

HOUSE BILL NO. 5402

December 18, 2025, Introduced by Rep. B. Carter and referred to Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled
"Food law,"
by amending section 6101 (MCL 289.6101), as amended by 2012 PA 178.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 6101. (1) Chapters 1 through 8 of the food code are
- 2 incorporated by reference except as amended and modified as
- 3 follows:
- 4 (a) Where provisions of this act and rules specify different
- 5 requirements.
- 6 (b) Section 3-401.14 is modified to read as follows:

1 "3-401.14 Non-Continuous Cooking of Raw Animal Foods.

2 Raw animal foods that are cooked using a non-continuous
3 cooking process ~~shall~~**must** be:

4 (A) Subject to an initial heating process that is no longer
5 than 60 minutes in duration;^P

6 (B) Immediately after initial heating, cooled according to the
7 time and temperature parameters specified for cooked potentially
8 hazardous food (time/temperature control for safety food) under
9 paragraph 3-501.14(A);^P

10 (C) After cooling, held frozen or cold, as specified for
11 potentially hazardous food (time/temperature control for safety
12 food) under paragraph 3-501.16(A)(2);^P

13 (D) ~~Prior to~~**Before** sale or service, cooked using a process
14 that heats all parts of the food to a time/temperature specified in
15 paragraph 3-401.11(A);^P

16 (E) Cooled according to the time and temperature parameters
17 specified for cooked potentially hazardous food (time/temperature
18 control for safety food) under paragraph 3-501.14(A) if not either
19 hot held as specified under paragraph 3-501.16(A), served
20 immediately, or held using time as a public health control as
21 specified under section 3-501.19 after complete cooking;^P and

22 (F) Stored as follows:

23 (1) After initial heating but ~~prior to~~**before** cooking as
24 specified under paragraph (D) of this section, separate from ready-
25 to-eat foods as specified under paragraph 3-302.11;^{Pf} and

26 (2) After initial heating, but ~~prior to~~**before** complete
27 cooking, marked or otherwise identified as foods that must be
28 cooked as specified under paragraph (D) of this section ~~prior to~~
29 **before** being offered for sale or service.^{Pf} The food may be

1 identified in any effective manner provided that the marking system
2 is disclosed to the regulatory authority ~~upon~~**on** request."

3 (c) Section 2-103.11(L) is modified to read as follows:

4 "Employees are properly trained in food safety as it relates
5 to their assigned duties;^{Pf} and".

6 (d) Section 3-602.12 is modified by the addition of paragraph
7 (C) that reads as follows:

8 "(C) The permit holder shall notify consumers by written
9 notification of the presence of all major food allergens, as
10 determined by the United States Food and Drug Administration, as an
11 ingredient in unpackaged food items that are served or sold to the
12 consumer. Both of the following apply to a written notification
13 provided under this paragraph:

14 (1) Must list which major food allergens are contained in the
15 food item.

16 (2) May be provided by physical or electronic means,
17 including, but not limited to, brochures, deli case or menu
18 notifications, statements, table tents, placards, or other
19 effective written means."

20 (2) The director, by rule, may adopt any changes or updates to
21 the food code.

22 (3) The annexes of the food code are considered persuasive
23 authority for interpretation of the food code.

24 Enacting section 1. This amendatory act takes effect 6 months
25 after the date it is enacted into law.