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Chapter No. 470
11/SS01/R1030SG
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SENATE BILL NO. 2914

Originated in Senate *Stewart Byrnes* Secretary

SENATE BILL NO. 2914

AN ACT TO PROHIBIT A RESTAURANT FROM MISREPRESENTING THE COUNTRY OF ORIGIN OF SHRIMP AND CRAWFISH; TO PROVIDE A PENALTY FOR VIOLATIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) No owner or manager of a restaurant that sells imported crawfish or shrimp shall misrepresent to the public, either verbally, on a menu, or on a sign displayed on the premises, that the imported crawfish or shrimp is domestic.

(2) A restaurant may designate a shrimp or crawfish as having a United States country of origin if:

(a) The farm-raised shrimp or crawfish is hatched, raised, harvested and processed in the United States; or

(b) The wild shrimp or crawfish is harvested in the waters of the United States, a state or a territory of the United States and processed in the United States, a state or a territory of the United States.

(3) (a) The Commissioner of Agriculture and Commerce and the Attorney General shall regulate restaurants under this section.

(b) The commissioner shall notify, in writing, any restaurant violating this section and shall give the owner or manager three (3) days to correct the violation. No penalties under this section shall apply to any owner or manager that corrects the violation within three (3) days from the date notified by the commissioner.

(4) In addition to any other civil or criminal penalties, any person who violates this section or who otherwise

misrepresents imported crawfish or shrimp as domestic may be punished by a fine of not more than One Thousand Dollars (\$1,000.00). For a second offense, a person may be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). For any subsequent violations, a person may be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by having the license for the restaurant suspended indefinitely or until the restaurant has corrected the violation, or both. Any person against whom a complaint is made or who has been made subject to a fine or license suspension as provided by this subsection may avail themselves of a due process administrative hearing as provided by Section 69-7-616.

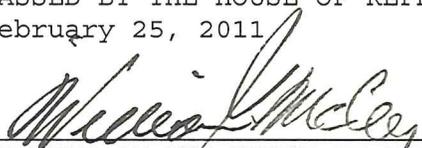
SECTION 2. This act shall take effect and be in force from and after July 1, 2011.

PASSED BY THE SENATE
February 8, 2011



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
February 25, 2011



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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