

DEPARTMENT OF AGRICULTURE

FOOD AND DAIRY DIVISION

REGULATION NO. 534. SEAL OF QUALITY

(By authority conferred on the commission of agriculture by Act No. 70 of the Public Acts of 1961, being S289.631 et seq. of the Michigan Compiled Laws)

R 285.534.1 Seal of quality.

Rule 1. (1) Official emblem: Emblem illustrated in subrule (2)(c), with or without user's number, shall be the official "Michigan seal of quality" emblem and when used in connection with a product shall:

(a) Be deemed to constitute a representation that the product has been officially graded and meets the requirements and quality standards as set forth under the provisions of Act No. 70 of the Public Acts of 1961 and any rules and instructions issued therewith.

(b) Bear the user's number when applied to a product.

(2) Emblem design: Design shall be the property of the department, circular in shape, and consist of:

(a) Center area containing:

(i) State map outline with projecting rays.

(ii) Wording "A fine quality Michigan product" positioned to left of map outline of lower peninsula.

(b) Surrounding border containing wording:

(i) "Michigan seal of quality" reading from left to right in upper half.

(ii) "Department of agriculture" reading from left to right in lower half.

(c) As illustrated:

Figure for 285.534.1



(3) Emblem color: Color shall be 2-color combination of contrasting colors, preferably blue and maize (chrome or golden yellow) or a single color, preferably blue or red.

(a) When using 2-color combination (blue and maize):

(i) State map outline, center area copy, border area, and ray lines

shall be of 1 color (blue).

(ii) Center area proper shall be of contrasting color (maize).

(iii) Border copy and state area shall be reversed out.

(iv) User's number shall be same color as state map outline or of a color contrasting with state area.

(b) When using a single color:

(i) Border boundaries, border and center area copy, state map outline, ray lines, and user's number shall be in color.

(ii) User's number may or may not be of same color as single color.

(iii) Border, center, and state areas shall be reversed out.

(c) Radiant ink shall be used when feasible.

(4) Emblem reproduction: Emblem shall be reproduced only, in actual or reduced size, by photomechanical method or method recognized as suitable for making a like reproduction from design(s) provided by the department.

(a) Emblem shall be reproduced only by such person who has on file with the department a signed official agreement for reproduction of emblem.

(b) Emblem shall not be incorporated with, become a portion of, or be superimposed upon, a private brand device, trademark, copyright design, signature cut of any person, or private or other public grading mark or device.

(c) No emblem shall be printed for use until printer's final proof has been approved by the director, and no emblem shall be used until finished copies or samples of such emblem have been approved by the director.

(5) Emblem size: Size of emblem for each manner of use to designate a product as being "Michigan seal of quality" shall be approved by the director.

(a) Approved size of emblem may be obtained by submitting to the director:

(i) Name and address of person using emblem.

(ii) Product with which emblem shall be used.

(iii) Manner in which emblem is to be used to identify product as "Michigan seal of quality."

(6) Emblem use: Emblem shall be used only for marketing of agricultural products grown, packed, and processed within this state which have been officially graded and meet "Michigan seal of quality" standards of quality established for use in marketing the product and shall bear the user's number when applied to such product. Reuse of emblem and any crate, carton, package, or other container or any other device bearing the emblem for any product intended for sale shall be prohibited without prior defacing of the emblem.

(7) Emblem user number: Emblem users will be assigned a number upon proper application to the department for use of emblem and approval of use by the director.

(a) User's number shall appear in the center portion of lower half of lower peninsula in:

(i) A legible manner other than writing.

(ii) Arabic numerals.

(iii) A color contrasting with that of the background area of the lower peninsula.

(8) Labels, tags, or other devices: Labels, tags, or other devices bearing the emblem which are attached to, affixed, or placed upon any crate, carton, package, or other container of products or upon the product itself by means of adhesion, shall meet the following specifications:

(a) Paper stock shall be strong enough to adapt to special gumming and porous enough to accept waterproofing and fine registration (when emblem will be subjected to various moistures).

(i) For labels and other similar devices, paper stock shall be at least equal to 60 pound, coated, litho, pressure sensitive stock.

(ii) For tags and other similar devices, paper stock shall be at least equal in quality to coated, rope fiber stock of .015 inch in thickness.

(b) Gumming shall be all-purpose, permanent, pressure sensitive, quick tack with ability to cohere to various surfaces, including rough paper and wood, polyethylene, glass, and similar materials, under various conditions for a prolonged period of time and of a strength which will prevent separation of gum from its bonding surface without defacing the bonded material. When used to apply a material directly to surface of a product, whether surface is edible or disposable, gumming shall also be nontoxic.

(c) Waterproofing shall be used to prevent permeation by various moistures if emblem shall be subjected to moistures while attached to a product moving through normal marketing channels.

Waterproofing shall be accomplished through over-varnishing with a nontoxic lacquer or equivalent material or equivalent waterproofing process.

(d) Radiant ink is preferred whenever feasible.

(e) Tags and other similar nonadhesive devices bearing the emblem shall be attached to, affixed or placed upon crates, cartons, packages, or other containers in a manner making unwarranted removal without defacement impractical.

(9) Penalties: Any unauthorized printing, use, or disposition of emblem or packaging material bearing the emblem shall be subject to penalty by cancellation of permit to manufacture or use the emblem or packaging material bearing the emblem, and to other penalties as prescribed in the law.

(10) Definitions. As used in this rule:

(a) "Agricultural product(s) grown, packed, and processed within this state" means a product(s) of agricultural origin which, itself or major components, attained final state through a period of growth generally associated with the development of the product, has been packed and/or processed within the state.

(b) "Department" means the Michigan department of agriculture.

(c) "Director" means the state director of agriculture.

(d) "Emblem" means the official "Michigan seal of quality" emblem.

(e) "Emblem user" means any person qualified to use the emblem through official written agreement with the department.

(f) "Growth" means an increase in cell size and/or number of cells of a living organism which results in an increase in volume and weight.

(g) "Person" means individuals, partnerships, trusts, associations, corporations, and any and all other business units, devices, and arrangements, or receiver, trustee or assignee of such business units.

(h) "Product(s)" means agricultural product(s) grown, packed, and processed within this state.

History: 1979 AC.