



NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI

DEPARTMENT OF AGRICULTURE AND COMMERCE

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

Specific Legal Authority authorizing the promulgation of Rule: 2009 SB 2937, Section 7

Reference to Rules repealed, amended or suspended by the Proposed Rule: The rule repeals the current regulations for Country of Origin Labeling for Meat Products, Subpart 4, Chapter 06, Sections 100-104 and adopts Country of Origin Labeling, Subpart 4, Chapter 06, Sections 100-104

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

The 2009 Legislature passed the MS Country of Origin Labeling Law ("COOL") to become effective on the date that the Federal COOL became effective. On March 16, 2009, the Federal Law became effective. The attached regulations set out the requirements for the State COOL law. Specifically, the Department proposes to adopt the federal regulations supporting the Federal COOL law with the exception of one section defining the term "retailer." The Department sets out its definition of "retailer" in accordance with the State Law's definition in this proposed regulation. Furthermore and pursuant to the State COOL law, the Department has entered into an agreement with the United States Dept. of Agriculture wherein the MS Dept of Ag will perform retail reviews under the Federal COOL.

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxes 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: _____ Time: _____
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 _____ days 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.

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)

The agency has determined that an economic impact statement is not required for this rule, or

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: October 13, 2009

Proposed Effective Date of Rule: December 10, 2009

Rickey Gray, Deputy Commissioner