

By Senator Simon

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1                                   A bill to be entitled  
2       An act relating to country of origin for wild and  
3       farm-raised fish; amending s. 500.11, F.S.; providing  
4       that wild and farm-raised fish are considered  
5       misbranded under certain circumstances; creating s.  
6       500.601, F.S.; requiring the Commissioner of  
7       Agriculture to establish the Florida Wild Fish and  
8       Seafood Certification Program; providing duties of the  
9       commissioner and the Department of Agriculture and  
10      Consumer Services in administration of the program;  
11      requiring the department to adopt rules; providing  
12      standards for the program; authorizing the  
13      commissioner to consult with certain entities when  
14      establishing regulatory authority and requirements for  
15      the program; requiring all wild fish and seafood  
16      products intended to be certified and marketed as  
17      Florida wild fish or Florida wild seafood product to  
18      meet certain requirements; providing construction;  
19      providing program requirements for fishermen and  
20      seafood dealers entering the program; creating s.  
21      500.65, F.S.; requiring food establishments selling  
22      wild or farm-raised fish to provide specified  
23      information relating to the fish on a sign; providing  
24      requirements for the sign; defining the term "wild or  
25      farm-raised fish"; creating s. 509.1011, F.S.;  
26      requiring public food service establishments selling  
27      wild or farm-raised fish to publish specified  
28      information relating to the fish through certain  
29      means; providing requirements for publishing such

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30 information; providing applicability; defining the  
31 term "wild or farm-raised fish"; amending s. 509.292,  
32 F.S.; providing penalties for mislabeled wild and  
33 farm-raised fish; providing an effective date.  
34

35 Be It Enacted by the Legislature of the State of Florida:  
36

37 Section 1. Paragraph (q) is added to subsection (1) of  
38 section 500.11, Florida Statutes, to read:

39 500.11 Food deemed misbranded.—

40 (1) A food is deemed to be misbranded:

41 (q) If it is wild or farm-raised fish not labeled in  
42 accordance with s. 500.65.

43 Section 2. Section 500.601, Florida Statutes, is created to  
44 read:

45 500.601 Florida Wild Fish and Seafood Certification  
46 Program.—

47 (1) (a) The Commissioner of Agriculture shall establish the  
48 Florida Wild Fish and Seafood Certification Program. The program  
49 shall establish a quality certification program for Florida wild  
50 fish and seafood products, including wild-caught shrimp, which  
51 are taken, harvested, or landed in this state. The Department of  
52 Agriculture and Consumer Services shall adopt rules to establish  
53 the program and program standards. The standards must include,  
54 but are not limited to:

55 1. Harvest requirements.

56 2. Compliance standards.

57 3. Packaging requirements.

58 4. Certification protocols.

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59 (b) The commissioner may consult with the Department of  
60 Health, state universities, and other state or federal agencies  
61 deemed appropriate, when establishing regulatory authority over  
62 and requirements for the program.

63 (2) All wild fish and seafood products intended to be  
64 certified and marketed as Florida wild fish or Florida wild  
65 seafood product must meet all criteria and requirements  
66 established in rule by the department. Any fish or seafood  
67 product sold or attempted to be sold under the program that  
68 fails to meet the requirements of the program must be  
69 immediately removed from the market and disposed of, as  
70 prescribed by department rule.

71 (3) Any fisherman or seafood dealer who wishes to  
72 participate in the program shall apply to the department, in a  
73 manner prescribed by the department, to be issued a  
74 participation permit. The permit may be suspended or revoked by  
75 the department for a violation of the requirements of the  
76 program. Any holder of a permit who harvests or markets wild  
77 fish or wild seafood products in accordance with the program may  
78 market the wild fish or wild seafood products as Florida wild  
79 fish and Florida wild seafood products.

80 Section 3. Section 500.65, Florida Statutes, is created to  
81 read:

82 500.65 Labeling of wild and farm-raised fish.—

83 (1) Each food establishment selling wild or farm-raised  
84 fish that originated outside of the United States shall provide  
85 whether the fish is wild or farm-raised and the country of  
86 origin for such fish or denote that such fish is imported in  
87 letters no smaller than the same size, font, and shade as the

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88 fish being offered is listed, by means of a label, stamp, mark,  
89 placard, or other visible sign on the package, display, holding  
90 unit, or bin containing the fish at the final point of sale or  
91 by posting a sign stating such information. The sign must be at  
92 least 8.5 inches wide by 11 inches tall and placed not less than  
93 36 inches from the floor located in a conspicuous location where  
94 the fish is held for offer using English letters not less than 1  
95 inch in size.

96 (2) For purposes of this section, the term "wild or farm-  
97 raised fish" includes fish and shrimp. The term does not include  
98 crabs, lobsters, oysters, crayfish, clams, or scallops.

99 Section 4. Section 509.1011, Florida Statutes, is created  
100 to read:

101 509.1011 Labeling of wild and farm-raised fish.-

102 (1) Each public food service establishment selling wild or  
103 farm-raised fish that originated outside of the United States  
104 shall provide the country of origin for such fish and:

105 (a) Display on its menus the country of origin of the fish  
106 and whether the fish is wild or farm-raised in letters no  
107 smaller than the same size, font, and shade as the wild or farm-  
108 raised fish being sold is listed, immediately adjacent to the  
109 menu listing;

110 (b) Affix to its menus a piece of paper with the country of  
111 origin of the fish and whether the fish is wild or farm-raised  
112 in letters no smaller than the same size, font, and shade as the  
113 wild or farm-raised fish being sold is listed; or

114 (c) Post a sign stating the country of origin for the fish  
115 and whether the fish is wild or farm-raised. The sign must be at  
116 least 8.5 inches wide and 11 inches tall and placed not less

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117 than 36 inches from the floor and be located in a conspicuous  
118 location where the fish is held for sale using English letters  
119 not less than one inch in size.

120  
121 The requirements of this subsection apply to any dish served by  
122 a public food service establishment that contains any wild or  
123 farm-raised fish that originated outside of the United States.

124 (2) For purposes of this section, the term "wild or farm-  
125 raised fish" includes fish and shrimp. The term does not include  
126 crabs, lobsters, oysters, crayfish, clams, or scallops.

127 Section 5. Paragraph (d) is added to subsection (1) of  
128 section 509.292, Florida Statutes, to read:

129 509.292 Misrepresenting food or food product; penalty.—

130 (1) An operator may not knowingly and willfully  
131 misrepresent the identity of any food or food product to any of  
132 the patrons of such establishment. The identity of food or a  
133 food product is misrepresented if:

134 (d) For wild or farm-raised fish, the wild or farm-raised  
135 fish is not labeled in accordance with s. 509.1011.

136 Section 6. This act shall take effect July 1, 2025.