SOS APA Form 001

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER	
MS Department of Agriculture & Commerce		John Tillson	601-359-1100	
ADDRESS		CITY	STATE	ZIP
P.O. Box 1609		Jackson	MS	39215 -1609
EMAIL	SUBMIT DATE	Name or number of rule(s):		
JohnT@mdac.state.ms.us	March 14, 2011	"Retail Sale of Fresh and Frozen Fish, Meat, Poultry and any Other Potentially Hazardous Foods, with the Exclusion of Seafood and Frozen Desserts, from Mobile Vehicles." Section 103 of the Rules of Retail Food Store Sanitation, MDAC Rules, Subpart 4, Chapter 01		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The purpose is to clarify what a "refrigerated vehicle" is under this law.
Specific legal authority authorizing the promulgation of rule: Miss. Code Ann.§69-1-18(2)(a) (2005)

List all rules repealed, amended, or suspended by the proposed rule: Subsections 103.01 and 103.02.

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more 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, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing	**Action proposed:**	**Date Proposed Rule Filed:** February 14, 2011
_____ Renewal of effectiveness	_____ New rule(s)	**Action taken:**
To be in effect in _____ days	_____ Amendment to existing rule(s)	x Adopted with no changes in text
Effective date:	_____ Repeal of existing rule(s)	_____ Adopted with changes
_____ Immediately upon filing	_____ Adoption by reference	_____ Adopted by reference
_____ Other (specify): _____	**Proposed final effective date:**	_____ Withdrawn
	_____ 30 days after filing	_____ Repeal adopted as proposed
	_____ Other (specify): _____	**Effective date:**
		x 30 days after filing
		_____ Other (specify): _____

Printed name and Title of person authorized to file rules: Commissioner Lester Spell, Jr., D.V.M.

Signature of person authorized to file rules: Lester Spell, Jr. DVM

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED MAR 14 2011 MISSISSIPPI SECRETARY OF STATE
Accepted for filing by	**Accepted for filing by**	**Accepted for filing by** CB17607E

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