

By: Representatives Pigott, Carpenter, Ford (54th), Ford (73rd), Keen, Ladner, Mangold, Mansell, Mattox, Morgan, Scoggin, Shanks, Tubb, Wallace

To: Agriculture

HOUSE BILL NO. 1304

1 AN ACT TO AMEND SECTION 69-1-23, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSIONER OF AGRICULTURE AND COMMERCE TO ADOPT
3 RULES AND REGULATIONS TO PROVIDE FOR THE GRADING, BY AN OFFICIAL
4 INSPECTOR, OF ANY GRAIN SUBMITTED FOR SALE AT ANY ELEVATOR OR
5 GRAIN DEALER BY A GRAIN PRODUCER; TO REQUIRE THE MISSISSIPPI
6 DEPARTMENT OF AGRICULTURE AND COMMERCE TO ADOPT RULES GOVERNING
7 THE STANDARDS FOR SAMPLING AND GRADING GRAIN THAT ARE CONSISTENT
8 WITH THE STANDARDS FOR SAMPLING AND GRADING GRAIN DEVELOPED BY THE
9 UNITED STATES DEPARTMENT OF AGRICULTURE; TO REQUIRE THE DEPARTMENT
10 TO CERTIFY GRAIN DEALERS AND COURSES OF INSTRUCTION IN SAMPLING
11 AND GRADING GRAIN; TO PROVIDE FOR THE ISSUANCE OF CERTIFICATE FOR
12 INDIVIDUALS CONDUCTING COURSES IN SAMPLING AND GRADING GRAIN; AND
13 FOR RELATED PURPOSES.

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

15 **SECTION 1.** Section 69-1-23, Mississippi Code of 1972, is
16 amended as follows:

17 69-1-23. (1) For purposes of this section, the following
18 terms shall have the meanings ascribed in this section unless the
19 context clearly requires otherwise:

20 (a) "Commissioner" means the Commissioner of
21 Agriculture and Commerce.

22 (b) "Department" means the Mississippi Department of
23 Agriculture and Commerce.



24 (c) "Grain dealer" means any person engaged in the
25 business of buying grain from producers thereof for resale or for
26 milling or processing. A producer of grain buying grain for his
27 own use as seed or feed shall not be considered as being engaged
28 in the business of buying grain for resale or for milling or
29 processing.

30 (d) "Person" means any person, firm, association or
31 corporation.

32 (e) "Producer" means a farmer who grows grain and
33 delivers to a grain dealer.

34 (* * *2) The Mississippi Department of Agriculture and
35 Commerce is hereby designated as the official inspection agency
36 within the State of Mississippi, or for a company domiciled in the
37 State of Mississippi, to certify to producers, shippers, and other
38 financially interested parties the grade, quality, or condition of
39 grain crops. Grain crops for the purpose of this chapter shall be
40 those crops for which standards have been established under the
41 United States Grain Standards Act; namely, wheat, oats, corn,
42 barley, rye, flaxseed, soybeans, grain sorghum, and mixed grains
43 and other crops for which standards may hereafter be established.

44 (* * *3) The Mississippi Department of Agriculture and
45 Commerce shall have the sole authority to recommend to the United
46 States Department of Agriculture the licensing of inspectors for
47 the purpose of carrying out the inspection, grading and
48 certification of grain inspection under the United States



49 Department of Agriculture Grain Standards Act, except that those
50 persons already licensed as of this date under any other authority
51 may continue to operate in their respective designated areas.

52 (* * *4) Within the parameters of his or her authority to
53 administer the provisions of subsection (5) the Commissioner of
54 Agriculture and Commerce shall adopt rules and regulations to
55 provide that any grain producer, submitting grain for sale at any
56 elevator or grain dealer in the state, shall be entitled to have
57 that grain graded by an official inspector. The grain producer
58 shall be responsible for and shall pay the cost of grading such
59 sample.

60 (5) (a) The Mississippi Department of Agriculture and
61 Commerce shall adopt rules governing the standards for sampling
62 and grading grain which are consistent with the standards for
63 sampling and grading grain developed by the United States
64 Department of Agriculture.

65 (b) The department or its designee shall certify:

66 (i) Grain dealers that employ grain samplers and
67 graders; and

68 (ii) Courses of instruction in the methods of
69 sampling and grading grain.

70 (c) The department or its designee shall issue a
71 certificate to a grain dealer who conducts a course of instruction
72 for sampling and grading grain that is satisfactory to the
73 department.



74 **SECTION 2.** This act shall take effect and be in force from
75 and after July 1, 2024.

