

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

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Board of Animal Health		CONTACT PERSON Dr. James Watson	TELEPHONE NUMBER 601.359.1170	
ADDRESS P.O. Box 3889		CITY Jackson	STATE MS	ZIP 39207
EMAIL <a href="mailto:jimw@mdac.ms.gov">jimw@mdac.ms.gov</a>	SUBMIT DATE 9/22/15	Name or number of rule(s): Catastrophic Loss of Poultry		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Disposal of dead poultry in cases of catastrophic loss.

Specific legal authority authorizing the promulgation of rule: *Miss. Code Ann.* §69-15-3

List all rules repealed, amended, or suspended by the proposed rule: Subpart 2, Ch. 13, §105.09

**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 _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: James A. Watson, DVM, State Veterinarian

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by  #21538	Accepted for filing by

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



DELBERT HOSEMAN  
Secretary of State

**CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT**

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Board of Animal Health	CONTACT PERSON De. James Watson	TELEPHONE NUMBER 601.359.1170
ADDRESS P.O. Box 3889	CITY Jackson	STATE MS
EMAIL jimw@mdac.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Catastrophic Loss of Poultry	
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. §69-15-3	Reference to Rules repealed, amended or suspended by the Proposed Rule: Subpart 2, Ch. 13, §105.09	

**A. Estimated Costs and Benefits**

1. Briefly summarize the benefits that may result from this regulation and who will benefit:  
Response: Having a pre-identified mass mortality disposal plan for each poultry grower will allow for better planning and utilization of resources during a disease outbreak or natural disaster..
2. Briefly describe the need for the proposed rule:  
Response: The ability to rapidly dispose of dead carcasses that result from disease outbreak or disasters help stop spread of disease and protects the public health. It is also important to protect the environment by properly disposing of carcasses.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:  
Response: This rule will result in the pre-identification of burial sites that might be needed as a result of mass mortality due to disease or natural disasters. The disposal site will be evaluated for factors such as soil type, depth of water table, topography and distance from structures or property lines. This will assure minimal effects on public health issues such as water contamination that might occur from improper burial practices.
4. Estimated Cost of implementing proposed action:
  - a. To the agency  
 Nothing    Minimal    Moderate    Substantial    Excessive
  - b. To other state or local government entities  
 Nothing    Minimal    Moderate    Substantial    Excessive
5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
  - c. Cost:  
 Nothing    Minimal    Moderate    Substantial    Excessive
  - d. Economic Benefit:  
 Nothing    Minimal    Moderate    Substantial    Excessive

6. Estimated impact on small businesses:

Nothing  Minimal  Moderate  Substantial  Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: 1400
- b. Projected costs for small businesses to comply: 0
- c. Statement of probable effect on impacted small businesses: 0

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

substantially less than  moderately less than  minimally less than  
 the same as  minimally more than  moderately more than  
 substantially more than  excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

substantially less than  moderately less than  minimally less than  
 the same as  minimally more than  moderately more than  
 substantially more than  excessively more than

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B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

yes  no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

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C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form. NA

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D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

Response: Contact the State Veterinarian's office at 121 N. Jefferson St., Jackson, MS 39201 or email to jimw@mdac.ms.gov.

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SIGNATURE

x

DATE  
9/22/15

TITLE  
State Veterinarian

PROPOSED EFFECTIVE DATE OF RULE  
11/19/15