

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

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	ZIP 39215 -1609
EMAIL Adam@mdac.ms.gov	SUBMIT DATE 3/4/2016	Name or number of rule(s): MDAC Rules Subpart 4, Chapter 01, Sections 100.02 and 100.03		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Amendments to Department Inspections; Public Notification of Inspection Results in Sections 100.02 & 100.03 of the Retail Food Sanitation Requirements.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. 69-1-18

List all rules repealed, amended, or suspended by the proposed rule: MDAC Rules Subpart 4, Chapter 01, Section 100.02, 100.03

ORAL PROCEEDING:

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

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

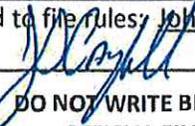
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) 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.

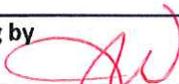
ECONOMIC IMPACT STATEMENT:

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

Printed name and Title of person authorized to file rules: John Campbell, Deputy Commissioner of Agriculture

Signature of person authorized to file rules: 

<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>DO NOT WRITE BELOW THIS LINE</p> <p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; padding: 10px;"> <p align="center">FILED</p> <p align="center">MAR 04 2016</p> <p align="center">MISSISSIPPI</p> <p align="center">SECRETARY OF STATE</p> </div> <p>Accepted for filing by </p> <p>#21815</p>	<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
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 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 Amendments to Department Inspections; Public Notification of Inspection Results in Sections 100.02 & 100.03 of the Retail Food 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: N/A	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:
These regulation amendments will benefit the consumers and retail shoppers of Mississippi. The amendments will help consumers to understand retail food establishment inspections better.
2. Briefly describe the need for the proposed rule:
First of all, there are some typos in the current regulations. Second, the placard system needs to be updated in a way that is helpful and more informative to consumers.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:
The amendments will allow the regulations to be more reflective of Department inspections. They will allow consumers to be more aware of the most recent inspections.
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: 2500
- b. Projected costs for small businesses to comply: \$0.00.
- c. Statement of probable effect on impacted small businesses: This will have little impact on small businesses because the amendments will not materially change the regulations that they are already subject to.

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

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.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form. These amendments were mostly about cleaning up current regulations and making the placard system more friendly for consumers.

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?

Written views on the rule may be submitted to the attention of the Regulatory Director at the Department; P.O. Box 1609; Jackson, MS 39215. The Department will conduct an oral proceeding on this rule if requested by a political subdivision, an agency or ten (10) persons in writing within twenty (20) days after the filing of the notice of the proposed rule.

SIGNATURE 	TITLE Deputy Commissioner, MS Dept. of Agriculture & Commerce
DATE 3/4/2016	PROPOSED EFFECTIVE DATE OF RULE 4/30/2016