

** Current through the 2013 Regular Session and 1st and 2nd Extraordinary Sessions ***

TITLE 69. AGRICULTURE, HORTICULTURE, AND ANIMALS
CHAPTER 7. MARKETS AND MARKETING; DOMESTIC FISH FARMING
ARTICLE 13. CATFISH MARKETING

Miss. Code Ann. § 69-7-605 (2013)

§ 69-7-605. Definitions

For purposes of this article, the following terms shall have the meaning ascribed herein unless the context otherwise requires:

(a) "Capable of use as human food" means and shall apply to any catfish or part or product thereof unless it is denatured or otherwise identified as required by regulations prescribed by the commissioner to deter its use as human food, or unless it is naturally inedible by humans.

(b) "Catfish" means any species within the family Ictaluridae.

(c) "Commissioner" means the Commissioner of Agriculture and Commerce of the State of Mississippi.

(d) "Direct retail sale" means the sale of catfish products individually or in small quantities directly to the consumer.

(e) "Distributor" means any person offering for sale, exchange or barter any catfish product destined for direct retail sale in the State of Mississippi.

(f) "Farm-raised Catfish" means the catfish product has been specifically produced in fresh water according to the usual and customary techniques of commercial aquaculture and includes fillets, steaks, nuggets and any other flesh from a "Farm-raised Catfish."

(g) "Fish" means species of fish similar to catfish in the families of Siluridae, Clariidae and Pangasiidae.

(h) "Food service establishment" means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge or other similar facility operated as an enterprise engaged in the business of selling food to the public.

(i) "Label" means a display of written, printed or graphic matter upon or affixed to the container in which a catfish product is offered for direct retail sale.

(j) "Labeling" means all labels and other written, printed or graphic matter upon a catfish product, or any of its containers or wrappers, offered for direct retail sale.

(k) "Menu" means any listing of food and beverage options for a diner or customer to select from regardless of its form.

(l) "Pay pond" means a circumscribed body of water owned by a person and operated solely for recreational fishing purposes on a commercial basis for profit.

(m) "Person" includes any individual, partnership, corporation and association or other legal entity.

(n) "Processor" means any person engaged in handling, storing, preparing, manufacturing, packing or holding catfish products.

(o) "Producer" means any person engaged in the business of harvesting catfish, by any method, intended for direct retail sale.

(p) "Product" means any catfish product capable of use as human food which is made wholly or in part from any catfish or portion thereof, except products which contain catfish only in small proportions or historically have not been, in the judgment of the commissioner, considered by consumers as products of the United States commercial catfish industry and which are exempted from definition as a catfish product by the commissioner under such conditions as he may prescribe to assure that the catfish or portions thereof contained therein are not adulterated and that such products are not represented as catfish products.

(q) "Product name" means the name of the catfish item intended for retail sale which identifies it as to kind, class or specific use.

(r) "Retailer" means any person offering for sale catfish products to individual consumers and representing the last sale prior to human consumption and includes food service establishments unless otherwise stated herein.

(s) "River or Lake Catfish" means the catfish product has been produced in a freshwater lake, river or stream but has not been produced according to the usual and customary techniques of commercial aquaculture.

(t) "Wholesaler" means any person offering for sale any catfish product destined for direct retail sale in the State of Mississippi.

HISTORY: SOURCES: Laws, 1975, ch. 308, § 3, eff 180 days from and after passage (approved February 14, 1975); Laws, 2002, ch. 506, § 1; Laws, 2004, ch. 377, § 1; Laws, 2008, ch. 449, § 2; reenacted without change, Laws, 2010, ch. 304, § 4, eff from and after passage (approved Feb. 17, 2010.)