

2015-2016 FDACS Proposed Regulatory Plan

Division/Office	Law(s) Implemented	Rule Number	Rule Title	Description of revisions to rule	Simplify/ Clarify	Increase Efficiency	Delete Obsolete or Redundant Rules	Regulatory Cost Reduction	Improve Inter-Agency Coordination
The following regulatory plans lists all the rules the Department intends to adopt, amend, or repeal in FY 2015-2016 using existing statutory authority and was prepared in accordance with s. 120.74(1)(b), F.S.					Purpose of Rulemaking				
Agricultural Environmental Services	576.011, 576.031, 576.181	5E-1.002	Registration and Labeling of Animal and Vegetable Manures, Composts, Soil Amendments and Soil Additives.	Clarifies registration and labeling requirements for manures, composts and soil amendments and additives	X				
Agricultural Environmental Services	576.041, 576.045	5E-1.012	Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement	Amending the payment process to an electronic process and revising incorporated materials		X			
Agricultural Environmental Services	576.051, 576.061, 576.071, 576.181	5E-1.016	Commercial Values for Penalty Assessments	Amending fertilizer sources and updating the fertilizer commercial values used in penalty calculations	X				
Agricultural Environmental Services	570.07, 576.181	5E- 1.029	Enforcement and Penalties	To adopt by reference the changes of Chapter 570, F.S., establishing class categories for administrative and civil penalties for violations to the law set forth in Section 570.971, F.S., and to define fine matrices for penalties pursuant to Section 570.971, F.S.	X				
Agricultural Environmental Services	487.031	5E-2.033	Organo-Auxin Herbicides; Restrictions and Prohibitions	Amends existing language to comport with USEPA requirements for language describing minimum droplet size	X				
Agricultural Environmental Services	570.07, 570.971, 580.041, 580.051, 580.065, 580.091, 580.111, 580.121, 580.131	5E- 3.018	Enforcement and Penalties	To adopt by reference the changes of Chapter 570, F.S., establishing class categories for administrative and civil penalties for violations to the law set forth in Section 570.971, F.S., and to define fine matrices for penalties pursuant to Section 570.971, F.S.	X				
Agricultural Environmental Services	578.11	5E-4.007	Enforcement and Penalties	Updating incorporated materials	X				
Agricultural Environmental Services	570.07, 570.971, 578.11, 578.12, 578.181	5E-4.015	Enforcement and Penalties	To adopt by reference the changes of Chapter 570, F.S., establishing class categories for administrative and civil penalties for violations to the law set forth in Section 570.971, F.S., and to define fine matrices for penalties pursuant to Section 570.971, F.S.	X				
Agricultural Environmental Services	487.044, 487.046, 487.049	5E-9.026	Procedures for Pesticide Applicator Certification, Licensure, and License Renewal.	Online application and recertification processes and online continuing education provider CEU request process, and requirements to be a provider		X			
Agricultural Environmental Services	487.048	5E-9.027	Procedures for Pesticide Dealer Licensure and License Renewal.	Online application and recertification processes and online continuing education provider CEU request process, and requirements to be a provider		X			
Agricultural Environmental Services	487.049	5E-9.029	Procedures for Pesticide Applicator Recertification	Online application and recertification processes and online continuing education provider CEU request process, and requirements to be a provider		X			
Agricultural Environmental Services	487.051	5E-9.036	Pesticide Aircraft Registration, Liability Insurance/Surety Bond, Security, Inspection, Storage, Recordkeeping, Area-of-Application Information, Transactions, and Forms	Updating incorporated materials	X				
Agricultural Environmental Services	570.07, 570.971	5E-9.037	Enforcement and Penalties	To adopt by reference the changes of Chapter 570, F.S., establishing class categories for administrative and civil penalties for violations to the law set forth in Section 570.971, F.S., and to define fine matrices for penalties pursuant to Section 570.971, F.S.	X				
Agricultural Environmental Services	388.231, 388.281	5E-13.031	District or County Use of Funds	Amends accounting procedures to align with Section 215.97, F.S.	X				
Agricultural Environmental Services	482.061	5E-14.1025	Inspections and Investigations	Updating incorporated materials	X				
Agricultural Environmental Services	482.051, 482.152	5E-14.112	Fumigation Requirements - Prefumigation Inspections, Evacuation, Warning Notices (Signs), Special Safety Precautions and Responsibilities	Clarifies warning sign posting requirements for fumigations.	X				

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Agricultural Environmental Services	482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157	5E-14.117	Application for Department applicator credentials.	The purpose of this rulemaking is to update incorporated materials, to allow the option of online applications, and to clarify qualifications	X				
Agricultural Environmental Services	482.051, 482.111	5E-14.140	Emergency Pest Control Certificate - Qualifications, Applications, Restrictions	To modify requirements for the use of restricted use pesticides by a licensee operating under an emergency certificate	X				
Agricultural Environmental Services	482.091, 482.151	5E-14.1421	Identification card -training verification.	Update incorporated materials, statutory authority, and clarify qualifications	X				
Agricultural Water Policy	403.067(7)(c)2	5M-17.001	Approved Florida Dairy Best Management Practices	Adopts new Dairy BMP manual	X				X
Agricultural Water Policy	403.067(7)(c)2	5M-17.002	Presumption of Compliance	Establishes criteria for enrollees to receive presumption of compliance		X		X	
Agricultural Water Policy	403.067(7)(c)2	5M-17.003	Notice of Intent to Implement	Adopts new Notice of Intent form by reference	X				X
Agricultural Water Policy	403.067(7)(c)2	5M-17.004	Record Keeping	Establishes criteria for record keeping	X	X			
Agricultural Water Policy	403.067(7)(c)2	5M-19.001	Approved Florida Poultry Best Management Practices	Adopts new Poultry BMP manual by reference	X				X
Agricultural Water Policy	403.067(7)(c)2	5M-19.002	Presumption of Compliance	Establishes criteria for enrollees to receive presumption of compliance		X		X	
Agricultural Water Policy	403.067(7)(c)2	5M-19.003	Notice of Intent to Implement	Adopts new Notice of Intent form by reference	X				X
Agricultural Water Policy	403.067(7)(c)2	5M-19.004	Record Keeping	Establishes criteria for record keeping	X	X			
Animal Industry	570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), 858.145(2), 585.16, 585.23, 585.40	5C-30.003	Penalties	Adds and clarifies penalty categories and amends penalty amounts	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.001	Definitions	Adds and clarifies definitions for referenced testing requirements	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16, 585.11(c)	5C-3.002	General Requirements and Limitations	Amend OCVI requirements to match federal ID rule	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16, 585.002(5), 585.14	5C-3.003	Equine	Updating incorporated materials	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.004	Cattle or Bison	Updating incorporated materials	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.005	Goats or Sheep	Updating incorporated materials	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.007	Swine	Updating incorporated materials	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.011	Cervids (Farmed or Captive)	Amends rules for importation of cervids to reflect importation ban under authority of FWC and repeals obsolete import rules	X	X			X
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.012	Domestic Fowl, Poultry, Poultry Products, and Ratites	Amends procedure and testing requirements for poultry being imported into state	X	X			
Animal Industry	570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1),(2), 585.16	5C-3.014	Enforcement and Penalties	Adds reference to penalty schedule in 5C-30.003	X	X			

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Animal Industry	585.08(2)(a), 585.145(1), (2)	5C-4.004	Poultry, Domestic Fowl or Ratites	Amends rule to include trigger rule for additional importation requirements	X	X			
Animal Industry	585.61(3)	5C-13.004	Schedule of Fees	Amends fee schedule	X	X		X	
Animal Industry	585.11(1), (3)	5C-16.001	Purpose	Amendments to wording and formatting	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.001	Definitions	Amendments and additions to clarify terminology used throughout 5C-18	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.003	Official Test	Update incorporated materials and amend requirements on testing documentation	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.004	Report of Test	Update incorporated materials	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.006	Identification of Reactors	To clarify testing submission requirements	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.007	Quarantine	Clarifying quarantine testing and movement restrictions	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.010	Test Required for Movement, Assembly, Change of Ownership, and for Breeding Stallions and Mares	Implement phrasing for specific EIA requirements for clarification. Removes obsolete requirements	X	X			
Animal Industry	585.002(5), 585.08(1), 585.14, 585.145(1), (2), 585.16, 585.18, 585.19, 585.23, 585.671	5C-18.011	Procedures for Assembly Points, Approved Quarantine Assembly Points, Approved Quarantine Premises and Horse Slaughter Sales	Rule to be repealed			X		
Animal Industry	570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), 858.145(2), 585.16, 585.23, 585.40	5C-30.003	Penalties	Adds and clarifies penalty categories and amends penalty amounts	X	X			
Animal Industry	570.07(15), 585.08(2)(a), 585.11, 585.145	5C-31.008	TBD	New rule to allow for movement from Approved Livestock Markets to other states and adoption of incorporated materials	X	X			
Aquaculture	597.020	5L-1.001	General Requirements and Intent	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	X				
Aquaculture	597.020	5L-1.002	Definitions	Implements technical changes updating the publishing year of the most current Model Ordinance cited. Technical changes for clarification. Adds definition of Aquaculture Use Zone to be consistent with Chapter 5L-3	X				
Aquaculture	597.020	5L-1.003	Shellfish Harvesting Areas and Standards	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, adds the Choctawhatchee Conditionally Restricted Eastern Harvest Area, new management and classification boundaries for Wakulla Harvest Area and Cedar Key Harvest area. Per industry request modifies existing management plans for Pine Island East and West.	X	X			
Aquaculture	500.10, 500.172, 597.020	5L-1.004	Production and Market Standards	Updates incorporated materials	X				
Aquaculture	597.020	5L-1.005	Shellfish Processing Plant Certification License	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.	X	X			
Aquaculture	500.121(1), 500.172, 597.020	5L-1.006	Compliance and Penalties	Updates incorporated materials and reorganization of rule for clarity	X				

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Aquaculture	597.020	5L-1.007	Container Identification, Terminal Sale Date, Prohibitions.	Amends the rule by restating harvester responsibilities in a clear fashion, to assist their understanding and assist our sister agency's understanding. Amends bulk tagging requirements and who is responsible.	X				
Aquaculture	597.020	5L-1.008	Shellfish Handling	Reorganization of rule for clarity and to include table of new time/temperature requirements	X				
Aquaculture	597.010(15), (19), 597.020	5L-1.009	Shellfish Relaying	Clarifying rule language and including new rule language to clearly describe biotoxin relay steps.	X				
Aquaculture	597.020	5L-1.010	Buildings and Facilities	Updating hand washing facility technical requirements for consistency with the National Shellfish Sanitation Program.	X				
Aquaculture	597.020	5L-1.011	Equipment for Shellfish Processing	Implements that shell stock shippers do not require to install and maintain a three compartment sink. 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.	X				
Aquaculture	597.020	5L-1.012	Sanitary Operations	Implements technical changes updating the Division's address.	X				
Aquaculture	597.020	5L-1.013	Plant Operations	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. Removes Tempering which is added to 5L-1.008	X	X			
Aquaculture	597.020	5L-1.014	Heat Shock Method	Reviewing to make sure current with 2013 model ordinance and language consistent with the rest of 5L-1	X				
Aquaculture	597.020	5L-1.015	Depuration Plant Operations	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 in <u>Ultraviolet Unit requirements</u>	X				
Aquaculture	597.020	5L-1.016	Depuration Shellfish Sampling Procedures	Reviewing to make sure current with 2013 model ordinance and language consistent with the rest of 5L-1	X				
Aquaculture	597.020	5L-1.017	Depuration- Process Water Treatment Standards	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.	X	X			
Aquaculture	597.020	5L-1.018	Depuration - Ultraviolet (UV) Unit	Moving to 5L-1.015		X			
Aquaculture	597.020	5L-1.019	Laboratory Procedures and Sample Testing	Implements technical changes by updating the Division's address. Updating incorporated materials.	X				
Aquaculture	597.004	5L-3.004	Aquaculture Best Management Practices Manual	Amends Aquaculture Best Management Practices Manual	X		X		
Aquaculture	597.004	5L-3.005	Aquaculture Certificate of Registration	Amends annual registration fee and required submittals.	X				
Aquaculture	597.004	5L-3.006	Minimal Impact Facilities	Amends definitions of Minimal Impact Facilities.	X				
Aquaculture	597.004, 597.0041, 570.971	5L-3.007	Failure to Comply with Best Management Practices	Amends fines and violations to be consistent with 570.971 F.S.	X				
Consumer Services		5F-1	Weights and Measures	Repeals rule chapter.			X		
Consumer Services		5F-3	Model State Packaging and Labeling Regulation	Repeals rule chapter.			X		
Consumer Services		5F-4	Voluntary Registration of Servicemen and Service Agencies for Commercial Weighing and Measuring Devices	Repeals rule chapter.			X		
Consumer Services		5F-5	Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices	Repeals rule chapter.			X		
Consumer Services		5F-7	Uniform Regulations for the Method of Sales of Commodities	Repeals rule chapter.			X		
Consumer Services		5F-12	Test Procedures to Determine Acceptable Pricing Practices	Repeals rule chapter.			X		

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Consumer Services		5F-13	Guidelines for Imposing Administrative Penalties and Fines for Violations of Chapter 531, Florida Statutes	Repeals rule chapter.			X		
Consumer Services	501.015(1), (2), (3), (4), 501.016(1), (2), 501.017	5J-4.004	Registration	Amends incorporated form.	X	X			
Consumer Services	501.013	5J-4.005	Exemption	Updates reference to department form.	X				
Consumer Services	501.016(2), (3)	5J-4.014	Security Requirements	Updates reference to department form.	X				
Consumer Services	501.059(1)(h), (5)	5J-5.001	Definitions	Provides definitions that clarify terms referenced in statute.	X				
Consumer Services	501.059(9)(a), 570.544(4)	5J-5.002	Complaints	Incorporates department forms.	X				
Consumer Services	501.059(9)(b), 570.971(4)	5J-5.003	Enforcement Actions and Administrative Penalties	Establishes a penalty structure consistent with others within the department.	X	X			
Consumer Services	501.605, 501.607, 501.608, 501.609	5J-6.005	Licensing Requirement	General cleanup of incorporated department forms.	X				
Consumer Services	501.604, 501.608	5J-6.013	Exemption	Updates reference to department form.	X				
Consumer Services	501.612	5J-6.014	Denials	Updates reference to department form.	X				
Consumer Services	501.611	5J-6.015	Security Requirements	Updates reference to department form.	X				
Consumer Services	496.405, 496.406	5J-7.004	Registration	Amends incorporated forms.	X				
Consumer Services	496.410, 496.4101	5J-7.010	Professional Solicitor Registration	Amends incorporated forms.	X				
Consumer Services	496.415, 496.420, 570.971(4)	5J-7.014	Enforcement Actions and Administrative Penalties	Creates guidelines for imposing administrative fines for violations of the Solicitation of Contributions Act.	X				
Consumer Services	559.802	5J-10.002	Franchises	Amends incorporated form.	X				
Consumer Services	559.904(10)(c)	5J-12.006	Denials	Establishes grounds for denial for applicants with certain criminal histories.	X				
Consumer Services	507.08, 507.09, 507.10, 507.11, 570.971(4)	5J-15.002	Enforcement Actions and Administrative Penalties	Establishes a penalty structure consistent with others within the department.	X				
Consumer Services	472.027	5J-17.050	Board of Professional Surveyors and Mappers	Amends rule chapter with general updates necessary to protect the health, safety and welfare of the public.	X		X		
Consumer Services	472.027	5J-17.051	Standards of Practice: General Survey, Map, and Report Content Requirements.	Amends rule chapter with general updates necessary to protect the health, safety and welfare of the public.	X		X		
Consumer Services	472.027	5J-17.052	Standards of Practice: Specific Survey, Map, and Report Requirements	Amends rule chapter with general updates necessary to protect the health, safety and welfare of the public.	X		X		
Consumer Services	472.027	5J-17.053	Standards of Practice - Professional Matters in Surveying and Mapping	Amends rule chapter with general updates necessary to protect the health, safety and welfare of the public.	X		X		
Consumer Services	616.242(3), (4)	5J-18.001	Definitions	Adds 4 rides to be coded as super rides due to the extensive/extraordinary amount of inspection time to assure compliance with the requirements of the law.	X				
Consumer Services	616.242(4)	5J-18.0011	Standards Adopted	Adopts newer versions of standards currently adopted.	X				
Consumer Services	616.242(4)(b), (18), (19)	5J-18.0127	Enforcement Actions and Administrative Penalties	Adds Class II category pursuant to s. 570.971, F.S.	X				
Consumer Services	616.242(14)	5J-18.0142	Reporting of Accidents and Mechanical, Structural or Electrical Defects	Defines transport in regards to accidents to conform with current operating procedures.	X				
Consumer Services	616.242(10)	5J-18.050	Games	Adds approved game to rule chapter.	X				
Consumer Services	527.02, 527.0201	5J-20.004	Bureau of Liquefied Petroleum Gas Inspection Forms	Renames rule and updates department form.	X				
Consumer Services	525.14, 570.07(23)	5J-21.001	Standards	Updates specifications and forms.	X	X			
Consumer Services	525.14, 570.07(23)	5J-21.002	Disposition of Below Standard Gasoline, Kerosene, Diesel Fuel Oils No. 1-D and No. 2-D, and Fuel Oils No. 1 and No. 2	Updates forms.	X	X			
Consumer Services	525.14, 570.07(23)	5J-21.003	Registration and Identification	Updates labeling and forms.	X	X			
Consumer Services	525.14, 570.07(23)	5J-21.005	Inaccurate Measuring Devices	Updates forms.	X	X			

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Consumer Services	525.14, 570.07(23)	5J-21.006	Inspection Identification Stickers	Updates forms.	X	X			
Consumer Services	525.07, 526.141(5)(b), 531.40	5J-21.007	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, and Other Related Requirements	Establishes maximum time limit reporting requirements for the installation of petroleum fuel measuring devices; adopts a department form; and adopts rules pertaining to ADA fueling assistance at self-service gas stations.	X				
Consumer Services	525.14, 525.16, 570.07(23)	5J-21.008	Guidelines for Imposing Administrative Penalties	Updates penalty section.	X	X			
Consumer Services	531.60 - 531.66	5J-22.001	Definitions	Provides definitions that clarify terms referenced in statute.	X				
Consumer Services	531.40	5J-22.002	Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and	Adopts most recent version of NIST Handbook.	X				

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Consumer Services	531.40, 531.41(3), (4), (7), (16), 531.44, 531.45, 531.47, 531.49	5J-22.003	Uniform Packaging and Labeling Regulation; Uniform Regulation for National Type Evaluation; Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices; Uniform Regulation for the Method of Sale of Commodities; Examination Procedure for Price Verification; and Uniform Unit Pricing Regulation	Adopts most recent version of NIST Handbook; clarifies all weighing and measuring devices must have approval through NTEP, if going to be used in commerce in the state of Florida; and updates incorporated department form.	X				
Consumer Services	531.41(3)	5J-22.004	Net Contents of Packaged Goods	Adopts most recent version of NIST Handbook.	X				
Consumer Services	531.415	5J-22.005	Metrology Lab Fees	Adopts most current versions of ASTM International documents.	X				
Consumer Services	531.60 - .66, 531.42, 531.50	5J-22.006	Weighing and Measuring Device Permits	Amends language to include new devices and application so they are captured in this section along with all other weighing and measuring devices.	X				
Consumer Services	531.42, 531.50(1)	5J-22.007	Guidelines for Imposing Administrative Penalties	Updates penalty section to reflect a more appropriate penalty scale that coincides with the severity of the violation and to account for any applicable changes resulting from updates to Chapter 570, F.S.	X	X			
Consumer Services	501.913, 501.917, 501.921	5J-23.001	Standards	Updates ASTM Standards.	X				
Consumer Services	501.913, 501.918, 501.919	5J-23.0015	Registration	Updates the registration section to comply with statute; updates incorporated department forms.	X	X			
Consumer Services	501.913, 501.918, 501.919, 501.922, 570.971	5J-23.003	Guidelines for Imposing Administrative Penalties	Updates the penalty section to comply with statute.	X	X			
Consumer Services	526.53(1), (2), 526.54	5J-24.001	Performance Specifications and Standards for Motor Vehicle Brake Fluid	Incorporates SAE International standards to further define testing protocols.	X				
Consumer Services	526.51, 526.52, 526.53	5J-24.002	Registration	Updates the registration section to comply with statute; updates incorporated department forms.	X	X			
Consumer Services	526.55, 570.971	5J-24.003	Guidelines for Imposing Administrative Penalties	Updates the penalty section to comply with statute.	X	X			
Energy	377.802, 377.804	5O-1.003	Renewable Energy and Energy-Efficient Technologies Grants Program	Amends the existing rule in order to utilize funds that were not expended under the 2006 Renewable Energy and Energy-Efficient Technologies Grant Program.	X	X			
Energy	377.810	5O-4.004	Natural Gas Fuel Fleet Vehicle Rebate	Changes to the rule may be required in order to implement proposed legislation filed for the 2016 Legislative Session that would allow potential applicants to fully utilize the entire appropriation under a particular fiscal year.	X	X			

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The following regulatory plans lists all the rules the Department intends to adopt, amend, or repeal in FY 2015-2016 using existing statutory authority and was prepared in accordance with s. 120.74(1)(b), F.S.					Purpose of Rulemaking				
Florida Forest Service	570.07(28), 570.548, 590.02(1)(b), (1) (i), 590.125(3), (4)	5I-2.006	Open Burning Allowed	Add the word "certified" to the provision in (2)(f) 3 that would start as: Participation in five (5) "certified" burns and have this documented.....	X				
Florida Forest Service	589.277	5I-5.001	Purpose	Add some wording expanding program delivery, and delete Plant A Tree Trust Fund.	X	X			
Florida Forest Service	589.277, 570.0705	5I-5.002	Definitions	Revise definitions and division name and remove the Plant A Tree Trust Fund	X	X			
Florida Forest Service	589.277	5I-5.003	Use of Plant A Tree Trust Fund Monies	Revise the title of the Rule, and revise provisions and delete others.	X	X			
Florida Forest Service	589.277	5I-5.004	Grant Application Process	Revise the title of the Rule, revise first paragraph delete provisions since this will be in referenced materials.	X	X			
Florida Forest Service	589.277	5I-5.005	Reviewing and Processing Grants	Repeal obsolete rule			X		
Florida Forest Service	589.277	5I-5.006	Maintenance of Grant Award Projects	Revise the Title, and amend the provisions and delete Plant A Tree Trust Fund.	X	X			
Florida Forest Service	589.277	5I-5.007	Prioritization of Grant Applications	Repeal obsolete rule			X		
Florida Forest Service	589.277	5I-5.008	Award of Grants	Revise the Title, and amend the provisions, delete Plant A Tree Trust Fund and first paragraph, and change word "grants" to "contracts".	X	X			
Florida Forest Service	589.277	5I-5.009	Execution of Agreement and Documents	Revise the Title, and delete and amend the provisions, delete "memorandum of agreement" and replace with "contracts".	X	X			
Florida Forest Service	589.277	5I-5.010	Review of Projects in Progress and Upon Completion	Amend and delete the provisions	X	X			
Food, Nutrition, and Wellness	595.404	5P-1.003	Responsibilities for the School Food Service Program	Updates the references to forms; removes references to the "Office of Food, Nutrition and Wellness"; and makes other changes consistent with current federal regulations	X				
Food, Nutrition, and Wellness	595.404, 595.405	5P-1.004	Supervision and Administration	Removes duplication of 7 CFR 245			X		
Food, Nutrition, and Wellness	595.404	5P-1.005	Supervision and Administration	Removes all references to the incentive plan			X		
Food, Nutrition, and Wellness	595.404	5P-2.001	Definitions	Provides definitions related to the administration of the National School Lunch Program (NSLP), School Breakfast Program (SBP), Special Milk Program (SMP), Afterschool Snack Program (ASSP), and Seamless Summer Option (SSO).	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.002	Program Participation	Provides the eligibility criteria and application requirements for program participants	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.003	Program Responsibilities	Provides the rights and responsibilities of program participants	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.004	Procurement Standards	Specifies the standards for procurement of goods and services in SNP's	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.005	Reimbursement	Provides guidance for sponsors on the use of funds, claims reimbursements and financial oversight	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.006	Administrative Reviews and Audits	Specifies the processes for department review and oversight of sponsors, as well as evaluations and audits of the sponsors compliance with SNP regulations and operational effectiveness by other state and federal agencies	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.007	Sanction, Penalties, and Fiscal Action	Specifies the substantive and fiscal consequences of program irregularities, complaints, fraud, and other findings against sponsors	X	X			
Food, Nutrition, and Wellness	595.404	5P-2.008	Appeals	Provides the process for participant appeal of department decisions	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.001	Definitions	Provides definitions related to the administration of the Summer Food Service Program (SFSP)	X	X			
Food, Nutrition, and Wellness	595.404, 595.407	5P-3.002	Eligibility	Provides the department's process of determining the eligibility of institutions and organizations applying for participation in SFSP	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.003	Program Participation	Provides the SFSP application process and the department's standards for approval or denial of applications	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.004	Program Responsibilities	Provides the rights and responsibilities of program participants	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.005	Procurement Standards	Specifies the standards for procurement of goods and services in SFSP	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.006	Reimbursement and Advances	Provides guidance for sponsors on the claims reimbursement and advance payment processes	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.007	Financial Management	Specifies SFSP requirements related to allowable use of funds, submission of budget, budget adjustments, the timeline for required budget information, and financial oversight.	X	X			

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Food, Nutrition, and Wellness	595.404	5P-3.008	Administrative Reviews and Audits	Specifies the processes for department review and oversight of program sponsors, as well as evaluations and audits of the sponsors compliance with SFSP and operational effectiveness by other state and federal agencies	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.009	Sanction, Penalties, and Fiscal Action	Specifies the substantive and fiscal consequences of program irregularities, complaints, fraud, and other findings against sponsors	X	X			
Food, Nutrition, and Wellness	595.404	5P-3.010	Appeals	Provides the process for participant appeal of department decisions	X	X			
Food Safety	502.012, 502.014, 502.053, 502.091	5D-1.001	Documents Incorporated by Reference and Definitions	Transfers Rule from Title 5D to Title 5K due to the movement of the Bureau of Dairy Industry to the Division of Food Safety. Then, update as necessary including adoption of the most recent version of the Pasteurized Milk Ordinance.	X	X			
Food Safety	502.014, 502.032, 502.053, 502.091, 502.165, 502.231	5D-1.003(2)	Permits, Licenses and Inspections	Transfers Rule from Title 5D to Title 5K due to the movement of the Bureau of Dairy Industry to the Division of Food Safety. Then, update as necessary.	X	X			
Food Safety	502.014, 502.042, 502.091	5D-1.007	Dating: Standards for Milk, Milk Products, Manufactured Milk Products and Frozen Milk Desserts.	Transfers Rule from Title 5D to Title 5K due to the movement of the Bureau of Dairy Industry to the Division of Food Safety. Then, update as necessary.	X	X			
Food Safety	502.014, 502.053, 502.091, 502.121	5D-1.012	Future Dairy Farms, Milk Plants, Manufacturing Milk Plants and Frozen Dessert Plants.	Transfers Rule from Title 5D to Title 5K due to the movement of the Bureau of Dairy Industry to the Division of Food Safety. Then, update as necessary.	X	X			
Food Safety	500.04, 500.09, 500.10, 500.12(1)(a), (b), (c), (d), (f), 500.12(2), 500.12(7), 500.121, 500.171, 500.172, 500.177, 570.15	5K-4.034	Guidelines for Imposing Administrative Penalties	Provides guidelines for imposing administrative fines for violations	X	X			
Food Safety	500.02, 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12, 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.459, 570.07(2), (6), (9), (16), (18), (24), 570.0725	5K-4.002	Adoption of Federal Regulations and Other Standards	Adds Code of Federal Regulation references for CFR 170-190.	X	X			
Food Safety	500.04, 500.09, 500.10, 500.12(1)(a), (b), (c), (d), (f), 500.12(2), 500.12(7), 500.121, 500.171, 500.172, 500.177, 570.15	5K-4.020	Food Permits; Requirements and Fees	Add the definitions for wholesale, retail and records	X	X			
Licensing	493.6115(6)	5N-1.131	Approval of Other Firearms	Establish criteria for use of firearms other than those specified in s. 493.6105(5).	X				
Licensing	493.6105(5),(6), (7), 493.6113(3) 493.6115(8), 493.6304, 493.6406	5N-1.134	Firearms Instructor's Training Manual and Certificate of Firearms Proficiency for Statewide Firearm License; Schools or Training Facilities, License Application; Exemptions	Proposed amendments will update the instructional methodology of the Firearms Instructor's Training Manual based on materials and methods used by the Florida Department of Law Enforcement (as approved by the Criminal Justice Standards and Training Commission) for use in teaching recruits basic firearms training, and will simplify and clarify remaining content to aide the instructional process.	X				

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Marketing and Development	573.118(2), 573.119, 573.112	5H-2.003	Assessments; Collections	Amends the list of commodity specific marketing orders to include all that may potentially meet the requirements of Chapter 573, F.S. Allows for the addition or subtraction of marketing orders without amending the rule each time there is a change.	X				
Marketing and Development	571.22, 571.24	5H-17.001	Purpose; Establishment of Campaign	Repeal.			X		
Marketing and Development	571.23	5H-17.002	Definitions	Amends definitions of terms related to the Florida Agricultural Promotional Campaign	X				
Marketing and Development	571.24(1)	5H-17.003	Adoption of the Florida Agricultural Promotional Campaign Identifiers.	Amends the descriptions of the Fresh From Florida Identifiers and clarifies the circumstances under which each one may be used.	X				
Marketing and Development	571.24(1), 571.26	5H-17.004	Use of the Identifiers; Deposit of Funds	Amends the approval process for use of the Fresh From Florida Identifiers	X				
Marketing and Development	571.25(2)	5H-17.005	Participant Registration; Application Forms; Classes of Membership; Renewal	Amends the participant registration process and the types of membership and incorporates all related forms	X				
Marketing and Development	571.25(1)	5H-17.006	Renewal	Implements criteria for registration refusal and penalties.	X				
Marketing and Development	571.27	5H-17.007	Acquisition Procedures for Purchasing Services Directly Related to the Campaign	Repeal.			X		
Plant Industry	570.07, 581.031, 581.211, 581.101, 581.131, 581.141, 581.184, 581.083	5B-63.001	Citrus Health Response Program.	Revises the department's regulatory activities regarding quarantine areas, citrus movement standards, and hosts for citrus black spot, citrus canker and citrus greening. This revision will bring our regulatory activities in alignment with federal regulations.	X				X
Plant Industry	581.031, 581.083, 581.121, 581.131, 581.141	5B-2.001	Definitions	To revise definitions to meet current regulatory activities.	X				X
Plant Industry	581.031, 581.083, 581.121, 581.131, 581.141	5B-2.0011	Purpose	To update incorporated materials	X	X			
Plant Industry	581.131, 581.141	5B-2.002	Registering with the Division	To update regulatory activities for current day activities, update incorporated materials, and adjust registration fees.	X	X		X	
Plant Industry	581.031, 581.083, 581.101	5B-2.0025	Certification and Quarantine of Nursery Stock	To update regulatory requirements and the list of plant pests.	X	X			X
Plant Industry	581.031, 581.131	5B-2.004	Certificates of Inspection (Tags)	To update regulatory requirements for current day activities.	X	X			
Plant Industry	581.031	5B-2.008	Record of Movement of Nursery Stock or Plant Material Under Inspection	To update regulatory requirements for current day activities.	X	X			
Plant Industry	581.031	5B-2.010	Special Inspection and Certification Fees	To update regulatory requirements for current day activities, reference material, and clarify certification charges.	X	X		X	