

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

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi Department of Agriculture & Commerce		CONTACT PERSON Adam Choate	TELEPHONE NUMBER (601) 359-1154	
ADDRESS P.O. Box 1609		CITY Jackson	STATE MS	ZIP 39215 -1609
EMAIL <a href="mailto:Adam@mdac.ms.gov">Adam@mdac.ms.gov</a>	SUBMIT DATE 7/1/2019	Name or number of rule(s): Title 2, Part 1, Subpart 4, Chapter 07, Subchapter 01, Sections 112.01-05		

**Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal:**

To prevent Mississippi consumers from being confused by misleading or deceptive claims on non-meat packaging labels.

**Specific legal authority authorizing the promulgation of rule:** *Miss. Code Ann. §75-33-5; 75-35-3; 75-35-15; 75-35-23*

**List all rules repealed, amended, or suspended by the proposed rule:** none; this is a new rule

**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> <input checked="" type="checkbox"/> New rule(s) _____ 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: Brian Perry, Chief of Staff

Signature of person authorized to file rules: 

<b>OFFICIAL FILING STAMP</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	DO NOT WRITE BELOW THIS LINE <b>OFFICIAL FILING STAMP</b> <div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>#24203</u> 	<b>OFFICIAL FILING STAMP</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____
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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 Mississippi Department of Agriculture & Commerce	CONTACT PERSON Adam Choate	TELEPHONE NUMBER (601) 359-1154	
ADDRESS: P.O. Box 1609	CITY Jackson	STATE MS	ZIP 39215-1609
EMAIL <a href="mailto:Adam@mdac.ms.gov">Adam@mdac.ms.gov</a>	DESCRIPTIVE TITLE OF PROPOSED RULE Labeling of Plant-Based Foods, Insect-Based Foods, and Cell-Cultured Foods		
Specific Legal Authority Authorizing the promulgation of Rule: <i>Miss. Code Ann. §75-33-5; 75-35-3; 75-35-15; 75-35-23</i>	Reference to Rules repealed, amended or suspended by the Proposed Rule: Title 2, Part 1, Subpart 4, Chapter 07, Subchapter 01, Sections 112.01-.05		

**A. Estimated Costs and Benefits**

1. Briefly summarize the benefits that may result from this regulation and who will benefit:  
Consumers benefit from the labeling of plant-based, insect-based, and cell-cultured foods. The rule will help consumers better identify foods.
2. Briefly describe the need for the proposed rule: The main reason for adopting the proposed rule is to inform consumers at the final point of sale of what they are purchasing or eating.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:  
The Department does not foresee that the proposed action will have a negative effect on public health, safety, and welfare.
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: 150
  - b. Projected costs for small businesses to comply: \$0
  - c. Statement of probable effect on impacted small businesses:

Minimal.

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**

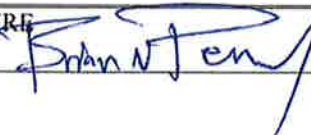
1. Please briefly describe the data and methodology you used in making the estimates required by this form. MDAC files

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**D. Public Notice**

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 MS Department of Agriculture & Commerce; 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.

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SIGNATURE 	TITLE Chief-of-Staff
DATE 7/1/2019	PROPOSED EFFECTIVE DATE OF RULE 9/1/2019

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