



NOTICE OF PROPOSED RULE ADOPTION
STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
OFFICE OF MARINE FISHERIES

c/o Michaela Hill
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Specific Legal Authority authorizing the promulgation of Rule:
Mississippi Code Ann. § 49-15-15, Administrative Procedures Act, §
25-43-1.101 et seq.

Reference to Rules repealed, amended or suspended by the
Proposed Rule: No rules have been repealed or suspended.
Proposed change to Title 22 Part 17, Chapter 11 Section 100.07,
On packages of fresh shucked oyster product of less than sixty-four
(64) fluid ounces labeling would change from the "SELL BY"
requirement of fourteen (14) days to the ISSC requirement of
"SELL BY" or "BEST IF USED BY" followed by a reasonable
date when the product would be expected to reach the end of its
shelf-life.

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: TITLE 22 - MISSISSIPPI DEPARTMENT OF
MARINE RESOURCES PART 17 REGULATION OF SHELLFISH LANDING, UNLOADING, TRANSPORTING, PROCESSING, BUYING,
SELLING, OPENING, AND OTHER SHELLFISH RELATED ACTIVITIES IN THE STATE OF MISSISSIPPI. Proposed change to Title 22
Part 17, Chapter 11 Section 100.07, On packages of fresh shucked oyster product of less than sixty-four (64) fluid ounces labeling would change
from the "SELL BY" requirement of fourteen (14) days to the ISSC requirement of "SELL BY" or "BEST IF USED BY" followed by a
reasonable date when the product would be expected to reach the end of its shelf-life.

This rule is proposed as a X Final Rule, and/or a [ ] Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address.
Persons making comments should include their name and address, as well as other contact information, and if you are an
agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

[ ] An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least
\_\_\_ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as
other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

XX An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written
request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to
the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should
include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and
telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

X The agency has determined that an economic impact statement is not required for this rule, or
This proposed change does not constitute a "significant amendment" and the estimated economic impacts are less than \$100,000.

[ ] The concise summary of the economic impact statement required is attached.

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

Date Rule Proposed: November 18, 2008

Proposed Effective Date of Rule: January 1, 2009

[Signature]
William W. Walker, Ph.D. MDMR Executive Director
Signature and Title of Person Submitting Rule for Filing