

1 A bill to be entitled
2 An act relating to eradication of agricultural
3 pests; prescribing duties of the Department of
4 Agriculture and Consumer Services and the
5 Department of Health with respect to programs
6 of emergency aerial application of pesticide
7 for eradication of plant pests; requiring use
8 of certain pesticides; requiring development of
9 a system for informing the public of such
10 programs and requiring public and other notice
11 of certain programs of pest eradication;
12 providing for information to be furnished to
13 health care providers; providing for health
14 advisory committees; providing an effective
15 date.

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

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19 Section 1. To carry out its duties with respect to
20 emergency responses to plant pest infestations when the
21 eradication programs involve the aerial application of a
22 pesticide to an urbanized area, the Department of Agriculture
23 and Consumer Services shall:

24 (1) Use a pesticide previously approved by the United
25 States Environmental Protection Agency for that eradication
26 purpose.

27 (2) Provide a system for dissemination of information
28 to the public about infestations of pests that are the subject
29 of such eradication programs. The system shall disseminate
30 information relating to the pest; the pesticide selected to
31 eradicate that pest; the generally accepted effects, if any,

1 of the pesticide on the human population and the environment
2 in the area in which an aerial eradication program will be
3 conducted; recommended safety precautions; and the alternative
4 methods of responding to the pest infestation, if any.

5 Section 2. At any time when the Department of
6 Agriculture and Consumer Services is conducting an emergency
7 response to a plant pest infestation which involves the aerial
8 application of a pesticide to an urbanized area, the
9 Department of Health shall monitor health problems that result
10 from chemical exposure about which complaints are made to
11 physicians and health care facilities. The Department of
12 Health shall provide a toll-free hotline on which persons may
13 register complaints and shall make a record of all calls
14 received on that line. In consultation with the Department of
15 Health, the Department of Agriculture and Consumer Services
16 shall adopt by rule standards for determining when the use of
17 a particular pesticide should be discontinued.

18 Section 3. Before the Department of Agriculture and
19 Consumer Services begins an emergency response to a plant pest
20 infestation which involves the aerial application of a
21 pesticide to an urbanized area, the department shall notify
22 the public in the area in which the pesticide is to be applied
23 of its impending action. Notice must be given at least 48
24 hours before beginning the aerial application of a pesticide
25 to an urbanized area. The department shall use all reasonable
26 methods to disseminate, as widely as possible, information
27 required under this section. Information to be disseminated
28 includes, but is not limited to: a copy of any Environmental
29 Protection Agency permit or other permit under which the
30 pesticide will be applied; the source, including the date of
31 publication, of any technical information about the pesticide

1 which is included in the notice, if available; the projected
 2 area over which the pesticide will be applied; the predicted
 3 duration of the application period; and the number of the
 4 Department of Health's toll-free hotline. When the emergency
 5 response to a plant pest infestation requires the aerial
 6 application of a pesticide to an urbanized area for a period
 7 longer than 1 week, the department shall notify the public in
 8 the area of the program's continuation. The department shall
 9 notify the public in the area when an emergency response to a
 10 plant pest infestation which requires the aerial application
 11 of a pesticide to an urbanized area is terminated.

12 Section 4. The Department of Health shall provide
 13 technical assistance relating to health problems that result
 14 from chemical exposure to physicians and health care
 15 facilities in an area in which the Department of Agriculture
 16 and Consumer Services is conducting an emergency response to a
 17 plant pest infestation which involves the aerial application
 18 of a pesticide to an urbanized area. The Department of Health
 19 shall provide the names, addresses, and telephone numbers of
 20 physicians and health care facilities in the area in which the
 21 eradication program will be conducted which specialize in
 22 health problems resulting from chemical exposure.

23 Section 5. The Department of Health shall provide
 24 technical assistance to the Department of Agriculture and
 25 Consumer Services when the latter department is carrying out
 26 an emergency response to a plant pest infestation which
 27 involves the aerial application of a pesticide to an urbanized
 28 area and shall establish a health advisory committee. The
 29 committee shall consist of seven members and shall include the
 30 State Health Officer, the local health officer, the poison
 31 information center director, a toxicologist from the

1 Department of Agriculture and Consumer Services, a person
2 representing the state teaching hospital, a physician
3 practicing in the area, and an epidemiologist from the
4 Department of Health. The duties of the health advisory
5 committee are to serve as a resource, under the supervision of
6 the Department of Health, to the Department of Health and the
7 Department of Agriculture and Consumer Services in carrying
8 out their duties under this act. Duties of the health advisory
9 committee include, but are not limited to, review of the
10 aggregate information collected from physician and hotline
11 calls.

12 Section 6. As used in this act, the term "urbanized
13 area" means land that is zoned for purposes other than
14 agricultural purposes and that has a residential density of
15 two or more units per acre.

16 Section 7. This act shall take effect July 1 of the
17 year in which enacted.

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