

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI



Mr. John Tillson, Director  
Consumer Protection Division  
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Specific Legal Authority Authorizing the promulgation of Rule:

Miss. Code Ann. §69-1-18(2)(a)

Reference to Rules repealed, amended or suspended by the Proposed Rule: Retail Food Store Regulation-Rule 1.0, Sanitation Requirements (amended); Rule 1.1, Additions and Exclusion from the 2001 Food Code (new rule)

Date Rule Proposed: March 14, 2006

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:**

Clarifies that the Department follows the 2001 Food Code as its sanitation requirements and not the current or 2005 Food Code. Regulation 1.1 clarifies the definition of a food establishment under the laws as one that requires, among other things, a fee exchanged for the food. Further Regulation 1.1 notifies establishments that the Department's enforcement procedures are contained in Regulation Five and that the Department does not use the similar procedures in the Food Code

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date:

Time:

Place:

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

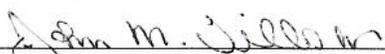
This rule as adopted is without variance from the proposed rule.

This rule as adopted is differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:  
Within the scope of the matter in the notice of proposed rule adoption,  
The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted response thereto, and  
The Notice of Proposed rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: May 10, 2006

  
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John Tillson, Director of Consumer Protection

SOS FORM APA 002  
Effective Date 01/07/2005