

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES AGRICULTURAL
COMMODITIES INSPECTION
ADMINISTRATIVE CODE

CHAPTER 80-1-22
FOODS, DRUGS AND COSMETICS

80-1-22-.39 Service On Food Safety Permittee Or Other Party.

(1) Service of any document required to be served on a food safety permittee or other party pursuant to the provisions of the Administrative Procedure Act in those contested cases, Code of Ala. 1975, §§41-22-1, et seq., taken under these rules may be made by any of the following methods unless a specific method is required by law:

- (a) by certified mail, return receipt requested; or
- (b) by any sheriff or another person authorized to make service of process in civil proceedings; or
- (c) by any representative of the Department of Agriculture and Industries; or
- (d) by any other method allowable under the Alabama Rules of Civil Procedure as such may be amended.

(2) If service of process is refused or unclaimed, and the certified mail receipt or the return of the person serving process so indicates, the Department may serve the document by first-class mail addressed to the permittee or other person at his last known address as shown in the Department records. Service shall be deemed complete three (3) days after the depositing of same in the United States mail.

(3) Where the rule does not require "service," documents may be mailed by first-class mail or hand-delivered.

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Statutory Authority: Code of Ala. 1975, §41-22-4.

History: **New Rule:** Filed November 15, 2000; effective December 20, 2000.