

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Agriculture

CS/CS/HB 7007 — Department of Agriculture and Consumer Services

by State Affairs Committee; Agriculture and Natural Resources Appropriations Subcommittee; Agriculture and Natural Resources Subcommittee; Rep. Raburn and others (CS/CS/SB 1010 by Appropriations Committee; Agriculture Committee and Senator Montford)

The bill addresses the following issues relating to agriculture and certain powers and duties of the Department of Agriculture and Consumer Services (department):

- Designates tupelo honey as the official state honey.
- Changes the procedure to obtain and renew a pest control operator's certificate and eliminates a late charge.
- Preempts to the department the regulation of the use or sale of polystyrene products by entities regulated under the Florida Food Safety Act.
- Changes the deadline to submit a recertification application for the limited certification for urban landscape commercial fertilizer application and eliminates the \$50 per month late charge for late recertification.
- Adds the term "dietary supplements" to the list of possibly adulterated foods.
- Defines the term "vehicle" to provide clarity to the types of mobile carriers that fall under the department's regulatory authority.
- Adds allergen information labeling requirements to the list of possibly misbranded foods.
- Authorizes the department to sponsor "events" (not just breakfasts, luncheons, or dinners) to promote agriculture and agricultural business products.
- Authorizes the department to secure letters of patent, copyrights, and trademarks on any work products of the department and accordingly to enforce its rights.
- Authorizes the department to use money deposited in the Pest Control Trust Fund to carry out any of the powers and duties of the Division of Agricultural Environmental Services.
- Creates an Office of Agriculture Technology Services.
- Removes the requirement for the department to provide administrative staff relating to meetings and office space for the Florida Agriculture Center and Horse Park Authority.
- Specifies the intent of the "Fresh From Florida" marketing brand.
- Amends membership requirements for the Florida Agricultural Promotional Campaign Advisory Council.
- Modifies the reporting period for fertilizer tonnage sales from monthly to quarterly and changes the reporting requirement from 15 days to 30 days following the close of the reporting period.
- Preempts regulatory authority for commercial feed and feedstuff to the department.
- Removes the requirement that the department notify a property owner that a plant infested or infected with plant pests or noxious weeds has been found on their property if the plant is infested with pests or noxious weeds that are determined to be widely established in Florida. This change provides the department with the flexibility to not have to require an owner to destroy or remove the plant.
- Rewrites ch. 582, F.S., to modernize the 'Soil and Water Conservation Districts' (SWCDs) statutes to reflect the actual functions of the districts.

- Removes obsolete statutory references relating to Watershed Improvement Districts.
- Adds definitions for “school breakfast program,” “summer nutrition program,” and “universal school breakfast program” to specify that they are programs which are authorized by federal law.
- Authorizes the department to implement the Farmers’ Market Nutrition Program to provide participants in the Supplemental Nutrition Program for Women, Infants, and Children with locally grown fruits and vegetables.
- Eliminates a federal licensing requirement for certain citrus fruit inspectors.
- Requires the department to provide the highest rate of reimbursement to which it is entitled under the federal school breakfast program to a “severe need school”.
- Renames the “Florida Farm Fresh Schools Program” to be the “Florida Farm to School Program.”
- Eliminates the requirement that each grain dealer report monthly to the department the value of grain it received from producers for which the producers have not received payment.
- Eliminates the Florida Forest Service’s power to dedicate its land for use by the public as a park.
- Re-designates the Pompano State Farmers Market as the “Edward L. Myrick State Farmers Market.”

If approved by the Governor, these provisions take effect July 1, 2016, except as otherwise expressly provided in the act.

Vote: Senate 38-0; House 110-4