

**NOTICE OF RULE ADOPTION—FINAL RULE**

**STATE OF MISSISSIPPI**

**DEPARTMENT OF AGRICULTURE AND COMMERCE**

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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**Reference to Rules repealed, amended or suspended by the  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:**

MDAC Rules: Subpart 4-Bureau of Regulatory Services  
Chapter 01-Retail Food Sanitation  
Section 100-“Sanitation Requirements”

**Date Rule Proposed:** September 15, 2008

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:** The purpose is to require retail food establishments to post the inspection summary result of the department’s inspection in a prominent location for consumers to see, thereby establishing a consumer-friendly method of informing the public of the retail food store’s last inspection. In accordance with the purpose, the department establishes 4 color-coded inspection summary results: Green, “Passed;” “Green, “Conditional Pass;” Yellow or Red, as set out in this regulation. The attached rule differs from the proposed rule based on comments submitted to the Department.

**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:** December 17, 2008

s/Lester Spell, D.V.M.

**Commissioner**