



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM
THE CAPITOL

October 15, 2014

Mr. Ken Plante
Coordinator
Joint Administrative Procedures Committee
111 W. Madison Street
Tallahassee, Florida 32399-1400

Re: Section 120.74(3), Florida Statutes, 2014 Annual Regulatory Plan

Dear Mr. Plante:

Pursuant to the requirements of Section 120.74(3), Florida Statutes, the Florida Department of Agriculture and Consumer Services (department) has prepared the enclosed regulatory plan identifying and describing each rule the agency proposes to adopt over the next twelve months, excluding emergency rules. The report has been posted on the department's website at: www.FreshFromFlorida.com/offices/general_counsel/docs/2014RegulatoryPlan.pdf.

The department's plan includes the proposal, amendment, or repeal of rules across the department's 14 Offices and Divisions. Some notable parts of the proposed plan include the development of rules for the Food Distribution Program for Schools, the adoption of Best Management Practices for Florida Dairy Operations, and the repeal of several obsolete and outdated rules. The department will also propose rules to implement newly enacted laws from the 2014 Legislative session.

The department takes its rulemaking responsibilities seriously and we strive to maintain an open dialogue with our regulated industries and others affected by our rules. The department will endeavor to continue to streamline our rules to eliminate regulatory duplication as well as remain committed to achieving government accountability to those we regulate and to the consumers of this state.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam H. Putnam".

Adam H. Putnam
Commissioner of Agriculture



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Division	Rule Number	Rule Title	Proposed Action	Description revisions to rule
Administration	5A-12.006	Informal Hearing Officer Qualifications	New	Minimum qualifications for Agency Informal Hearing Officers
Agricultural Environmental Services	5E-1.003	Labels or Tags	Amendment	Update Urban Turf portion of Rule
Agricultural Environmental Services	5E-1.012	Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement	Amendment	Amending the payment process to an electronic process; revising obsolete forms
Agricultural Environmental Services	5E-1.016	Commercial Values for Penalty Assessments	Amendment	Addition of sources and possible update of commercial values
Agricultural Environmental Services	5E-2.0105	Definitions	Amendment	Addition of two new definitions
Agricultural Environmental Services	5E-2.031	Pesticide Registration; Exemptions from Registration; Experimental Use Permits	Amendment	Implementation of Section 487.041(2)(j), F.S., requiring submission of applications and payment through the department's website and removal of obsolete forms.
Agricultural Environmental Services	5E-2.033	Organo-Auxin Herbicides: Restrictions and Prohibitions	Amendment	Amend the rule to comport with USEPA requirements for language describing minimum droplet size.
Agricultural Environmental Services	5E-2.040	Pesticide Active Ingredients Subject to Supplemental Registration Fee	Amendment	Amending the payment process to an electronic process
Agricultural Environmental Services	5E-2.043	Restrictions for the use of Allyl Isothiocyanate	New	Adding restrictions for the use of allyl isothiocyanate
Agricultural Environmental Services	5E-4.007	Commercial Tests	Amendment	Add reference to a form
Agricultural Environmental Services	5E-9.026	Procedures for Pesticide Applicator Certification, Licensure, and License Renewal	Amendment	Amending the certification, licensure and renewal process to an electronic process
Agricultural Environmental Services	5E-9.029	Procedures for Pesticide Applicator Recertification	Amendment	Amending the recertification process to an electronic process
Agricultural Environmental Services	5E-13.030	State Aid Basis and Availability	Amendment	Amend state aid distribution
Agricultural Environmental Services	5E-14.1025	Inspections and Investigations	New	Provide direction for routine inspections and incorporate reference forms
Agricultural Environmental Services	5E-14.117	Application for Examination for department Applicator Credentials	Amendment	Revising rule title and specifying what counts as a pest control "job" for purposes of determining the sufficiency of a certification applicant's experience.

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Division	Rule Number	Rule Title	Proposed Action	Description revisions to rule
Animal Industry	Chapter 5C-3	Importation of Animals	Amendment	Revising to ensure all division administrative actionable items are in compliance with federal traceability rule; review/update requirements for importation/movement of cervidae into/within Florida to current regulations, standards, tests and practices; and to update form revision dates, form numbers, form names, email and web addresses.
Animal Industry	Chapter 5C-4	Admission of Animals for Exhibition	Amendment	Update definitions, protocols, and materials incorporated by reference
Animal Industry	Chapter 5C-11	Swine Garbage Feeding	Amendment	Revision would include update form revision dates, form numbers, form names, email and web addresses.
Animal Industry	5C-13.004	State Diagnostic Laboratories	Amendment	The proposed rule is being updated because new diagnostic tests have been developed that are now the standard testing protocol for animal disease diagnostics. Obsolete tests are deleted as they are no longer available. Test charges are added for new tests.
Animal Industry	Chapter 5C-16	16.001 Purpose	Amendment	Amend to include two additional 9 C.F.R. regulations.
Animal Industry	Chapter 5C-18	Equine Infectious Anemia	Amendment	Update definitions, protocols, and materials incorporated by reference
Animal Industry	Chapter 5C-21	Pseudorabies	Amendment	Update definitions, protocols, and materials incorporated by reference
Animal Industry	24.003	Official Certificate of Veterinary Inspection (OCVI)	Amendment	Remove costs associated with obtainment of permit; update forms nomenclature and update reference materials; and to update form revision dates, form numbers, form names, email and web addresses.
Animal Industry	Chapter 5C-26	Cervidae Movement	Amendment	To review/update requirements for importation/movement of cervidae into/within Florida to current regulations, standards, tests and practices.
Animal Industry	5C-27.001	Sales of Dogs or Cats	Amendment	To update materials incorporated by reference
Animal Industry	5C-28.001	Dogs and Cats - Intrastate Transfer of Ownership	Amendment	To update materials incorporated by reference
Animal Industry	Chapter 5C-30	Enforcement and Penalties	Amendment	General updates
Animal Industry	Chapter 5C-31	Cattle Identification	Amendment	Addition of new rule for the purpose of movement from Approved Livestock Markets to other states and incorporated materials
Aquaculture	5L-1.001	General Requirements and Intent	Amendment	Implements technical changes updating the address of the Division of Aquaculture, updates the publishing year of the most current Model Ordinance cited, replaces an incorrect number on a list, and updates a web link that the Federal government has changed.
Aquaculture	5L-1.002	Definitions	Amendment	Implements technical changes updating the publishing year of the most current Model Ordinance cited.
Aquaculture	5L-1.003	Shellfish Harvesting Areas and Standards	Amendment	Amends the rule to allow for quarantine controlled harvest of shellfish as described in the Model Ordinance, removes the administratively closed St. Marks Shellfish Harvesting Area and adds the Choctawhatchee Conditionally Restricted Eastern Harvest Area.
Aquaculture	5L-1.004	Production and Market Standards	Amendment	Implements technical changes updating the Division's address and a form revision date.
Aquaculture	5L-1.005	Shellfish processing Plant Certification License	Amendment	Implements technical changes updating the Division's address and a form revision date. Amends the rule by removing an outdated requirement for an unnecessary FWCC license, thereby helping businesses which strictly deal with aquaculture fishery products. Eliminates a redundant, reapplication requirement for processing plants which fail their initial inspection.
Aquaculture	5L-1.006	Compliance and Penalties	Amendment	Implements technical changes updating form revision dates and reformats rule text for ease of reading.

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Aquaculture	5L-1.007	Container Identification, Terminal Sale Date, Prohibitions	Amendment	Amends the rule by restating harvester responsibilities in a clear fashion, to assist their understanding and assist our sister agency's understanding. Eliminates harvested from the Gulf of Mexico so as to include terminal sale date on all oyster shellstock.
Aquaculture	5L-1.008	Shellfish Handling	Amendment	Amends the rule by describing significantly different styles of wet storage systems to assist industry. Modifies complex and overly restrictive state regulations for wet storage of shellfish to align with Federal rules followed by members of the National Shellfish Sanitation Program. Current Florida rules incorrectly grouped wet storage regulations with depuration regulations. Amends the rule to include tempering of clams as an alternative process. Amends the rule to comply with NSSP vibrio time/temperature matrix. Adds "mechanical" to refrigeration of shellfish leaving certified process facility.
Aquaculture	5L-1.009	Shellfish Relaying	Amendment	Amends the rule by eliminating incorrect language that was inserted during last rule revision (2002). Adds language to clearly describe biotoxin relay steps. This benefits the shellfish industry. Amends the rule to eliminate wild resource relay to public submerged lands.
Aquaculture	5L-1.010	Buildings and Facilities	Amendment	Implements technical changes by updating hand washing facility temperature from 110 degrees F to 100 degrees F, for consistency with the National Shellfish Sanitation Program.
Aquaculture	5L-1.011	Equipment for Shellfish Processing	Amendment	Amends the rule by adding language to include wet storage and adds the words "food safe" to make it easier to understand what kind of materials are required to be used in shellfish wet storage and depuration systems. Amends the rule by adding language that shellstock shippers and reshippers that do not handle food product, utensils or equipment shall not be required to install and maintain a 3 compartment sink.
Aquaculture	5L-1.012	Sanitary Operations	Amendment	Implements technical changes updating the Division's address.
Aquaculture	5L-1.013	Plant Operations	Amendment	Implements technical changes updating the publishing year of the most current Model Ordinance cited and strikes through an incorrect citation to 5L and replaces it with the correct one. Amends the rule by adding clarifying language to distinguish which types of wet storage require ultraviolet light systems and adds language describing corrective action for oysters failing to cool by specific times.
Aquaculture	5L-1.015	Depuration Plant Operations	Amendment	Amends the rule by incorporating relevant portions of the rule with wet storage of shellfish. Eliminates confusing language regarding draining of certain treatment tanks and therefore standardizes the cleaning procedure. Adds language to specify water flow requirements
Aquaculture	5L-1.017	Depuration- Process Water Treatment Standards	Amendment	Amends the rule by incorporating text to describe the substantially different requirements for wet storage process water. Current rule erroneously assumes depuration water and wet storage water testing criteria are the same. This amendment would align Florida's program with the National Shellfish Sanitation Program. Implements a technical change by replacing an outdated scientific name for an organism with the modern scientific name. Amends the rule to include wet storage requirements.
Aquaculture	5L-1.018	Depuration Ultraviolet (UV) Unit.	Repeal	
Aquaculture	5L-1.019	Laboratory Procedures and Sample Testing	Amendment	Implements technical changes by updating the Division's address. Amends the rule to reference correct edition of the "The recommended procedures for bacterial examination of seawater and shellfish".
Aquaculture	5L-3.004	Aquaculture Best Management Practices Manual	Amendment	Amends Aquaculture Best Management Practices Manual
Aquaculture	5L-3.005	Aquaculture Certificate of Registration	Amendment	Amends annual registration fee and required submittals.

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Aquaculture	5L-3.006	Minimal Impact Aquaculture Facilities	Amendment	Amends definitions of Minimal Impact Facilities.
Aquaculture	5L-3.007	Failure to Comply with Best Management Practices	Amendment	Amends fines and violations to be consistent with 570.971 F.S.
Consumer Services	5F-2.002	Disposition of Below Standard Gasoline, Kerosene, Diesel Fuel Oils No. 1-D and No. 2-D, and Fuel Oils No. 1 and No. 2, and Alternative Fuels	Amendment	Updates references to department forms.
Consumer Services	5F-2.003	Registration and Identification	Amendment	Amends to reference the most recent version of 16 CFR Part 306.12, pertaining to octane rating and alternative fuel labeling for motor fuel dispensers; reflects the updated diesel fuel dispenser labeling requirements established by the Environmental Protection Agency (EPA); adds labeling requirements for E15, mid-level ethanol blended and butanol blended fuels; updates labeling requirements for high-level ethanol blended fuels and biodiesel blended fuels; and updates references to department forms.
Consumer Services	5F-2.005	Inaccurate Measuring Devices	Amendment	Updates references to department forms and documents and references to the division.
Consumer Services	5F-2.006	Inspection Identification Stickers	Amendment	Updates references to department forms.
Consumer Services	5F-2.014	Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44 Meter Sealing Requirements	Amendment	Amends rule reference for the adoption of the National Institute of Standards and Technology (NIST) Handbook 44; adds diesel fuel nozzle size requirements; and updates references to department forms.

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Division	Rule Number	Rule Title	Proposed Action	Description revisions to rule
Consumer Services	5F-2.016	Guidelines for Imposing Administrative Penalties	Amendment	Updates language to reflect changes in other sections of Rule Chapter 5F-2, F.A.C., implements penalties for businesses having three or more minor violations within a three year period; changes violation levels of certain violations; refines the penalty structure; specifies certain timeframes and penalty amounts for various actions; adds penalties for new fuel types adopted in other sections of this chapter; eliminates the requirement prohibiting less than one percent ethanol in gasoline if the dispenser is labeled as an ethanol blended product; makes the penalty for ethanol and biodiesel content labeling violations, respectively, more appropriate when the actual content of either is lower than the posted content; includes as a mitigating factor acceptance of responsibility, in writing, for violations to this rule chapter; allows the department to remove from service equipment that has not been repaired after proper notice and remains in use for the distribution of fuels; provides penalties for persons who sell fuel that had been placed under stop sale order; and updates references to department forms.
Consumer Services	5F-11.002	Standards of National Fire Protection Association Adopted	Amendment	Adopts 2012 (current) edition of NFPA 54, <i>National Fuel Gas Code</i> , and accompanying handbook, as required by Section 527.06, F.S., adopts 2013 (current) edition of NFPA 110, Standard for Emergency and Standby Power Systems, as required by Section 527.06, F.S., and adopts 2014 (current) edition of NFPA 58, Liquefied Petroleum Gas Code, and accompanying handbook, as required by Section 527.06, F.S.
Consumer Services	5F-11.080	Enforcement Actions and Administrative Penalties	Amendment	Revises Major Violation offense language for "Failure to correct hazardous deficiencies," by removing reference to "within thirty days," and replacing this with "within the time period specified." Thirty days would not typically be permitted. This revision is consistent with language included in the list of Minor Violation offenses related to "Failure to correct non-hazardous deficiencies... within the time specified."
Consumer Services	Chapter 5F-14	Farm to Fuel Grants Program	Repeal	Repeals rule chapter
Consumer Services	5J-4.004	Registration	Amendment	Amends incorporated form to conform to legislative changes (includes security documents in registration application).
Consumer Services	5F-4.005	Exemption	Amendment	Updates reference to department form.
Consumer Services	5J-4.013	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of health studio law.
Consumer Services	5J-6.005	Licensing Requirements, Commercial Telephone Seller, Salesperson	Amendment	Amends incorporated forms to conform to legislative changes (includes security documents in registration application).
Consumer Services	5J-6.013	Exemption	Amendment	Updates reference to department form.
Consumer Services	5J-6.015	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of the Florida Telemarketing Act.
Consumer Services	5J-7.004	Registration	Amendment	Amends incorporated forms to conform to legislative changes. New subsections for a <u>material change form</u> , and a <u>supplemental financial disclosure form</u> .
Consumer Services	5J-7.009	Professional Fundraising Consultant Registration	Amendment	Amends incorporated form to conform to legislative changes.
Consumer Services	5J-7.010	Professional Fundraising Solicitor Registration	Amendment	Amends incorporated form to conform to legislative changes, new subsection to incorporate FDACS-XXXXX Professional Solicitor Individual License Application, new section on Professional Solicitors Temporary License.

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Consumer Services	5J-7.011	Notice of Commencement of Solicitations	Amendment	Amends incorporated form to clarify and update language.
Consumer Services	5J-7.012	Financial Report of Campaign	Amendment	Amends incorporated form to clarify and conform to legislative changes.
Consumer Services	5J-7.013	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of the Solicitation of Contributions Act.
Consumer Services	5J-7.014	Disaster Relief	New	Provides guidelines for organizations soliciting funds for disaster relief; incorporates form.
Consumer Services	5J-7.015	Denials	New	Provides guidelines for denying registration statements and applications for licenses as professional solicitors.
Consumer Services	Chapter 5J-8	Dance Studios	Repeal	Repeals rule chapter
Consumer Services	5J-9.002	Registration, Document Submission	Amendment	Amends incorporated form to conform to legislative changes (includes security document in registration application).
Consumer Services	5J-9.006	Security Requirements	Amendment	Amends language to conform to legislative changes and updates reference to form.
Consumer Services	5J-9.008	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of the Florida Sellers of Travel Act.
Consumer Services	5J-10.001	Definitions	Repeal	Repeals definitions no longer applicable due to statutory changes.
Consumer Services	5J-10.003	Filings, Advertisement Identification Number	Repeal	Repeals requirements consistent with statutory repeal.
Consumer Services	5J-10.006	Registration	Repeal	Repeals incorporated form to conform to legislative changes.
Consumer Services	Chapter 5J-11	Lemon Law Rules	Repeal	Repeals rule chapter
Consumer Services	5J-12.007	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of the Florida Motor Vehicle Repair Act.
Consumer Services	5J-13.002	Licensing Requirements	Amendment	Amends incorporated form to conform to legislative changes.
Consumer Services	5J-13.003	Security Requirements	Amendment	Amends language to address location of required security documents, and affidavit when filing a claim
Consumer Services	5J-13.004	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of the Florida Pawnbroking Act.
Consumer Services	5J-15.002	Enforcement Actions and Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of household moving services law.
Consumer Services	5J-17.005	Security and Monitoring Procedures for Licensure Examination	Repeal	Removes outdated DBPR reference to Rule 61-11.014, F.A.C.
Consumer Services	5J-17.033	Grading Criteria and Procedures	Repeal	Repeals language. Content is already in Rule 5J-17.034, F.A.C.
Consumer Services	5J-17	Board of Professional Surveyors and Mappers	Amendment	Amends rule chapter to comply with statutory changes and general updates necessary to protect the health, safety and welfare of the public.

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Consumer Services	5J-21.005	Inspection Identification Stickers	New	Will provide requirements for self-service stations required by statute to provide ADA assistance to qualified patrons and specifies dispenser declarations related to such assistance.
Consumer Services	5J-25	Enforcement Actions and Administrative Penalties	New	Creates guidelines for imposing administrative fines for violation of the do not call law.
Florida Forest Service	5I-2.006	Open Burning Allowed	Amendment	Modifies F.A.C. 5I-2.006 as a result of the changes made during the 2013 Legislative session to F.S. 590.02, 590.11 and 590.125. The FFS also modified the daytime burning authorization period, extending it by one hour to two (2) hours after sunset. As of 9/10/2014 this rule has reached the adoption phase of the rule making process
Florida Forest Service	5I-4.002	Definitions	Amendment	The additions include definitions in 5I-4.002 for "Access", "Designated Trail", and "Service Animals". There is an updated definition of "Pet". There is an updated definition of "All Terrain Vehicle" and "Recreational Off-Highway Vehicle" as found in Florida Statutes since these provisions can change more frequently. For clarification, there are updated definitions. "Schedule of Fees" has eliminated the term "User", eliminates the date and the phrase after the date since fees can be updated consistent with section 589.011(3) F.S., and has the corrected hyperlink location of the website, and re-numbering is needed.
Florida Forest Service	5I-4.003	Vehicular, Animal and Pedestrian Control	Amendment	(11) has been reworded to be clear, (12) has been revised to be clear, adds named or numbered forest roads designated by the District or Center Manager, and adds the first sentence from (14). Eighteen has been added to include lands that are not in a WMA and are potential Operation Outdoor Freedom designated areas.
Florida Forest Service	5I-4.005	Protection of Managed Lands	Amendment	(3) adds "gain access from"; (8),(9), (10), (11) and (16) adds "unless written permission is granted from the Service". (12) does not authorize the removal of plant material unless "written permission is from the Service". (20) has been reworded for unattended items within campsites, and (21) has been added for any other unattended items within the state forest boundary and not just camping areas.
Florida Forest Service	5I-4.006	Recreational Activities and Facilities	Amendment	(1)(d) add "unless authorized by the Service", (4) deleted, (l) reworded and moved to (b), deleted (n) and moved it to (c), (d) added that the purpose of the camping limit is to prevent any camper from taking up occupation, and during times of low occupation the district or center manager has the authority to extend campsite use between 15 and 29 consecutive days, revised new (f) states that one recreational vehicle "and one tent", and changed from "two" to "three" tents are allowed per campsite, delete old (g) and created a new (8) titled " Pets", (h) deleted "Croom Motorcycle Area" from second sentence and created third sentence for that area, new (m) revised language to be clear, (5) (b) allows the district or center manger to designate the number of hunters who can occupy a non-hunt campsite, (d) added that hunt camp authorizations can be placed at an area designated by the district or center managers, (f) is a new provision that allows district or center managers to use hunt camps outside hunting seasons, (6) changed from specific names of OHV areas to "Service designated areas". This was completed since there will be other new locations on other portions of State Forests may be opening soon, and this would not result in changing the rule when other areas are designated for this use.
Florida Forest Service	5I-4.008	Vendors; Authorizations; Fees	Amendment	Eliminate "offsite" since vendors can be on State Forests or offsite, and the vendors shall provide or post general information governing the use of forest without posting the brochure.
Florida Forest Service	5I-4.011	Penalties for Violations	Amendment	Amends the penalties from \$500 to \$1,000 consistent with section 590.14 and adds this provision to Law Implemented.
Florida Forest Service	5I-5	Title of Program	Amendment	Revise the title of the Program

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Florida Forest Service	5I-5.001	Purpose	Amendment	Add some wording expanding program delivery, and delete Plant A Tree Trust Fund.
Florida Forest Service	5I-5.002	Definitions	Amendment	Delete some and add one definition, change Division of Forestry to the Florida Forest Service and delete Plant A Tree Trust Fund.
Florida Forest Service	5I-5.003	Use of Plant A Tree Trust Fund Monies	Amendment	Revise the title of the Rule, and revise provisions and delete others.
Florida Forest Service	5I-5.004	Grant Application Process	Amendment	Revise the title of the Rule, revise first paragraph delete provisions since this will be in referenced materials.
Florida Forest Service	5I-5.005	Receiving and Processing Grants	Repeal	Delete since this will be in referenced materials.
Florida Forest Service	5I-5.006	Maintenance of Grant Award Projects	Amendment	Revise the Title, and amend the provisions and delete Plant A Tree Trust Fund.
Florida Forest Service	5I-5.007	Prioritization of Grant Application	Repeal	Delete since this will be in referenced materials.
Florida Forest Service	5I-5.008	Award of Grants	Amendment	Revise the Title, and amend the provisions, delete Plant A Tree Trust Fund and first paragraph, and change word "grants" to "contracts".
Florida Forest Service	5I-5.009	Execution of Agreement and Documents	Amendment	Revise the Title, and delete and amend the provisions, delete "memorandum of agreement" and replace with "contracts".
Florida Forest Service	5I-5.010	Review of Projects in Progress and Completion	Amendment	Amend and delete the provisions
Florida Forest Service	5I-7.002	Definitions	Amendment	Change the definition from Division of Forestry to the Florida Forest Service, and changes the definitions for Supplemental Stands and Uniform Standards of Professional Appraisal Practices.
Florida Forest Service	5I-7.004	Application Procedures and Requirements	Amendment	Change Division of Forestry to the Florida Forest Service and Suite number, eliminate (2) and (3) and re-number, added a new (3) regarding existing projects and new projects, and new (5) covering boundary modifications and new (6) covers division of the landowners properties.
Florida Forest Service	5I-7.007	Ranking, Review and Approval of Priority Acquisition List	Amendment	(4) amends the consideration of new application and projects on the existing priority list, and that the listed projects will be on a tiered priority list.
Florida Forest Service	5I-7.009	Appraisal Procedures, Report Requirements and Determining Maximum Amounts	Amendment	Amend (6) to be consistent with the definitions.
Florida Forest Service	5I-7.012	Closing	Amendment	(1) deletes "changes" and adds "increases" in purchase price.
Florida Forest Service	5I-8.001	Approved Florida Forestry Wildlife Best Management Practices	New	Adopts Florida Forestry Wildlife Best Management Practices.
Florida Forest Service	5I-8.002	Presumption of Compliance	New	Presumption of Compliance- Provides a Notice of Intent (NOI) for landowners who wish to enroll in the program.
Florida Forest Service	5I-8.003	Notice of Intent to Implement	New	Notice of Intent to Implement - The NOI provides a presumption of compliance with regard to incidental take for 16 of Florida's "imperiled species", as per FWC.
Florida Forest Service	5I-8.004	Record Keeping	New	Record Keeping of the NOI.
Food Safety	5K-4.002(4)	Adoption of Federal Rules and Other Regulations	Amendment	Amends the reference to the adoption of the 2001 Food and Drug Administration (and supplement thereto) to the most recent version of the food code.

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Division	Rule Number	Rule Title	Proposed Action	Description revisions to rule
Food Safety	5D-1.001	Documents Incorporated by Reference and Definitions	Amendment	Change Rule from 5D to 5K since the movement of the Division of Dairy Industry to the Division of Food Safety.
Food Safety	5D-1.003(2)	Permits, Licenses and Inspections	Amendment	Transfer Rule from Title 5D to 5K and general updates.
Food Safety	5D-1.007	Dating; Standards for Milk, Milk Products, Manufactured Milk Products and Frozen Dessert Plants	Amendment	Transfer Rule from Title 5D to 5K and general updates.
Food Safety	5D-1.012	Future Dairy Farms, Milk Plants, Manufacturing Milk Plants and Frozen Dessert Plants	Amendment	Transfer Rule from Title 5D to 5K and general updates.
Food Safety	5K-4	Guidelines for Imposing Administrative Penalties	New	Provides guidelines for imposing administrative fines for violations of the Food Safety statute and rules.
Food, Nutrition and Wellness	5P-1.003	Responsibilities for the School Food Service Program	Amendment	Updates the references to forms; removes references to the "Office of Food, Nutrition and Wellness"; and makes other changes consistent with current federal regulations
Food, Nutrition and Wellness	5P-1.005	Supervision and Administration	Amendment	Removes all references to the incentive plan and replaces with "Definitions" section
Food, Nutrition and Wellness	Chapter 5P-2	School Nutrition Programs	New	Adopts rules for the National School Lunch Program (NSLP), School Breakfast Program (SBP), Special Milk Program (SMP), Afterschool Snack Program (ASSP), and Seamless Summer Option (SSO).
Food, Nutrition and Wellness	Chapter 5P-3	Summer Food Service Program	New	Adopts rules for the Summer Food Service Program (SFSP)
Food, Nutrition and Wellness	Chapter 5P-4	Fresh Fruit and Vegetable Program	New	Establishes new chapter for the Fresh Fruit and Vegetable Program (FFVP)
Food, Nutrition and Wellness	Chapter 5P-5	Food Distribution Program for Schools	New	Establishes new chapter for the Food Distribution Program (FDP)
Food, Nutrition and Wellness	Chapter 5P-6	The Emergency Food Assistance Program	New	Establishes new chapter for the Emergency Food Assistance Program
Food, Nutrition and Wellness	Chapter 5P-7	WIC Farmers' Market Nutrition Program	New	Establishes new chapter for the WIC Farmers' Market Nutrition Program
Fruit and Vegetables	5G-6.003	Definitions	Amendment	Amends definitions to include FS 500.70 provisions
Fruit and Vegetables	5G-6.005	Inspection	Amendment	Amends inspection and registration procedure to comply with FS 500.70
Fruit and Vegetables	5G-6.006	Inspection Guidelines	New	Adds references and incorporates inspection forms and documents
Fruit and Vegetables	5G-6.007	Annual Food Permit Requirements of Packers and Repackers	Amendment	Amends registration procedure to include farms in compliance with FS 500.70
Fruit and Vegetables	56-6.009	Tomato Best Practices Manual	Amendment	Adds new rule authority FS 500.70, updates web address of documents
Fruit and Vegetables	5G-6.011	Exemptions	Amendment	Amends exemptions to rules to include Roadside Stands and U-Pick operations in compliance with FS 500.70 provisions

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Fruit and Vegetables	5G-6.013	Enforcement	Amendment	Amends enforcement procedures and incorporate forms to stop the sale of tomatoes that do not meet the requirements of Florida law and to release for sale tomatoes once they comply
Licensing	5N-1.100	Organization.	Amendment	Revises the rule with current address and contact information for division offices that have relocated since last rule revision; update the list of division forms and publications incorporated by reference in this rule. Includes new forms and publications that have been adopted since last rule revision.
Licensing	5N-1.113	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.	Amendment	Updates references to statute and rule as needed. Review disciplinary guidelines and revise as necessary to assure that they are in accord with the class category system for administrative penalties established in section 570.971.
Licensing	5N-1.116	Classification of Licenses; Insurance; Fees.	Amendment	Updates references to division webpages; revise rule to reflect proper valid term of license as specified by statute; corrects minor errors and inconsistencies to reflect current business practices.
Licensing	5N-1.120	Filing of Application; Temporary Authority for Out-Of-State Licensees during Declared Emergencies.	Amendment	The division is currently reviewing its handling of license applications and the specific requirements for such procedures set forth in the Administrative Procedures Act. This rule may require revision based upon the final results of the division's review.
Licensing	5N-1.124	Prohibited Activities and Requirements.	Amendment	Review and amend as necessary in connection with the division's review of disciplinary guidelines and penalties established in 5N-1.113.
Licensing	5N-1.129	Ammunition.	Amendment	This rule will be reviewed as part of the division's rulemaking initiative to include division guidelines for the use of other weapons as provided for in section 493.6115(6).
Licensing	5N-1.130	Firearms	Amendment	Revise to incorporate all firearms-related material contained in other rules as well as new material dealing with firearms (firearms waiver process, firearms instructor's training manual, ammunition, etc.)
Licensing	5N-1.134	Firearm Instructor's Training Manual and Certificate of Firearms Proficiency for Statewide Firearm License; Schools or Training Facilities; License Application; Exemptions.	Amendment	Revise to incorporate latest version of the Firearm's Instructors Training Manual. It is anticipated that the manual will be ready for adoption sometime during the first business quarter of 2015. Technical rulemaking will involve correction to references to division webpages and proper form numbers; revise to reflect statutory changes that allow recovery agent schools administer training via alternative training methods.
Licensing	5N-1.138	School Staff; Licensing Requirements; Standards.	Amendment	Revise to include proper reference information to the form incorporated in this rule.
Licensing	5N-1.140	Security Officer, Recovery Agent and Private Investigative Intern School Curriculum; Examinations; Retention of Records.	Amendment	Update webpage address information; revise information pertaining to the security officer and private investigator intern training to reflect the current statutory requirement that all 40 hours of training be completed prior to submission of application; correct inconsistencies to reflect current business practices.

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Division	Rule Number	Rule Title	Proposed Action	Description revisions to rule
Marketing and Development	5H-1.009	Documents Incorporated by Reference	Amendment	Amends the forms incorporated by rule.
Marketing and Development	5H-17.001	Purpose; Establishment of Campaign	Repeal	Repeals rule establishing the Florida Agricultural Promotional Campaign. Rule is redundant as purpose and establishing language are already in statute.
Marketing and Development	5H-17.002	Definitions	Amendment	Amends definitions of terms pertaining to the Florida Agricultural Promotional Campaign
Marketing and Development	5H-17.003	Adoption of the Florida Agricultural Promotional Campaign Identifiers	Amendment	Amends the descriptions of the Fresh From Florida Identifiers and clarifies the circumstances under which each one may be used.
Marketing and Development	5H-17.004	Use of the Identifiers; Deposit of Funds	Amendment	Amends the approval process for use of the Fresh From Florida Identifiers
Marketing and Development	5H-17.005	Participant Registration; Application Forms; Types of Membership; Renewal	Amendment	Amends the participant registration process and the types of membership and incorporates all related forms
Marketing and Development	5H-17.006	Denial; Revocation; and Penalties	Amendment	Implements criteria for registration refusal and penalties.
Marketing and Development	5H-17.007	Acquisition Procedures for Purchasing Services Directly Related to the Campaign	Repeal	Repeals rule establishing procurement procedures. These procedures have been included in statute since this rule was first written.
Marketing and Development	5H-25.001	Application	Amendment	Update contact information and forms incorporated by rule.
Marketing and Development	5H-25.002	Certification of an Agriculture Education and Promotion Facility Sections 120.536(1) and 120.54, F.S.	Amendment	Amends statutory reference.
Plant Industry	5B-62	Citrus Nursery Stock Certification Program	Amendment	To improve the certification of seed source trees, top working trees, the propagation of citrus relatives and special provisions for important field research on new disease-resistant citrus germplasm.
Plant Industry	5B-40	Preservation of Native Flora of Florida	Amendment	To update form revision dates, form numbers, form names and the regulated plant index. These changes result from public meetings conducted by the Endangered Plant Advisory Council.
Plant Industry	5B-2	Florida Nursery Stock and Certification Fee	Amendment	To remove the exemption of aquatic plants from the definition of nursery stock, update forms used to carry out the provisions of this rule chapter, update the list of quarantine pests of limited distribution and to remove provisions for fumigation services no longer offered by the department.
Plant Industry	5B-3	Plant Quarantine and Certification Entry Requirements	Amendment	To update list of organisms requiring immediate quarantine action, update the list of preferred host plants for fruit flies and location of certificates of inspection on plant shipments entering Florida.
Plant Industry	5B-63	Citrus Health Response Program	Amendment	To update the rule to provide authority for a Citrus Health Management Program.
Plant Industry	5B-26	Oak Wilt Disease	Amendment	To review and update to reflect current standards.
Plant Industry	5B-33	Seed Potato Pest	Amendment	To review and update to reflect current standards.

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Division	Rule Number	Rule Title	Proposed Action	Description revisions to rule
Plant Industry	5B-43	Phytophagous Snails	Amendment	To review and update to reflect current standards.
Plant Industry	5B-52.007	Planting Cotton in the Eradication Zone and Required Participation	Amendment	To update the boll weevil rule to current standards.
Plant Industry	5B-54	Pests of Honeybees and Unwanted Races of Honeybees	Amendment	To update minor areas for current standards.
Plant Industry	5B-57.007	Noxious Weed List	Amendment	To update the noxious weeds listed.
Plant Industry	5B-64.011	Prohibited Aquatic Plants	Amendment	To update the prohibited aquatic plant list.
Office of Agricultural Water Policy	Chapter 5M-17	Best Management Practices for Florida Dairy Operations	New	Will be used to adopt a new Dairy BMP manual by reference
Office of Agricultural Water Policy	Chapter 5M-18	Florida Agriculture Wildlife Best Management Practices	New	Will be used to adopt a new Wildlife BMP manual by reference
Office of Agricultural Water Policy	5M-8.001	Purpose	Repeal	Repeal this rule consistent with recommendations from JAPC
Office of Agricultural Water Policy	5M-8.002	Approved BMPs	Amendment	Preparing a substantial change in rule language
Office of Agricultural Water Policy	5M-8.003	Presumption of Compliance	Amendment	Preparing a substantial change in rule language
Office of Agricultural Water Policy	5M-8.004	Notice of Intent to Implement	Amendment	Preparing a substantial change in rule language
Office of Agricultural Water Policy	5M-8.005	Record Keeping	Amendment	Preparing a substantial change in rule language
Office of Energy	5O-1.004	Solar Energy Systems Incentives Program	Repeal	Repeals the rules that administer the solar rebate program in order to comply with HB 7147 that was passed by the 2014 Legislature which repealed s. 377.806, F.S., relating to the Solar Energy System Incentives Program.
Office of Energy	5O-2.001	Florida Renewable Energy Technologies Sales Tax Refund	Amendment	Amends the rules that administer the program to improve the application and review process.
Office of Energy	5O-2.002	Renewable Energy Technologies Investment Tax Credit	Amendment	Amends the rules that administer the program to improve the application and review process.
Office of Energy	5O-2.003	Florida Renewable Energy Production Tax Credit	Amendment	Amends the rules that administer the program to improve the application and review process.
Office of Energy	5O-5.001	Farm Renewable and Efficiency Demonstrations	New	Creates rule to administer the Farm Renewable and Efficiency Demonstrations Program.