Publications

Available from the second responsible agency listed.
*"Packers and Stockyards Act - Fair Play in the
Market Place," PA-1019*
"Livestock Payment Guidelines for Producers," PA-923
*"Accurate Weights Guidelines for Weighing Livestock,"
PA-986*
*"Facts About: Livestock Sellers' Rights Under P and
S Trust Provision," AMS-578*
*"Facts About: New Packers and Stockyards Regulations
and the Producer"*

PERISHABLE AGRICULTURAL COMMODITIES ACT (PACA)

(U.S.P.L. 71-325-1930 as amended including 95-562-1978)

PACA protects growers of fruits and vegetables against unfair trading practices. Some examples of unfair trading practices are: buyers rejecting produce they have purchased or contracted without reasonable cause and buyers failing to promptly pay for produce when it is delivered in compliance with a contract.

Responsible Agency

U.S. Department of Agriculture
Fruit and Vegetable Division
Agricultural Marketing Service
Washington, D.C.
202/737-4118

Publications

*"The Fruit and Vegetable Grower and PACA," USDA, AMS-451,
July 1961, available from the responsible agency.*

*"Fair Trading in the Fruit and Vegetable Industry,"
U.S.D.A., PA-804, available from the responsible agency.*

POTATO INDUSTRY COMMISSION ACT

(M.A. 29-70)

Creates a state potato industry commission, provides for assessments on potatoes grown in Michigan, advertising, market expansion and research.

Responsible Agency

Michigan Department of Agriculture
Marketing Division
Food Inspection Division - Enforcement Responsibility
P.O. Box 30017
Lansing, MI 48909
517/373-3783

Publications

TABLE STOCK POTATOES MARKETING ACT

(M.A. 220-29 as amended)

Specifies the standard grades for table stock potatoes and sale of unclassified potatoes. Covers all sales including direct marketing by farmers.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Unclassified Potatoes," Regulation No. 552, available from the responsible agency.

WEIGHTS AND MEASURES ACT

(M.A. 283-64 as amended)

Regulates and provides standards for weights and measures, and the packaging and advertising of certain commodities. Provides penalties for fraud and deception in the use of false weights and measures and other violations.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

"Weights, Measures, Packaging and Labeling," Regulation No. 551, available from the responsible agency.

WHOLESALE POTATO DEALERS ACT

(M.A. 158-64 as amended)

Requires the licensing of wholesale potato dealers, including grower cooperatives engaged in the marketing, bargaining, shipping or processing of potatoes.

Responsible Agency

Michigan Department of Agriculture
Food Inspection Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

X. Pollution

AIR POLLUTION CONTROL ACT

(M.A. 348-65)

Established the Michigan Air Pollution Control Commission to control or prohibit air pollution. The Commission has the right to "enter and inspect any property at reasonable times or place pursuant to reasonable notice" for investigating either actual or suspected sources of air pollution.

Responsible Agency

Michigan Department of Natural Resources
Air Quality Division
Box 30028
Lansing, MI 48909
517/322-1330

Publications

"Environmental Quality Legal Considerations," E-732

*"Whose Responsibility? Livestock and Poultry Waste,"
E-720*

"Seed Treatment for Field Crops," E-1199

*The above publications are available from local Cooperative
Extension Service*

*"Environmental Regulations Relating to Animal Waste Disposal in Michigan," by Scott Ross, available from the
Michigan Department of Natural Resources, Water Quality
Control Division*

ENVIRONMENTAL PROTECTION ACT

(M.A. 127-70)

Permits any person or group to bring an action in the Circuit Court for declaratory and equitable relief against any other person or legal entity for protection of air, water and other natural resources from pollution, impairment or destruction.

Responsible Agency

Michigan Department of Natural Resources
Environmental Services Division
Box 30028
Lansing, MI 48909
517/373-3560

Publications

- "Environmental Quality Legal Considerations," E-732, available from local Cooperative Extension Service.*
- "Environmental Regulations Relating to Animal Waste Disposal in Michigan," by Scott Ross, available from the Michigan Department of Natural Resources, Water Quality Control Division.*

SOIL EROSION AND SEDIMENTATION CONTROL ACT

(M.A. 347-72)

Gives local units of government power to work with soil conservation districts in review of proposed land use plans regarding control of soil erosion and sedimentation.

Responsible Agency

Local Soil Conservation Service Office

OR

Michigan Department of Natural Resources
Division of Land Resources Programs
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

"A Better Environment Through Soil Erosion and Sedimentation Control," available from the responsible agency.

FEDERAL WATER POLLUTION CONTROL ACT

(U.S.P.L. 92-500 as amended)

Calls for the elimination of the discharge of pollutants into our nation's waters by 1985. The National Pollutant Discharge Elimination System (NPDES) requires that a permit be obtained from either the Environmental Protection Agency or the designated state agency in order to discharge pollutants (including non-industrial wastes) into waters.

Responsible Agency

Michigan Department of Natural Resources
Water Quality Division
P.O. Box 30028
Lansing, MI 48909
517/373-1947

Publications

- "Financing Pollution Abatement Investments on Michigan Dairy Farms," R.R. 300, available from Local Cooperative Extension Service.*
- "Environmental Regulations Relating to Animal Waste Disposal in Michigan," available from the responsible agency.*

MICHIGAN WATER RESOURCES COMMISSION ACT

(M.A. 245-29)

Creates a water resources commission to protect and conserve the water resources of the state, to have control over the alteration of the watercourses and the flood plains of all rivers and streams. Requires permits to regulate the discharge of pollutants into waters of the state.

Responsible Agency

Michigan Department of Natural Resources
Water Quality Division
P.O. Box 30028
Lansing, MI 48909
517/373-1947

Publications

The following publications are available from the responsible agency.

"Summary of Michigan Water Pollution Control Act"

"Administrative Rules"

"Flood Control Rules"

XI. Taxes

ESTATE/GIFT TAX

(Part of Internal Revenue Code U.S.P.L. 83-591-1954 as amended, including Tax Reform Act, U.S.P.L. 94-455-1976 and Revenue Act, U.S.P.L. 95-600-1978)

Sets estate and gift exemption allowance, estate and gift tax rates, length of time to pay taxes, etc. for the Federal Estate and Gift Tax.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

*"Federal Estate and Gift Taxes," E-1231, available from
Local Cooperative Extension Service.*

GENERAL SALES TAX ACT

(M.A. 167-33)

Stipulates certain specific taxes, fees and charges to be paid to the state for the privilege of engaging in certain business activities. Food items sold for off-premises consumption at roadside stands, such as honey, syrups, vegetables, fruits, jams and jellies, are exempt from the sales tax.

Responsible Agency

Michigan Department of Treasury
Bureau of Collections Division
Treasury Building
Lansing, MI 48922
517/373-3190

Publications

"General Sales Tax Act - Rule 86," available from the responsible agency.

HOMESTEAD TAX EXEMPTION ACT

(M.A. 20-73)

Provides for a rebate from the state equal to 60% of the amount by which homestead property taxes exceed 3 1/2% of household income up to a \$1200 maximum rebate.

Responsible Agency

Michigan Department of Treasury
Income Tax Division
Treasury Building
Lansing, MI 48922
517/373-2922

Publications

"Michigan Individual Income Tax Returns Instructions and Forms," available from the responsible agency.

INDIVIDUAL RETIREMENT ACCOUNTS ACT

(U.S.P.L. 94-267-1974)

Permits a farmer to establish a retirement plan by withholding and depositing up to 15% of his earned income (not to exceed \$1500) each year. Retirement deposits are exempt from taxation until they are used in retirement.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

"Retirement Planning for Farm Families," NCR 49, available from Local Cooperative Extension Service.

"Farmer's Tax Guide," IRS Publication 225, available from the responsible agency.

"Tax Information on Self-Employed Retirement Plans," IRS Publication 560, available from the responsible agency.

"Tax Information on Individual Retirement Arrangements," IRS Publication 590, available from the responsible agency.

INHERITANCE TAX

(M.A. 628-78)

Sets inheritance exemption allowance, inheritance tax rates, etc. for the Michigan Inheritance Tax.

Responsible Agency

Michigan Department of Treasury
Estates, Intangibles and Inheritance Tax Division
Treasury Building
Lansing, MI 48922
517/373-2924

Publications

"Michigan Inheritance Tax," E-1348, available from local Cooperative Extension Service.

INVESTMENT TAX CREDIT

(Part of Internal Revenue Code U.S.P.L. 83-591-1954 as amended, including Tax Reform Act, U.S.P.L. 94-455-1976 and Revenue Act, U.S.P.L. 95-600-1978)

Farmers are eligible for a 10% direct tax rebate on various kinds of property. Some of the kinds of property included are: machinery, equipment, storage facilities, paved barnyards, fences, feed bunks, wells, drain tile, orchards, greenhouses, forklifts, milking parlors, livestock for breeding or dairy purposes.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550

Publications

"Farmer's Tax Guide," IRS Publication 225, available from the responsible agency.

"Tax Information on Investment Credit," IRS Publication 572, available from the responsible agency.

"Investment Credit for Farmers," Dr. Myron Kelsey, Agricultural Economics Department, Michigan State University, East Lansing, available from author.

SELF-EMPLOYED RETIREMENT ACCOUNTS

(Part of Internal Revenue Code U.S.P.L. 83-591-1954,
Sections 401-405)

Permits a farmer to establish a retirement plan for himself and his employees by withholding and depositing up to 15% of his earned income (not to exceed \$7500) each year. Retirement deposits are exempt from taxation until they are used in retirement.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

"Retirement Planning for Farm Families," NCR 49, available from Local Cooperative Extension Service.

"Farmer's Tax Guide," IRS Publication 225, available from the responsible agency.

"Tax Information on Self-Employed Retirement Plans," IRS Publication 560, available from the responsible agency.

"Tax Information on Individual Retirement Arrangements," IRS Publication 590, available from the responsible agency.

SINGLE BUSINESS TAX ACT

(M.A. 228-75)

Agricultural production sales at wholesale are exempt. Farmers with other farm business income of \$34,000 and over per year must file an annual SBT return. Actual taxation is 2.35% of an adjusted tax base which is based on adjusted gross receipts.

Responsible Agency

Michigan Department of Treasury
Single Business Tax Division
Treasury Building
Lansing, MI 48922
517/373-8030

Publications

"Michigan Single Business Tax Questions and Answers,"

Vols. I-VI, available from the responsible agency.

"Annual Return and Instructions on Michigan Single Business Tax," available from the responsible agency.

*"1978 Michigan Income Tax," Dr. Myron Kelsey,
Agricultural Economics Department, Michigan State
University, East Lansing, available from author.*

TARGETED JOBS TAX CREDIT

(Part of Revenue Act - U.S.P.L. 95-600-1978)

A credit may be elected by employers who hire individuals from certain target groups with respect to wages and salaries paid to these individuals after 1978.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

*"Highlights of 1978 Changes in the Tax Law," IRS
Publication 553, available from the responsible agency.*

FEDERAL USE TAX ON HIGHWAY MOTOR VEHICLES

(Subtitle D of Internal Revenue Code U.S.P.L. 83-591-1954)

A tax on two axle or more trucks used on a public highway, with an unloaded weight of 13,000 pounds or more, or a truck-tractor with an unloaded weight of 5,500 pounds or more.

Responsible Agency

Local IRS Office

OR

U.S. Treasury Department
Taxpayer Service and Assistance Division
229 Federal Building
Lansing, MI 48933
517/394-1550 or 313/237-0800 (Detroit)

Publications

"Federal Use Tax," IRS Publication 349, available from the responsible agency.



XII. Water and Irrigation

COUNTY BOARD OF COMMISSIONERS CONSTRUCTION ON STREAMS ACT
(DAM ACT)

(M.A. 156-1851)

Delegates the authority to county boards of commissioners to permit or prohibit the construction of any dam or bridge over or across any navigable stream.

Responsible Agency

Local County Board of Commissioners

OR

Local Sheriff

Publications

DAM CONSTRUCTION APPROVAL ACT

(M.A. 184-63)

Requires a permit from the Michigan Department of Natural Resources in order to erect a dam. Among other things, the Department requires the submission of detailed plans (prepared by a registered professional engineer) before issuing a permit approving construction of a dam.

Responsible Agency

Michigan Department of Natural Resources
Water Management Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

Publications

DRAIN CODE ACT

(M.A. 40-56)

Provides a way whereby needed drainage can be organized and accomplished originating at the local level through the services of local county drain commissioners. Also provides for water management and flood control.

Responsible Agency

Local County Drain Commissioner

OR

Michigan Department of Agriculture
Soil and Water Management Division
P.O. Box 30017
Lansing, MI 48909
517/373-1060

Publications

ENVIRONMENTAL PROTECTION ACT

(M.A. 127-70)

Permits any person or group to bring an action in the Circuit Court for declaratory and equitable relief against any other person or legal entity for protection of air, water and other natural resources from pollution, impairment or destruction.

Responsible Agency

Michigan Department of Natural Resources
Environmental Services Division
Box 30028
Lansing, MI 48909
517/373-3560

Publications

- "Environmental Quality Legal Considerations," E-732, available from Local Cooperative Extension Service.*
"Environmental Regulations Relating to Animal Waste Disposal in Michigan," by Scott Ross, available from the Michigan Department of Natural Resources, Water Quality Control Division.

INLAND LAKE IMPROVEMENT ACT

(M.A. 345-66)

Authorizes special improvements for certain inland lakes (public and private). These improvements may include dredging, weed control, and acquisition of lands.

Responsible Agency

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

The following publications are available from the responsible agency.

"Administrative Rules on Control of Nuisance Aquatic Plants"

"Wetlands and You"

"Wetlands Are Nature's Masterpiece"

INLAND LAKE LEVEL ACT

(M.A. 146-61)

Provides for the determination and maintenance of the normal height and level of the waters in inland lakes of this state for the purpose of conserving the state's natural resources and protecting the public welfare. Authorizes the building and maintenance of dams and embankments in order to maintain normal levels.

Responsible Agency

Local County Board of Commissioners

OR

Michigan Department of Natural Resources
Water Management Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

Publications

INLAND LAKES AND STREAMS ACT

(M.A. 346-72)

Designed to protect inland lakes and streams. Permits are required for such activities as operating a marina, creating, or changing an inland lake or stream construction of any artificial water or waterway within 500 feet of the ordinary high water mark of an existing inland lake or stream.

Responsible Agency

Michigan Department of Natural Resources
Hydrological Survey Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

Publications

The "Rules and Regulations," available from the responsible agency.

IRRIGATION DISTRICTS ACT

(M.A. 205-67)

Specifies the conditions and limitations for withdrawal of waters from the Great Lakes in order to promote the public welfare by irrigating lands, improving the water supply for the lands and constructing dams, reservoirs, etc.

Responsible Agency

Local County Drain Commission

OR

Michigan Department of Natural Resources
Water Management Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

Publications

NATURAL RIVER ACT

(M.A. 270-70)

Authorizes the establishment of a system of designated wild, scenic, and recreational rivers and seeks to protect them from unwise use and development.

Responsible Agency

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

"Michigan's Natural Rivers Program," available from the responsible agency.

RECREATIONAL TRESPASS ACT

(M.A. 323-76)

Prohibits entry upon farm lands for the purpose of fishing in private waters without written consent from the owner, whether or not fenced, enclosed or posted. Permits a fisherman using a navigable, public stream (greater than 15 miles long), to enter upon the upland adjoining the stream in order to avoid any hazard or obstruction (without obtaining permission).

Responsible Agency

Local Michigan Department of Natural Resources Conservation office

OR

Local Sheriff

OR

Michigan Department of Natural Resources
Law Enforcement Division
P.O. Box 30028
Lansing, MI 48909
517/373-1230

Publications

"Information on Recreational Trespass Act," available from the responsible agency.

SOIL EROSION AND SEDIMENTATION CONTROL ACT

(M.A. 347-72)

Provides for the control of soil erosion and protection of waters of the state for sedimentation. Regulates the movement of large amounts of soil, particularly where such movement occurs within 500 feet of a natural body of water.

Responsible Agency

Local Soil Conservation Office

OR

Michigan Department of Natural Resources
Land Resource Programs Division
P.O. Box 30028
Lansing, MI 48909
517/373-3328

Publications

- "A Better Environment Through Soil Erosion and Sedimentation Control," available from the responsible agency.*
- "Michigan Soil Erosion and Sedimentation Guidebook," available from the responsible agency.*

SOIL AND WATER RESOURCES CONSERVATION ACT

(U.S.P.L. 95-192-1977)

The Secretary of Agriculture is directed to conduct continuous appraisal of soil, water and related resources of the nation, identify costs and effectiveness of various conservation practices and prepare a 5 year Program to guide conservation activities. The Soil Conservation Service is the lead agency though all USDA agencies are involved. The Program will be updated every 5 years.

Responsible Agency

U.S. Department of Agriculture
Soil Conservation Service
1405 S. Harrison Road - Room 101
East Lansing, MI 48823
517/372-1910

Publications

SURPLUS WATERS ACT

(M.A. 20-64)

Provides for determining if surplus water is available in a river basin or watershed through local county boards of commissioners and the Water Resources Commission. If the Commission determines that surplus water exists, then a decision will be made on how it may best be impounded, utilized, and conserved.

Responsible Agency

Local County Board of Commissioners

OR

Michigan Department of Natural Resources
Water Management Division
P.O. Box 30028
Lansing, MI 48909
517/373-3930

Publications

FEDERAL WATER POLLUTION CONTROL ACT

(U.S.P.L. 92-500-1972 as amended)

Calls for the elimination of the discharge of pollutants into our nation's waters by 1985. Requires farmers using irrigation to apply for NPDES (National Pollutant Discharge Elimination System) permits and to self-monitor their surface irrigation drainage.

Responsible Agency

Michigan Department of Natural Resources
Water Quality Division
P.O. Box 30028
Lansing, MI 48909
517/373-1947

OR

United States Environmental Protection Agency
Region 5
230 S. Dearborn
Chicago, Illinois 60604
312/353-2000

Publications

"Environmental Regulations Relating to Animal Waste Disposal in Michigan," available from the first responsible agency listed.

MICHIGAN WATER RESOURCES COMMISSION ACT

(M.A. 245-29)

Creates a water resources commission to protect and conserve the water resources of the state, to have control over the alteration of the watercourses and the flood plains of all rivers and streams. Requires permits to regulate the discharge of pollutants into waters of the state.

Responsible Agency

Michigan Department of Natural Resources
Water Quality Division
P.O. Box 30028
Lansing, MI 48909
517/373-1947

Publications

The following publications are available from the responsible agency.

"Summary of Michigan Water Pollution Control Act"

"Administrative Rules"

"Flood Control Rules"

