

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits.

(1) through (3) No change.

(4) Western Region – Persons harvesting king mackerel for commercial purposes from waters of the Western Region shall have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed sooner by operation of this subsection. These persons shall be subject to commercial vessel limits effective during segments of the season as follows:

(a) through (d) No change.

(e) King mackerel may be landed from April 1 through June 30 in Collier County when the Western Region of the Gulf-Atlantic Fishery has been closed, under the following conditions:

1. The king mackerel have been legally harvested from adjacent state or federal waters off Monroe County pursuant to Rule 68B-30, F.A.C. or pursuant to Part 622 of the Code of Federal Regulations (CFR) for Atlantic migratory group king mackerel.

2. The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR).

3. The transport of king mackerel through the closed state waters off Collier County is continuous and direct from the area open to harvest to the place of landing, and

4. All fishing gear must be stowed during transit through the closed area.

(5) No change.

PROPOSED EFFECTIVE DATE: April 1, 2012

Rulemaking Specific Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History–New 10-1-90, Amended 12-4-91, 11-29-93, 12-28-95, 1-1-97, 1-1-98, Formerly 46-12.0046, Amended 4-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.0252	Use of Prescribed Pancreatic Enzyme Supplements
6A-6.0970	John M. McKay Scholarship for Students with Disabilities Program

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly. The public meeting date has been changed from January 25th to January 24, 2012.

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NOS.:	RULE TITLES:
6A-20.023	Jose Marti Scholarship Challenge Grant Fund
6A-20.028	Florida Bright Futures Scholarship Program.

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly. The public meeting date has been changed from January 25th to January 24, 2012.

#### BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-18.011	Agreements
18-18.016	Enforcement

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The previously published notice erroneously omitted the following language:

The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

**BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND**

RULE NOS.:	RULE TITLES:
18-20.008	Inclusion of Lands, Title to Which Is Not Vested in the Board, in a Preserve
18-20.009	Establishment or Expansion of Aquatic Preserves

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly.

The previously published notice erroneously omitted the following language:

The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

**DEPARTMENT OF CITRUS**

RULE NO.:	RULE TITLE:
20-60.001	Registration Required

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule is strictly housekeeping in nature; therefore it will not have an adverse impact or impose a regulatory cost.

**DEPARTMENT OF CITRUS**

RULE NO.:	RULE TITLE:
20-60.002	Notice Required

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule is strictly housekeeping in nature; therefore it will not have an adverse impact or impose a regulatory cost.

Notice of Change/Withdrawal

**DEPARTMENT OF CITRUS**

RULE NOS.:	RULE TITLES:
20-64.001	Grades Established
20-64.002	Canned Orange Juice
20-64.003	Grapefruit Juice – Canned and Chilled
20-64.004	Canned Blend of Orange and Grapefruit Juice
20-64.005	Other Mixtures of Orange and Grapefruit Juice
20-64.007	Frozen Concentrated Orange Juice
20-64.008	Concentrated Orange Juice for Manufacturing
20-64.009	Frozen Concentrated Grapefruit Juice
20-64.010	Frozen Concentrated Grapefruit Juice for Manufacturing
20-64.011	Frozen Concentrated Blended Grapefruit Juice and Orange Juice
20-64.012	Other Concentrated Citrus Fruit Juices
20-64.013	Canned Grapefruit Sections
20-64.014	Canned Grapefruit and Orange for Salad
20-64.015	Chilled Orange Juice
20-64.016	Concentrate for Soft Serve Orange Juice
20-64.017	Gelled Sunshine Citrus Salad
20-64.018	Other Chilled Processed Citrus Products
20-64.019	Products Having No Established State or USDA Grade Standards

- 20-64.023 Concentrate for Orange Beverage Base
- 20-64.024 Grapefruit Juice for Beverage Base Product; Grapefruit Beverage Base for Export Only

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing these unnecessary and federally superseded rules will not have an adverse impact or impose a regulatory cost.

These corrections are in response to comments received from the Joint Administrative Procedures Committee:

20-64.001 Grades Established.

Florida State Grades for processed citrus products shall be identical with applicable United States Standards for Grades, if any incorporated herein by reference as herein provided. Any product failing to meet the grade of minimum quality standards prescribed herein shall be labeled substandard, or in the case of bulk containers, the shipment shall be accompanied by an inspection certificate with the bill of lading and invoice for each shipment clearly bearing the legend "substandard."

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History—Formerly 105-1.19(1), Revised 1-1-75, Formerly 20-64.01, Amended.

**DEPARTMENT OF CITRUS**

- RULE NO.: 20-65.002
- RULE TITLE: Equipment

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: As this rule amendment allows the industry a more varied equipment list to choose from it will not have an adverse impact or impose a regulatory cost.

**DEPARTMENT OF CITRUS**

- RULE NOS.: 20-66.002
- RULE TITLES: Products for Export
- 20-66.003 Misbranding Imported Product
- 20-66.004 Florida Identification
- 20-66.005 Proof of Geographic Origin

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary rule which has been preempted by federal rules will not have an adverse impact or impose a regulatory cost.

**DEPARTMENT OF CITRUS**

- RULE NOS.: 20-69.001
- RULE TITLES: Requirements for Fruit Imported for Processing
- 20-69.002 Requirements for Use of Imported Products
- 20-69.003 Identification of Imported Product

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary rule will not have an adverse impact or impose a regulatory cost.

These changes were requested by the USDA to ensure imported product is safe for human consumption.

20-69.002 Requirements for Use of Imported Products.

Processed citrus products, in any form, processed in other areas and imported into Florida, may be reprocessed, blended, mixed or repackaged only under the following condition:

The product is graded by the United States Department of Agriculture (USDA) or is accompanied by a certificate of Grade issued by USDA and product is certified to meet applicable requirements of the United States Standards for Grades and U.S. Food and Drug Administration 21 CFR, incorporated herein by reference, and is fit for human consumption.

Rulemaking Authority 601.10(1),(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.155 FS. History—Formerly 105-1.27(2), Revised 1-1-75, Amended 3-16-80, Formerly 20-69.02, Amended 6-9-91, 1-19-93, 10-15-95, 6-8-97, Amended.

**DEPARTMENT OF CITRUS**

RULE NOS.:                    RULE TITLES:  
20-69.002                    Requirements for Use of Imported Products

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CITRUS**

RULE NOS.:                    RULE TITLES:  
20-70.001                    Registration of Labels  
20-70.002                    Use of Labels to Represent Grade  
20-70.003                    Processor to Maintain File of Labels Used  
20-70.004                    Designation of Grade on Container  
20-70.005                    Coding Containers  
20-70.006                    Notice Required

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language: The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary and federally superseded rule will not have an adverse impact or impose a regulatory cost.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.:                    RULE TITLE:  
62-112.030                    Procedures for Certification and Agency Review

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly.

The previously published notice erroneously omitted the following language:

The Agency has determined that the proposed rules is not expected to require legislative ratification based on the statement of estimated regulatory cost or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                    RULE TITLE:  
64B5-2.013                    Dental Examination Requirements and Grading

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 39, September 30, 2011 issue of the Florida Administrative Weekly.

The correction is as follows:

The Subject Area to be Addressed in the Rule Development shall read as: Dental Examination Requirements in the State of Florida.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:                    RULE TITLE:  
64B16-28.101                    Prescription Area Accessible to Inspection

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The correction is as follows:

The Rule Development publication date listed in the Notice of Proposed Rule should read:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 21, 2011

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

