

Subpart 2-Administrative Rules
Chapter 05- Genuine Mississippi Program Guidelines

Title and Purpose

100 The Mississippi Agricultural Promotions Program shall operate under the title/logo *Genuine Mississippi* for the purpose of increasing consumer awareness and expanding markets for Mississippi’s agricultural products.
(Adopted August 25, 2011; Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-9.

Program Administration

101 In accordance with *Mississippi Code Annotated* §§ 69-45-1 *et seq.*, the Mississippi Department of Agriculture and Commerce Market Development Division (“the Division”) shall determine and register willing and qualifying companies, organizations, groups, and individuals to become members of the program.
(Adopted August 25, 2011; Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-9.

Eligibility Requirements

102 Genuine MS applicants must meet or exceed all membership criteria within one of the following membership classifications. Applicants may qualify for multiple classifications depending on the nature of the products.

1. Genuine MS Grown

- A. Genuine MS Grown products may include, but are not limited to:
 - (1) Grains, Grasses, Fiber
 - (2) Produce
 - (3) Horticulture
 - (4) Nuts
 - (5) Timber
- B. Only products grown in Mississippi may qualify for Genuine MS Grown and display the Genuine MS Grown logo.
- C. Members and their products must comply with all federal, state, and local laws and regulations.
- D. Processed products must be processed in a Mississippi facility, unless granted written permission by the Genuine MS program manager.
- E. Genuine MS Grown members must have at least one (1) business office or farming operation in Mississippi.

2. Genuine MS Raised

- A. Genuine MS Raised products may include, but are not limited to:
 - (1) Meat Products (Beef, Pork, Poultry, Specialty)
 - (2) Aquaculture
 - (3) Seafood
 - (4) Dairy
 - (5) Bees and Honey
 - (6) Eggs
 - (7) Livestock and Poultry
- B. Only products raised in Mississippi may qualify for Genuine MS Raised and display the Genuine MS Raised logo.
- C. Members and their products must comply with all federal, state, and local laws and regulations.
- D. Processed products must be processed in a Mississippi facility, unless granted written permission by the Genuine MS program manager.
- E. Seafood must be wild-caught from the Gulf of Mexico and come through a MS port/dock.
- F. Genuine MS Raised members must have at least one (1) business office or farming operation in Mississippi.

3. Genuine MS Crafted

- A. Genuine MS Crafted products may include, but are not limited to:
 - (1) Specialty Foods and Beverages
 - (2) Artisan Products
 - (3) Pet Food and Pet Items
- B. Only products crafted by Mississippi companies using agricultural components and/or natural resources may qualify for Genuine MS Crafted and display the Genuine MS Crafted logo.
- C. Members and their products must comply with all federal, state, and local laws and regulations.
- D. Processed products must be processed in a Mississippi facility, unless granted written permission by the Genuine MS program manager.
- E. Genuine MS Crafted members must have at least one (1) business office or farming operation in Mississippi.

4. Genuine MS Made

- A. Genuine MS Made products include goods manufactured for the benefit of the agriculture industry.
- B. Only products in which 51 percent or more is manufactured in Mississippi may qualify for Genuine MS Made and display the Genuine MS Made logo.

- C. Members and their products must comply with all federal, state, and local laws and regulations.
- D. Final products must be manufactured at a Mississippi-based facility.
- E. Genuine MS Made members must have at least one (1) manufacturing facility in Mississippi.

5. Associate Membership

- A. Eligible businesses or organizations that support the Genuine MS program may qualify as an Associate Member. This classification includes, but is not limited to:
 - (1) Associations and institutions
 - (2) Restaurants
 - (3) Retailers
 - (4) Farmers Markets
 - (5) Agritourism Operations.
- B. In order for a restaurant to be eligible as an Associate Member, the restaurant must use Mississippi-sourced ingredients.
- C. In order for a retailer to be eligible as an Associate Member, the retailer must sell Genuine MS products.
- D. In order for a farmers market to be eligible as an Associate Member, the farmers market must consist of Mississippi farmers selling Mississippi agricultural products.
- E. Associate Membership in the Genuine MS program will be declined if the organization specifically attempts to disparage the mission and goals of the Genuine MS program.

(Adopted August 25, 2011; Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-9.

Membership Fee

- 103 A membership fee of \$75 is due upon application approval. This fee, which is due annually as part of the membership renewal, is used to market and promote Genuine MS members and their products.
(Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-11.

Application Process Requirements

- 104 Those interested in becoming a member of Genuine MS must complete and submit an application to the Division.

Review of Application and Member Registration

- A. Applications are subject to an approval process.

- B. The Division reserves the right to change any information provided on the member profile in order to comply with the Mississippi Department of Agriculture and Commerce policies. It is our policy of the Mississippi Department of Agriculture and Commerce not to display comments that: contain obscene, indecent, or profane language; contain threats or defamatory statements; contain hate speech directed at race, color, sex, sexual orientation, national origin, ethnicity, age, religion, or disability; or endorse services or products.

(Adopted August 25, 2011; Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-9.

Usage of Genuine MS Logo

- 105 The Genuine MS logo(s) can only be used by members of the program. Members must use the logo(s) in accordance to the specifications provided by the Division. The Genuine MS logo(s) can only be used on products that qualify for the program and on the products' marketing and point-of-sale materials. Marketing and point-of-sale materials do not include promotional merchandise and souvenirs. Products that are not grown, raised, crafted and/or made in Mississippi may not be shipped or sold in packages bearing the Genuine MS logo. Member profile and products are subject to continual review by the Division in order to certify the Mississippi origin of the products and appropriate use of the logo.

(Adopted August 25, 2011; Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-9.

Penalty

- 106 Any person, firm, partnership, corporation, or association who violates any provision herein, gives false information in the application process, misrepresents their certifications in the application process, or uses the Genuine MS logo on a product not registered with the Genuine MS program or not of Mississippi origin, shall be subject to a suspension of his/her authority to use the Genuine MS logo and can be expelled from the Genuine MS program. An applicant who is denied registration or member who is subject to suspension or expulsion from the Genuine MS program may request an administrative hearing. The request should be in writing and filed with the Mississippi Department of Agriculture and Commerce within twenty (20) days of the denial.

(Adopted August 25, 2011; Revised August 26, 2017).

Source: *Miss. Code Ann.* §69-45-9.