



NOTICE OF RULE ADOPTION—TEMPORARY RULE

STATE OF MISSISSIPPI

DEPARTMENT OF AGRICULTURE AND COMMERCE

Mr. John Tillson, Director
Consumer Protection Division
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Specific Legal Authority authorizing the promulgation of Rule: §69-1-18
Reference to Rules repealed, amended or suspended by the Temporary Rule: new rule

Date Rule Proposed: April 1, 2009

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

The Department entered into an MOU with the Health Department wherein it undertook responsibility for the retail sanitation of mobile vehicles selling frozen desserts. This rule sets out the sanitation requirements for mobile vendors of frozen desserts.

The Agency finds that an imminent peril to the public health safety or welfare requires the adoption of a rule upon fewer than twenty-five (25) days notice. The Agency Rule Making Record for this temporary 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:

[X] An oral proceeding was not held on this rule.

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

[] This rule as adopted is without variance from the proposed temporary rule.

[] This rule as adopted is differs from the proposed temporary 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 temporary 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 Temporary Rule including the text of any rule being amended or changed is attached.

Effective Date of RULE: April 1, 2009

Rickey Gray, Deputy Commissioner