

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI

**Mr. John Tillson, Director
Consumer Protection Division
MDAC
P.O. Box 1609
Jackson, MS 39215
601-359-1148
JohnT@mdac.state.ms.us**

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Reference to Rules repealed, amended or suspended by the Proposed Rule: Retail Food Store Regulation-Rule 1.0, Sanitation Requirements (amended):

Date Rule Proposed: May 30, 2006

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

The Department adopts the current *Food Code* rather than the earlier 2001 version. The effect of the rule is that the Department will follow the current *Food Code* as its sanitation regulation as soon as each version is promulgated by the FDA.

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 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: July 30, 2006
s/John Tillson

**John Tillson, Director of Consumer Protection
MDAC**