



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](http://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Schools, the adoption of Best Management Practices for Florida Dairy Operations, and the repeal of several obsolete and outdated rules.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, reading "Adam H. Putnam".

Adam H. Putnam  
Commissioner of Agriculture



## 2014-2015 FDACS Proposed Regulatory Plan

| 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    | Reports and 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.   |

## 2014-2015 FDACS Proposed Regulatory Plan

| 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.                                                                                                                                                                                                                                                                     |

## 2014-2015 FDACS Proposed Regulatory Plan

| Division    | Rule Number | Rule Title                                                 | Proposed Action | Description revisions to rule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------|-------------|------------------------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

### 2014-2015 FDACS Proposed Regulatory Plan

| Division          | Rule Number | Rule Title                                                                                                                                                                                                                                                                                                                                | Proposed Action | Description revisions to rule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.                                                                                                                                                                                                                                                                                                                 |

## 2014-2015 FDACS Proposed Regulatory Plan

| 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

## 2014-2015 FDACS Proposed Regulatory Plan

| Division          | Rule Number   | Rule Title                                                   | Proposed Action | Description revisions to rule                                                                                                               |
|-------------------|---------------|--------------------------------------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 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. |

## 2014-2015 FDACS Proposed Regulatory Plan

| Division               | Rule Number | Rule Title                                       | Proposed Action | Description revisions to rule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------|-------------|--------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 the 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 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## 2014-2015 FDACS Proposed Regulatory Plan

| Division               | Rule Number | Rule Title                                                                | Proposed Action | Description revisions to rule                                                                                                                                                                                                                                                        |
|------------------------|-------------|---------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.                                                                                                                                  |

### 2014-2015 FDACS Proposed Regulatory Plan

| 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                                                                        |

## 2014-2015 FDACS Proposed Regulatory Plan

| Division             | Rule Number | Rule Title                                                                                                                                                                   | Proposed Action | Description revisions to rule                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.                                                                                                            |

## 2014-2015 FDACS Proposed Regulatory Plan

| 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.                                                                                                                                                                                                                                                    |

## 2014-2015 FDACS Proposed Regulatory Plan

| 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.                                                                                                                                        |