

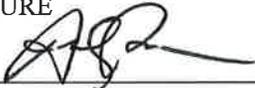


DELBERT HOSEMANN  
Secretary of State

**ECONOMIC IMPACT STATEMENT**

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A **PDF** document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME MS Dept. of Agriculture & Commerce	CONTACT PERSON Adam Choate	TELEPHONE NUMBER (601)359-1116
ADDRESS P.O. Box 1609	CITY Jackson	STATE MS
EMAIL Adam@mdac.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Amendment and Revision to Retail Food Store Sanitation Requirements	
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. 69-1-18	Reference to Rules repealed, amended or suspended by the Proposed Rule: Rule 100.01 of Chapter 01, Retail Food Store Sanitation Regulations	

SIGNATURE 	TITLE Deputy Commissioner, MS Dept. of Agriculture & Commerce
DATE 9/4/2014	PROPOSED EFFECTIVE DATE OF RULE 10/31/2014

1. Describe the need for the proposed action: The purpose of this amendment is to adopt the most recent version of the FDA Food Code, the 2013 FDA Food Code, to replace and supersede the Food Code currently being used by the Department, the 2005 FDA Food Code. The 2013 version represents FDA's best advice for a uniform system of provisions that address the safety and protection of food offered at retail and in food service.
2. Describe the benefits which will likely accrue as the result of the proposed action: Many changes have occurred in the areas of food safety, food science, and consumer protection since the 2005 version was released. The 2013 version is a more up-to-date means to prevent foodborne illness and injury and to eliminate the most important food safety hazards in retail and foodservice facilities.
3. Describe the effect the proposed action will have on the public health, safety, and welfare: The proposed action will positively affect public health, safety, and welfare by safeguarding public health and ensuring food is unadulterated and honestly presented when offered to the consumer.
4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: Nominal.

5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: Cost is nominal and Economic Benefit is substantial.
6. Provide an analysis of the impact of the proposed rule on small business: Minimal
- a. Identify and estimate the number of small businesses subject to the proposed regulation: 2,200
  - b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record: Our agency needs to print 13 copies for our inspectors. Nothing else will change.
  - c. State the probable effect on impacted small businesses: Minimal.
  - d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis: None
    - i. The establishment of less stringent compliance or reporting requirements for small businesses;
    - ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
    - iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
    - iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
    - v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations:
7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: The costs of adopting are nominal, while the benefits to the public will be substantial. There are no costs to not adopting the amended rule, but there will also be no benefits.
8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law: None
9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: None
10. State reasons for rejecting alternative methods that were described in #9 above: N/A
11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: FDA, MDAC files.