

By: Representatives Morgan, Flaggs

To: Public Health and Human Services

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 486

1 AN ACT TO AMEND SECTION 41-3-18, MISSISSIPPI CODE OF 1972, TO  
2 EXEMPT PERSONS WHO MAKE INFREQUENT CASUAL SALES OF HONEY AND WHO  
3 PACK OR SELL LESS THAN FIVE HUNDRED GALLONS OF HONEY PER YEAR FROM  
4 INSPECTION BY THE STATE DEPARTMENT OF HEALTH UNLESS REQUESTED BY  
5 THE PRODUCER; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 41-3-18, Mississippi Code of 1972, is  
8 amended as follows:

9 41-3-18. (1) The board shall assess fees in the following  
10 amounts and for the following purposes:

11 (a) Food establishment annual permit fee, based on the  
12 assessment factors of the establishment as follows:

13	Assessment Category 1.....	\$ 30.00
14	Assessment Category 2.....	100.00
15	Assessment Category 3.....	150.00
16	Assessment Category 4.....	200.00

17 (b) Private water supply approval fee.....\$ 10.00

18 The board may develop such reasonable standards, rules and  
19 regulations to clearly define each assessment category.

20 Assessment categories shall be based upon the factors to the  
21 public health implications of the category and type of food  
22 preparation being utilized by the food establishment, utilizing  
23 the model Food Code of 1995, or as may be amended by the federal  
24 Food and Drug Administration.

25 (2) The fee authorized under subsection (1) (a) of this  
26 section shall not be assessed for:

27 (a) Food establishments operated by public schools,  
28 public junior and community colleges, or state agencies or



29 institutions, including, without limitation, the state  
30 institutions of higher learning and the State Penitentiary; and  
31 (b) Persons who make infrequent casual sales of honey  
32 and who pack or sell less than five hundred (500) gallons of honey  
33 per year, and those persons shall not be inspected by the State  
34 Department of Health unless requested by the producer.

35 (3) The fee authorized under subsection (1)(b) of this  
36 section shall not be assessed for private water supplies used by  
37 foster homes licensed by the Department of Human Services.

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39 **SECTION 2.** This act shall take effect and be in force from  
40 and after July 1, 2009.

