

1 A bill to be entitled
2 An act relating to rulemaking authority with
3 respect to the regulation of the citrus
4 industry; creating s. 601.9918, F.S.;
5 authorizing the Florida Citrus Commission to
6 refer to national or state requirements in
7 rules relating to issuance and use of symbols,
8 certification marks, service marks, and
9 trademarks; amending s. 601.10, F.S.;
10 authorizing the Department of Citrus to adopt a
11 rule listing forms to be used in conducting its
12 business; amending s. 601.61, F.S., relating to
13 the bond requirements of citrus fruit dealers;
14 allowing the Florida Citrus Commission to
15 prescribe certain terms of producer contracts;
16 providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 601.9918, Florida Statutes, is
21 created to read:

22 601.9918 Rules related to issuance and use of
23 symbols.--In rules related to the issuance and voluntary use
24 of symbols, certification marks, service marks, or trademarks,
25 the commission may make general references to national or
26 state requirements that the license applicant would be
27 compelled to meet regardless of the department's issuance of
28 the license applied for.

29 Section 2. Subsection (15) is added to section 601.10,
30 Florida Statutes, to read:

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1 601.10 Powers of the Department of Citrus.--The
2 Department of Citrus shall have and shall exercise such
3 general and specific powers as are delegated to it by this
4 chapter and other statutes of the state, which powers shall
5 include, but shall not be confined to, the following:

6 (15) To provide by rule a list of forms used in
7 conducting its business. The adoption of such rule
8 constitutes sufficient notice to the public of the existence
9 of the forms and negates the need to place specific citation
10 to such list throughout the related chapters of the Florida
11 Administrative Code.

12 Section 3. Subsection (2) of section 601.61, Florida
13 Statutes, is amended to read:

14 601.61 Bond requirements of citrus fruit dealers.--

15 (2) Said bond shall be in the form approved by the
16 Department of Agriculture and Consumer Services and shall be
17 conditioned as provided in s. 601.66(9), and also to fully
18 comply with the terms and conditions of all contracts, verbal
19 or written, made by the citrus fruit dealer with producers or
20 with other citrus fruit dealers, relative to the purchasing,
21 handling, sale, and accounting of purchases and sales of
22 citrus fruit, and upon the dealer accounting for the proceeds
23 from, and paying for, any citrus fruit purchased or contracted
24 for, in accordance with the terms of the contracts with
25 producers, and upon the dealer accounting for any advance
26 payments or deposits made, and delivering all citrus fruit
27 contracted for, in accordance with the terms of the contracts
28 with other citrus fruit dealers. The commission may prescribe
29 by rule that such a producer contract contain information that
30 it considers necessary to protect the producer from deceptive
31 practices.For purposes of this chapter, every such contract

1 shall be conclusively deemed to have been made and entered
2 into during the shipping season in which the delivery of fruit
3 into the primary channel of trade is made.

4 Section 4. This act shall take effect upon becoming a
5 law.

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