

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Agriculture

HB 1205 — Fumigation

by Representative Magar (SB 1498 by Senator Benacquisto)

The bill requires the Department of Agriculture and Consumer Services (department) to adopt a rule specifying the circumstances when less than 24-hour notification of structural fumigation is acceptable. The bill removes the current emergency exception.

The bill requires the department to adopt rules that include additional safety measures to be taken regarding the clearance of residential structures before reoccupation after a fumigation. These measures can include extended aeration times or specific clearance procedures.

Additionally, the bill authorizes the department to adopt rules that establish conditions of registration or reregistration for structural fumigants which include requirements registrants (manufacturers) to:

- Train distributors and end users in safety measures and proper use, safe storage, and management of fumigant materials;
- Obtain continuing education program approval for stewardship training programs;
- Conduct quality assurance reviews;
- Report to the department any probation or stop-sale notices issued to end users. The department must then notify all other structural fumigant registrants of the reported probation or stop-sale notice; and
- Assist the department upon request, with the removal of fumigant containers from distributors and end users for compliance with permanent or extended stop-sale notices.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 38-0; House 116-0