

herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the fact that the revisions being made to the rule only clarify definitions and testing requirements for importation of animals into Florida, there are fees associated with this rule, but based on history, no SERC required, see SERC worksheet for explanation. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.003, 585.08(1), (2)(a), 585.11(1), (4), 585.14, 585.145(1), (2), 585.16, 828.29(1)(a), (2)(a) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Michael Short, State Veterinarian, (850)410-0900; Fax: (850)410-0929

THE FULL TEXT OF THE PROPOSED RULE I

5C-3.001 Definitions.

For the purpose of this chapter, the definitions in Section 585.01, F.S., and the following shall apply:

(1) Accredited Veterinarian. A state licensed veterinarian accredited by the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 C.F.R. §§ ~~160-162 (2013)~~. 161.1 (JAN 2018), incorporated in subsection 5C-4.0015(1), F.A.C.

(2) Administrator. The Administrator of USDA, APHIS or any person authorized to act for the Administrator.

(3) ~~Animal(s) or Domestic Animal~~ Any animals that are ~~maintained for private use or commercial purposes; including any equine such as horse, mule, ass, burro, or zebra; any bovine such as bull, steer, ox, cow, heifer, calf, or bison; any other hoofed animal such as goat, sheep, swine, or cervids; any domestic cat, dog, reptile, or amphibian; any avian such as ratites, poultry, or other domesticated bird or fowl; or any captive, exotic or non-native animals.~~

This term is as defined in section 585.01(10), F.S., which provides that the term "animal" shall include wild or game animals whenever necessary to effectively control or eradicate

dangerous transmissible diseases or pests which threaten the agricultural interests of the state.

(4) ~~Approved Livestock Facility Market~~. A stockyard, livestock market, buying station, concentration point, or any other premises under State or Federal veterinary supervision where Livestock are assembled and that has been approved by the Administrator pursuant to under 9 C.F.R. § 71.20 (20182013); where livestock in interstate movement are assembled for sale purposes. 9 C.F.R. § 71.20 (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(5) ~~Approved Tagging Site~~. A site or location specifically approved by the Department in accordance with Chapter 5C-31, F.A.C., to apply Official Individual Identification to cattle.

(5) ~~Authorized Representative~~. An employee of the state or federal government, or a licensed veterinarian accredited by the USDA, who is authorized to conduct animal disease control and eradication activities.

(6) Avian Influenza (AI) or Exotic Newcastle Disease (END) – Affected State. Any state in which ~~AI~~ Avian Influenza subtypes H5 or H7 or END virus has been diagnosed in Poultry within the last ninety (90) days prior to Importation into Florida.

(7) Avian Influenza (AI) Approved Test.- Antibody or antigen capture methodologies recognized by the National Poultry Improvement Plan (NPIP) and conducted at a laboratory approved to conduct such tests by USDA, APHIS.

(8) Cervidae Herd Health Plan. A Florida Department of Agriculture and Consumer Services (FDACS) disease surveillance plan for Cervids as ~~described~~ defined and required in Chapter 5C-26, F.A.C.

(9) Cervids. Any farmed or captive members of the family Cervidae and hybrids, including deer, elk, moose, caribou, reindeer, and related species that are raised or maintained in captivity for the production of meat and other agricultural products, for sport, or for exhibition.

(10) Cleaned and Disinfected. Free of organic matter and disinfected in accordance with 9 C.F.R. §§ 71.7 and 71.10-71.12 (20182013). 9 C.F.R. §§ 71.7 and 71.10-71.12 (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(11) Commuter Herd. A herd of cattle moved interstate during the course of normal livestock management operations without a change of ownership or comingling of cattle of different ownership directly between two premises, as provided in a commuter herd agreement. The Commuter Herd participating states are Alabama, Florida, Georgia, and Mississippi.

(12) Competitive Enzyme-linked Immunosorbent Assay (cELISA). A test that uses antibodies and color change to identify and quantify total antibodies in a sample.

~~(13)(44)~~ Department. The Florida Department of Agriculture and Consumer Services.

~~(14)(42)~~ Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

~~(15)~~ “Domestic Animal” shall include any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, emu, rhea, or other domesticated beast or bird.

~~(16)(43)~~ Domestic Fowl. Any member of the class Aves that is propagated or maintained under control of a person for commercial, exhibition, or breeding purposes, or as pets.

~~(17)~~ Electronic Equine Infectious Anemia (EIA) Form (A.K.A. Coggins Form). An electronic version of a USDA, APHIS and Department approved EIA form which must be complete, legible, and accurate with a detailed description of the equine that the test record represents, including the breed registration number or registry tattoo, when applicable; the name of the equine; the age, breed, sex and color; all other distinctive markings, including markings on the legs and face, color patterns, body brands, scars, whorls and blemishes, and digital images of the Equine. The digital images must consist of three (3) color images to include a full view of both sides of the Equine and the face from above the ears to below the muzzle.

~~(18)(44)~~ Emergency Management Response Services (EMRS), is ~~A~~ USDA, APHIS, web-based application for authorized users in the reporting of routine investigations of foreign animal diseases (FADS), surveillance and control programs, state specific disease outbreaks, and national animal health emergency responses (all-hazards).

~~(19)(45)~~ Endemic Disease. A disease will be characterized as an Endemic Disease ~~to~~ in a particular locality, region, state, or U.S. possession based on known positive cases, prevalence of the disease, presence of competent vectors and/or evidence of natural transmission of the disease such that the disease is maintained in the population without external inputs.

~~(20)(46)~~ Equine. Any member of the family Equidae, including horses, mules, asses, and zebras.

~~(21)~~ Equine Event Extension. A document accompanied by the original Official Certificate of Veterinary Inspection (OCVI), valid for six (6) months from the date of issuance, and proof of a negative EIA test within the previous twelve (12) months, is accepted by participating states for interstate movement.

~~(22)~~ Equine Infectious Anemia (EIA). A viral disease of horses, commonly known as swamp fever, which is infectious and is spread primarily by bloodsucking insects. Transmission can also occur through transfer of infected blood by fomites, such as contaminated hypodermic needles and other instruments.

~~(23)~~ Equine Interstate Passport. A card produced by the Department that serves as proof of negative EIA test and OCVI that is accepted by participating states for interstate movement.

~~(24)(47)~~ Exotic (virulent) Newcastle Disease (END) Approved Test, ~~Antigen capture methodologies recognized by the National Animal Health Laboratory Network (NAHLN) and conducted at a laboratory approved to conduct such tests by the USDA, APHIS.~~

~~(25)~~ Feeder Swine. A weaned gilt or barrow weighing forty (40) – eighty (80) pounds at six (6) – eight (8) weeks of age that is sold to be finished for slaughter.

~~(26)(48)~~ Feral Swine. Swine that have lived all (wild) or any part (feral) of their lives as free-roaming. This definition does not include those exotic swine maintained by a zoo or aquarium accredited by the Association of Zoos & Aquariums.

~~(27)(49)~~ Import, Imported, Importation. The movement of animals into Florida, from another state, United States (U.S.) possession, or foreign country.

~~(28)~~ Livestock. Grazing animals, such as cattle, horses, sheep, swine, goats, other hoofed animals, ostriches, emus, and rheas which are raised for private use or commercial purposes.

~~(29)(20)~~ National Poultry Improvement Plan (NPIP). A cooperative state-federal-industry program for prevention and control of certain hatchery-disseminated diseases and for improvement of ~~P~~poultry and ~~P~~poultry ~~P~~products as provided in 9 C.F.R. §§ 145-147 (2018~~2013~~). 9 C.F.R. §§ 145-147 (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

~~(30)(24)~~ Official Certificate of Veterinary Inspection (OCVI). A legible record or certificate made on an official form from the animal’s state of origin, issued and signed by veterinarians licensed and accredited in the animal’s state of ~~origin~~origin for the purpose of certifying the ~~O~~official ~~I~~individual ~~I~~identification, test requirements, and health status of specific animals for movement, exhibition, and other designated purposes.

~~(31)(22)~~ Official Individual Identification. An individual animal identification that uniquely identifies the animal, the owner, the ~~P~~premises where the animal was identified, and the state in which the ~~O~~official ~~I~~individual ~~I~~identification was applied ~~as~~ referenced in 9 C.F.R. § 86.1., 9 C.F.R. § 86.1 (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

~~;~~ and,

~~(a)~~ For Cattle:

~~1. Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2013), as incorporated in Rule 5C 31.006, F.A.C.; or~~

~~2. Is submitted to and verified by the Department as meeting the requirements for official individual identification such that state officials can determine the herd in which the animal was officially identified.~~

~~(b)~~ For Livestock Other than Cattle:

~~1. Tattoos and registered brands such as ear, tail web or flank tattoos, breed registration tattoos when accompanied by breed registration papers; or an official breed registration brand when accompanied by a brand registration certificate;~~

~~2. Leg or wing bands for poultry;~~

~~3. Color digital images or notarized color photographs of an equine signed by a state licensed, USDA accredited veterinarian; or~~

~~4. Implanted electronic chip with a unique number recognized as International Organization for Standardization (ISO) compliant or that is accompanied by automated reader capable of capturing and recording the unique animal identification number.~~

~~(32)(23) Owner-Shipper Statement. Any document signed by the owner or shipper as evidence of ownership or authority for possession of and for the transport of animals. Information required on the Owner-Shipper Statement is listed in subsection 5C-3.002(2), F.A.C.~~

~~(33)(24) Permit for Movement of Restricted Animals, (VS Form 1-27 (JUN 89). A permit issued by an employee of the state or federal government, or a licensed veterinarian accredited by the USDA, who is authorized to conduct animal disease control and eradication activities, authorized representative prior to the interstate shipment of animals infected or exposed to dangerous transmissible regulated diseases, which shall include:~~

- ~~(a) The number of animals to be moved;~~
- ~~(b) The purpose for which the animals are to be moved;~~
- ~~(c) The points of origin and destination; and,~~
- ~~(d) The consignor and consignee.~~

~~Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.~~

~~(34)(25) Poultry. Chickens, turkeys, quail, pheasants, chukars, peafowl, guineas, ratites, and waterfowl. The term also includes other Domestic Fowl used for commercial, exhibition, or breeding purposes, or as pets.~~

~~(35)(26) Poultry and Eggs for Hatching Purposes. A specific designation of those species of Domestic Fowl and the qualified eggs produced by these fowl that are eligible for testing and qualification under the supervision of the National Poultry Improvement Plan (NPIP). This term is also referred to as Eggs for Hatching Purposes.~~

~~(36)(27) Poultry Products. Hatching eggs, chicks, poults, litter, and offal, but does not include table eggs and or processed poultry for human consumption.~~

~~(37) Premises. A location where animals are housed or kept.~~

~~(38) Premises Identification Number. A nationally unique number assigned by a state, tribal, and/or federal animal health~~

~~authority to a Premises that is, in the judgment of such state, tribal, and/or federal animal health authority, a geographically distinct location from other Premises.~~

~~(39)(28) Prior Permission Number. Specific permission granted by the State Veterinarian or Division authorized representative prior to movement of certain animals and Poultry into Florida. A Prior Permission Number will be granted when the Division determines that the animal(s) meets the requirements of this chapter. When prior permission is required by this chapter, the Prior Permission Number must be written on the OCVI Official Certificate of Veterinary Inspection or on the Owner-Shipper Statement accompanying the animal(s). Such prior permission may be either written permission or issuance of a permission number requested by telephone, or facsimile message, or e-mail. A Prior Permission Number may be obtained by calling, or faxing, or e-mailing the Division of Animal Industry during normal business hours.~~

~~Pphone: (850)410-0900;~~

~~Fax: (850)410-0946.~~

~~E-mail: AnimalPermits@FreshFromFlorida.com.~~

~~(29) Production Swine. Swine that are maintained on a premises for breeding or feeding purposes and which have no direct contact with feral or transitional swine.~~

~~(40) Pullorum-Typhoid (PT) Approved Test. Antibody or antigen capture methodologies recognized by the NPIP and conducted at a laboratory approved to conduct such tests by USDA, APHIS. The NPIP number of a registered flock will be recorded on this form titled, Poultry Testing, FDACS-09123, Rev. 09/17. Poultry Testing, FDACS-09123, Rev. 09/17 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. The test results of Non-NPIP registered flocks will be documented on Poultry Testing, FDACS-09123, Rev. 09/17.~~

~~(41)(30) Quarantine. Strict isolation imposed by the Department on animals or premises or other defined geographic areas, to prevent the spread of diseases or pests.~~

~~(42)(34) Racing Pigeon. Racing Pigeons are homing pigeons used to race. The homing pigeon is a variety of domestic pigeon (*Columba livia domestica*) derived from the rock pigeon, selectively bred to find its way home over extremely long distances.~~

~~(43)(32) Recognized Slaughtering Establishment. An animal slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. §§ 601-695 [2013]), or an equivalent in of the animal's state of origin's state meat inspection program.~~

~~(44)(33) Restricted Animals. Animals that are quarantined, infected with, or exposed to any infectious or communicable disease.~~

~~(45)(34)~~ Service Animals. A dog or miniature horse as defined and limited in Section 413.08 (2) (3) (4), F.S. Any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability including, but not limited to: guiding individuals with impaired vision, alerting individuals with impaired hearing of intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped objects.

~~(46)(35)~~ State Veterinarian. The Director of the Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

~~(47)(36)~~ Transitional Swine. Swine that have been, or have potentially been had the potential to be, exposed to Ffederal Sswine.

~~(48)~~ Triple Trunk Wash (TW) Culture. A direct test designed to detect viable *Mycobacterium tuberculosis* (Mtb) organisms via culture of material obtained from an elephant trunk wash. The recommended routine Mtb monitoring is an annual triple mycobacterial trunk wash culture. Each testing event should consist of three (3) independent collections on three (3) days within a one (1) week period. It is recommended that food and water be withheld from elephants for two (2) hours before the TW is performed to help minimize the contamination of the TW sample.

~~(49)~~ Trichomoniasis Approved Test. Testing utilizing polymerase chain reaction (PCR) analysis performed on bovine preputial wash samples submitted by a Category II Accredited Veterinarian to an American Association of Veterinary Laboratory Diagnostics (AAVLD) accredited laboratory in accordance with protocols provided by the laboratory and consistent with national standards.

~~(50)(37)~~ USDA, APHIS. The United States Department of Agriculture, Animal and Plant Health Inspection Services.

~~(51)(38)~~ Vesicular Stomatitis (VS)-Affected State. Any state in which either of the VS virus serotypes New Jersey or Indiana has have been diagnosed and has one or more Ppremises is currently under state or USDA, APHIS quarantine.

~~(52)(39)~~ Working Dogs. Any dog in the possession of a federal, military, state or local governmental agency or private organization that is trained for the purpose of human search and rescue, body recovery, arson detection, bomb detection, narcotics detection, food and agricultural product detection, criminal apprehension, police assistance or other related purposes, whether in the performance of such tasks or while traveling to and from such tasks.

~~(40)~~ The following documents are hereby adopted and incorporated by reference. These documents may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800 and are available online as indicated.

~~(a)~~ 9 C.F.R. §§ 71.1, 71.7, 71.10-12, 71.20, 145-147, 160-162 (2013);

~~http://www.flrules.org/Gateway/reference.asp?No=Ref-03314.~~

~~(b)~~ Federal Meat Inspection Act (21 U.S.C. §§ 601-695) (2013);

~~http://www.flrules.org/Gateway/reference.asp?No=Ref-03308.~~

~~(c)~~ Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89);

~~http://www.flrules.org/Gateway/reference.asp?No=Ref-03301.~~

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 570.36(2), 585.003, 585.08(2)(a), 585.11(1), (4), 585.145(1), (2), 585.16 FS. History—New 6-29-62, Amended 2-5-85, Formerly 5C-3.01, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, 2-19-14, 2-8-16, Amended _____.

5C-3.002 General Requirements and Limitations.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. Animals Imported into Florida must be accompanied by an OCVI unless exempted by this rule. The OCVI must be in the possession of the driver of the vehicle or person otherwise in charge of the animals. The OCVI must accompany the animals to their final destinations in Florida.

(a) Information Required. The OCVI must be legible and fully completed by the issuing Aaccredited Vveterinarian and must include the following:

1. The name and address of the consignor;
2. The name and address of the consignee;
3. The physical address of the point of origin and Ppremises Iidentification Nnumber of the point of origin, if assigned by state officials in the animal's state of origin; If a Premises Identification Number is assigned by Florida state officials, it will be documented on an Application For Premises Registration, FDACS-09215, Rev. 05/13, as incorporated by reference in Rule 5C-31.006, F.A.C.
4. The physical address of the point of destination;
5. The date of examination;
6. The number of animals examined;
7. The Oofficial Iindividual Iidentification of each animal, and the name or registered brand or tattoo number;
8. The sex, age, and breed of each identified animal;
9. Test results and herd or state status on certain diseases as specified in this chapter;
10. Prior Ppermission Nnumber, if required in subsections 5C-3.002(3)(a)-(d), F.A.C.;
11. A statement by the issuing veterinarian that the animals identified on the OCVI are free of signs of infectious or communicable disease; and
12. In addition to the above, fFor Eequine only, the establishment or Ppremises location at which the animal was

examined, body temperature at examination, ~~and color and markings.~~ a description sufficient to identify the individual Equine including name, sex, breed, color, markings, and unique and permanent forms of identification when present (e.g. brands, tattoos, scars, cowlicks, blemishes, or biometric measurements).

(b) Division Notification. A copy of the OCVI must be forwarded, by the issuing Accredited Veterinarian, within seven (7) calendar days of issuance for all Livestock and Poultry, including Equines, and within thirty (30) days of issuance for all non-livestock species to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 ~~South~~ Calhoun ~~Street St.~~, Tallahassee, ~~Florida FL~~ 32399-0800.

(c) OCVI Notification. The OCVI will be void thirty (30) days from the date of inspection/issuance, with the exception that an OCVI for equine may be valid less than thirty (30) days extended as provided in subsections 5C-3.002(5) and 5C-3.003(4), F.A.C., or extended as provided in subsection 5C-3.003(5), F.A.C.

(2) Owner-Shipper Statement. Animals which are not required to be accompanied by an OCVI for Importation, as exempted by this chapter, must be accompanied by an Owner-Shipper Statement signed by the owner or agent as evidence of ownership or authority for possession of the transported animals. ~~This These~~ documents must disclose:

- (a) The name and address of the consignor;
- (b) The name and address of the consignee;
- (c) The physical address of the point of origin;
- (d) The physical address of the point of destination;
- (e) The number of animals covered by the statement;
- (f) A description of the animals and Official Individual Identification as required by subsection 5C-3.002(1), F.A.C., or other identification sufficient to identify them for any and all purposes; and

(g) A Prior Permission Number, if required by this chapter.

(3) Prior Permission Number. A Prior Permission Number is required for ~~on~~:

- (a) All farmed or captive Ceervids (deer, elk, etc.);
- (b) All hoofed animals from VS-Affected States;
- (c) Equines from Contagious Equine Metritis (CEM) affected countries;
- (d) Equines consigned directly to a veterinary medical treatment facility for emergency medical care which do not have appropriate documentation for interstate movement;
- (e) Poultry and Poultry Products requiring a Prior Permission Number in accordance with paragraphs 5C-3.012(2)(a)-(f), F.A.C. All poultry and poultry products;
- (f) All domestic fowl and poultry and eggs for hatching purposes;

~~(f)(g)~~ Animals exposed to or infected with a contagious, infectious, communicable, or dangerous transmissible disease;

~~(g)(h)~~ Cattle or bison from states with less than Accredited Tuberculosis-Free or Brucellosis Class-Free status; pursuant to 9 CFR §§ 77 and 78.

~~(h)(i)~~ All swine; and

~~(i)(j)~~ Equines Imported from U.S. possessions where Equine Piroplasmosis (EP) is endemic.

(4) Restricted Animals. All Restricted Animals must be accompanied by a Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89), as adopted by reference in Rule 5C-3.001, F.A.C., permit, have a Prior Permission Number, and the Prior Permission Number must be written on the Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89) for Importation into Florida or to be transported within Florida.

(5) Vesicular Stomatitis.

(a) Certification for Vesicular Stomatitis (VS).

1. All hoofed animals, including horses, ruminants, swine, exotic, and wild hoofed animals, not originating from a Premises originating from non-affected Premises and or within ten (10) 40 miles of an affected Premises in a VS-Affected State must be accompanied by an OCVI, dated within five (5) days of entry or reentry into Florida. The OCVI must be signed by an Accredited Veterinarian.

2. The following statement must be written on the OCVI by the examining Accredited Veterinarian: "All animals susceptible to Vesicular Stomatitis (VS) identified and included in this OCVI for shipment have been examined and found to be free from clinical signs and vectors of VS, ~~and~~ have not been in contact with VS-affected animals, and have not been within ten (10) miles of a VS-affected Premises within the last thirty (30) days."

(b) Prior Permission Number. Animals originating from non-affected Premises in a VS-affected state will require a Prior Permission Number. The Prior Permission Number must be written on the OCVI.

(6) Violations. Violators of this rule chapter will be penalized in accordance with Rule 5C-30.003, F.A.C.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 570.36(2), 585.11(1), 585.145(1), (2), 585.16 FS. History—New 6-29-62, Amended 2-5-85, Formerly 5C-3.02, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, Amended.

5C-3.003 Equine.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. The OCVI must list the description sufficient to identify the individual Equine including name, age, breed, color, gender, distinctive markings, and unique and permanent forms of identification when present (eg. Brands, tattoos, scars, cowlicks, or blemishes), and temperature at the time of exam.

An OCVI must accompany all Equines Imported into Florida, except the following:

(a) Equines consigned directly to a veterinary medical treatment facility for emergency medical care until treatment is completed and the Equine exits the state; or

(b) Equines accompanied by an Equine Event Extension document, Equine Interstate Passport Card, or equivalent from the animal's state of origin, signed by the State Veterinarian or chief animal health official as provided in subsection 5C-3.003(5), F.A.C.

(2) Prior Permission Number. A Prior Permission Number must be obtained for:

(a) Equines consigned directly to a veterinary medical treatment facility for emergency medical care which do not have appropriate documentation for interstate movement;

(b) Equines Imported into Florida from areas within the United States or foreign countries, possession where Equine Piroplasmosis (EP) is endemic; or

(c) Equines Imported into Florida ~~the state~~ from countries where Contagious Equine Metritis (CEM) is endemic; or

(d) Equines Imported into Florida from non-affected Premises in VS-Affected States.

(3) Equine Infectious Anemia (EIA) Test.

(a) All Equines Imported into Florida must be accompanied by evidence of an official negative EIA serologic test as provided in the Equine Infectious Anemia: Uniform Methods and Rules, ~~January 10, 2007~~, APHIS 91-55-064, January 10, 2007, completed within twelve (12) months prior to Importation. Equine Infectious Anemia: Uniform Methods and Rules, APHIS 91-55-064, January 10, 2007 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>, ~~except~~ the following are exempt from the EIA Serologic testing requirement:

1. Foals under six (6) months of age accompanied by their dam which has met the EIA test requirements; and

2. Equines exempted from the OCVI requirement under subsection paragraph 5C-3.003(1)(a), F.A.C.

(b) The EIA test information must be recorded on the OCVI, ~~or the~~ Equine Event Extension document, ~~or the~~ Equine Interstate Passport Card, or equivalent from the animal's state of origin, ~~approved by the State Veterinarian or chief animal health official~~ as provided in subsection 5C-3.003(5), F.A.C., ~~and approved by the State Veterinarian or chief animal health official~~, and must include the following:

1. The date the EIA test sample was collected;

2. The result of the test;

3. The name of the testing laboratory; and

4. The laboratory accession number.

(4) Equine Piroplasmosis Requirements.

(a) The Commonwealth of Puerto Rico and the Virgin Islands of the United States have been determined to be endemic for Equine Piroplasmosis (EP) and Equines moved from these areas to Florida are subject to the requirements of paragraphs 5C-3.003(2)(b) and (4)(b), (c) and (d), F.A.C. Pursuant to Section 585.14, F.S., the Division of Animal Industry, under the direction of the State Veterinarian, shall publish notice of other localities, regions, states, or U.S. possessions, where Equine Piroplasmosis (EP) is determined to be endemic on its website (www.FreshFromFlorida.com/Divisions-Offices/Animal-Industry ~~www.flanimalindustry.com~~) and in the Florida Administrative Register ~~Weekly~~ as necessary.

(b) Official Certificate of Veterinary Inspection (OCVI). Notwithstanding paragraph 5C-3.002(1)(c), F.A.C., for Equines from localities, regions, states, or U.S. possessions where Equine Piroplasmosis (EP) is determined to be endemic, the inspection date of the ~~Official Certificate of Veterinary Inspection~~ (OCVI) that must accompany Equines Imported into or through the State of Florida shall be issued no more than fourteen (14) days prior to the entry of the Equine into the state. The OCVI must also include the following statement: "~~All~~ No animals identified on this certificate have been on a Premises found positive for Theileria equi (Babesia Equi) or Babesia caballi or under quarantine within the past thirty (30) days. All animals identified on this certificate have been inspected and found free of ticks, and have been thoroughly treated with an approved acaricide labeled for use in Equine within fourteen (14) days of entry."

(c) Testing. All Equines Imported into Florida from localities, regions, states or U.S. possessions where Equine Piroplasmosis (EP) is determined to be endemic must be accompanied by evidence of a negative Competitive Enzyme-linked Immunosorbent Assay (cELISA) test for both Babesia caballi and Theileria equi (Babesia equi), performed at the ~~USDA, APHIS United States Department of Agriculture, Animal and Plant Health Inspection Service~~, National Veterinary Services Laboratories (~~USDA APHIS NVSL~~) or other laboratory authorized by the USDA, APHIS, NVSL. The blood sample for the test must be taken within thirty (30) days prior to entry into Florida. The result and accession number must be listed on the OCVI.

(d) Tick Vectors. All Equines identified on the OCVI as originating from localities, regions, states, or U.S. possessions where Equine Piroplasmosis (EP) is determined to be endemic must be examined for, and found free of, ticks and must be thoroughly treated for ticks with a ~~n~~ United States Environmental Protection Agency (EPA) registered acaricide labeled for use in horses.

(e) Exemption. Equines from Florida consigned to localities, regions, states, or U.S. possessions where Equine

Piroplasmiasis (EP) is determined to be endemic that are returned to Florida within thirty (30) days of the issuance of the Florida OCVI are exempt from the requirements of this rule.

(5) Equine Event Extension, FDACS-09051 Rev. 03/06 is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx> document or Equine Interstate Passport Card. Equine Interstate Passport Card FDACS-09207 Rev.08/18 is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. Equine Event Extension document, or Equine Interstate Passport Card, or equivalent from the animal's state of origin, when used in place of an OCVI, must certify the existence of an official negative EIA test within the previous twelve (12) months and a valid OCVI. The Equine Event Extension document, Equine Interstate Passport Card, or equivalent from the animal's state of origin, will be valid for up to six (6) months from date of issuance of the OCVI provided that:

(a) The purpose is to allow routine intrastate and interstate movement of Equines to attend events such as horse shows or exhibitions, fairs, and trail rides. These documents may not be used for movement of Equines for breeding purposes or change of ownership.

(b) The Equine Event Extension document or Equine Interstate Passport Card, or equivalent from the animal's state of origin shall include all other information required by subsections 5C-3.002(1) and 5C-3.003(3), F.A.C.;

(c) The Equine Event Extension document or Equine Interstate Passport Card, or equivalent of the animal's state of origin expiration date will not be later than the expiration date of the EIA test or six (6) months from date of issue of the OCVI.

(d) An Equine Event Extension document or Equine Interstate Passport Card or equivalent from the animal's state of origin, does not supersede or replace the requirements of any given event; and

(e) An Equine Event Extension document, or Equine Interstate Passport Card, may be applied for by ~~Florida residents and~~ owners of Florida-origin horses, by submitting an Application for Equine Event Extension, FDACS-09078 Rev. 09/17/05 or an Application for Equine Interstate Passport Card, FDACS-09219 Rev. 12/09, to: ~~the Division of Animal Industry, Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Street, Mayo Building, Tallahassee, Florida 32399-0800, or by Fax at (850)410-0949~~ (850)410-0957. Application for Equine Event Extension, FDACS-09078 Rev. 09/17 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

Application for Equine Interstate Passport Card, FDACS-09219 Rev. 12/09 is hereby incorporated by reference and available online at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. Applications may be obtained from: the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800,

by facsimile requests, or by Fax at (850)410-0949.

(6) Brucellosis. Equines which are positive to a brucellosis test or which show evidence of "poll evil" or "fistulous withers," whether draining or not, will not be allowed to enter the state for any purpose.

~~(7) Forms and Materials. Application for Equine Event Extension, DACS 09078, Rev. 10/05 and Application for Equine Interstate Passport Card, DACS 09219, Rev. 12/09 are hereby incorporated by reference. Applications may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, FL 32399 0800, by facsimile requests, Fax: (850)410-0946, or through the Department's Licensing, Permits and Registration website: <http://www.doacs.state.fl.us/onestop/index.html>.~~

~~The Equine Infectious Anemia: Uniform Methods and Rules, January 10, 2007, APHIS 91 55 064 is hereby incorporated by reference. Copies may be obtained by contacting: www.gpoaccess.gov.~~

Rulemaking Authority ~~5370.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.002(5), 585.08(1), (2)(a), 585.14, 585.145(1), (2), 585.16 FS. History—New 11-21-65, Amended 6-26-66, 3-1-72, 10-15-73, 3-17-76, 9-14-82, 2-5-85, Formerly 5C-3.03, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, _____.~~

5C-3.004 Cattle or Bison.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. All cattle or bison ~~I~~ imported into Florida must be accompanied by an OCVI, except the following, which must be accompanied by an Owner-Shipper Statement as provided in subsection 5C-3.002(2), F.A.C.:

~~(a) Steers for feeding purposes;~~

~~(b) Spayed heifers;~~

~~(a)(e) Cattle or bison consigned directly to an Approved Livestock Facility markets;~~

~~(b)(d) Cattle or bison consigned directly to Recognized Slaughtering Establishments; and~~

~~(e) Cattle or bison which are not required to have an OCVI, as exempted by this rule, that are accompanied by an Owner-Shipper Statement as provided in subsection 5C-3.002(2), F.A.C.~~

(c) Cattle moving directly to an Approved Tagging Site and returning to the out of state Premises of origin;

(d) Cattle moving under a Commuter Herd Agreement;

(e) Cattle moving from an Approved Livestock Facility in Georgia, Alabama, or Mississippi and moving directly to Florida, accompanied by an approved state of origin Permit for

Interstate Movement from a USDA Approved Livestock Facility; and

(2) Official Individual Identification. The OCVI must list the individual animal identification unless exempted by this rule. The Official Individual Identification requirements for cattle include:

(a) Identification that complies with 9 C.F.R. § 86.4(a)(1) (2013), as incorporated in Rule 5C-31.006, F.A.C.; or

(b) Tattoos and registered brands such as ear breed registration tattoos when accompanied by breed registration papers or an official breed registration brand when accompanied by a breed registration certificate; or

(c) Is submitted to and verified by the Department as meeting the requirements for Official Individual Identifications such that state officials can determine the herd in which the animal was officially identified.

(d) Animals exempt from the Official Identification requirements are:

1. Beef cattle less than eighteen (18) months of age, unless consigned to exhibition or rodeo;

2. Cattle consigned directly to an Approved Tagging Site;

3. Cattle consigned directly to an Approved Livestock Facility;

4. Cattle consigned directly to Recognized Slaughtering Establishments; or

5. Cattle moving under an approved Commuter Herd Agreement and Owner-Shipper Statement.

(3)(2) Other Requirements and Limitations.

(a) Cattle or bison infected with or exposed to tuberculosis or brucellosis or which are positive to an organism detection test for paratuberculosis (John's Disease) may be Imported only if consigned directly to a Recognized Slaughtering Establishment. Such animals must be accompanied by a Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89) and must have a Prior Permission Number. The Prior Permission Number must be written on the Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89).

(b) Permit for Interstate Movement from USDA Approved Livestock Facility, FDACS-09158 Rev. 04/18, or equivalent form approved by the state of origin, can be issued by an Approved Livestock Facility as a valid interstate movement document for cattle moving between Florida, Alabama, Georgia, or Mississippi. Permit for Interstate Movement from USDA Approved Livestock Facility, FDACS-09158 Rev. 04/18 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. For cattle originating at an Approved Livestock Facility in Florida, this form must be completed fully and legibly. Within seven (7) days of sale, a copy of the form must be submitted, to: the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, Cattle

Programs Office, 2232 North East Jacksonville Road, Ocala, Florida 34470; and by Fax at (352)620-7212; and by Email at CattleForms@FreshFromFlorida.com. This form must include the following information:

1. Name of the Approved Livestock Facility;

2. State of destination;

3. Date of sale;

4. Purchaser and phone number;

5. Complete physical location of destination including contact phone number;

6. Animal description including USDA backtag number or lot number. If no backtag was applied, age, sex, breed (to include designation as dairy or beef cattle), invoice number, and Official Identification, unless specifically exempt below:

a. Cattle moving directly to slaughter are exempt from Official Identification requirement. Backtag information need not be listed on the Permit for Interstate Movement from a USDA Approved Livestock Facility, FDACS-09158 Rev. 04/18 if provided on the invoice and the invoice is attached.

b. Beef cattle less than eighteen (18) months of age are exempt from the Official Identification requirement.

(c) Commuter Herd Agreement is an official document issued by participating states, which is used in lieu of an Official Certificate of Veterinary Inspection (OCVI). All Official Individual Identification requirements and interstate disease testing requirements must be met. A Commuter Herd Agreement may be applied for by owners of Florida-origin cattle by submitting a Commuter Herd Agreement FDACS-09264 Rev. 04/18 to: Florida Department of Agriculture and Consumer Services, Division of Animal Industry, Cattle Programs Office, 2232 North East Jacksonville Road, Ocala, Florida 34470; Fax: (352)620-7212; Email: CattleForms@FreshFromFlorida.com. Commuter Herd Agreement FDACS-09264 Rev. 04/18 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

1. Commuter Herd Agreement application must provide:

a. Premises Identification Number and full physical address for Florida Premises; and

b. Premises Identification Number and full physical address for out of state Premises in participating states of Alabama, Georgia, or Mississippi;

c. Herd owner signature and contact information including phone number.

2. Signature indicates that herd owner agrees to comply with all identification and disease testing requirements of both states for interstate movement;

3. Commuter Herd Agreement is valid for twelve (12) months and participants must reapply following the procedures referenced in paragraph 5C-3.004(3)(c) F.A.C.; and

4. Commuter Herd Agreement requires approval of the State Veterinarian of both participating states.

~~(d)(b)~~ Testing Requirements.

1. Tuberculosis Test.

a. Dairy cattle, six (6) months of age or older, which originate from accredited tuberculosis-free herds in tuberculosis-free states or areas, may enter Florida without tuberculosis testing. The herd accreditation number and state or area status and date of last negative herd test within the previous twelve (12) months must be listed on the OCVI.

b. Dairy cattle moved into Florida from adjacent states as part of normal ranching or farm operations between ~~P~~premises under common ownership or management are exempt from the tuberculosis testing requirements of this section if:

~~(I)(i)~~ They are moved from a closed herd or a herd which requires herd additions to be tested for tuberculosis prior to entry into the herd; and

~~(II)(ii)~~ There is no change of ownership of the animals and the movement between ~~P~~premises does not exceed 50 miles.

c. Beef cattle or bison, six (6) months of age or older, which originate from an accredited tuberculosis-free herd or tuberculosis-free state or area may enter Florida without tuberculosis testing. The accredited tuberculosis-free herd number and the date of the last negative herd test within the previous twelve (12) months or the tuberculosis-free state or area status must be written on the OCVI.

d. All other dairy and beef cattle or bison, six (6) months of age or older, which are not otherwise exempt from negative tuberculosis test requirements, must test negative to an official tuberculosis test, as provided in the Bovine Tuberculosis Eradication, Uniform Methods and Rules, ~~Effective January 1, 2005~~, APHIS 91-45-011, Effective January 1, 2005, within ~~sixty (60) thirty (30)~~ days prior to entry into Florida. Bovine Tuberculosis Eradication Uniform Methods and Rules, APHIS 91-45-011, Effective January 1, 2005 is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. The test date and negative tuberculin test results must be recorded on the OCVI.

e. Rodeo Bulls or Roping Steers.

(I) Rodeo bulls or roping steers, six (6) months of age or older, performing in rodeo events must have a negative test for tuberculosis within twelve (12) months prior to being ~~I~~imported into Florida.

(II) Rodeo bulls, six (6) months of age or older, ~~I~~imported for purposes other than performing in rodeo events must meet the requirements of sub-paragraphs ~~5C-3.004(3)(d)1.c. or d., 5C-3.004(2)(b)1.b. or c., F.A.C., above.~~

f. All cattle or bison consigned directly to a recognized slaughtering establishment may enter Florida without tuberculosis testing.

2. Brucellosis Test.

a. A brucellosis test is not required for dairy and beef cattle or bison for ~~I~~importation into Florida provided that the animals:

(I) Originate from a Brucellosis Class-Free State or Area; ~~or~~

(II) Originate from a Certified Brucellosis Free Herd. The herd certification number and date of the last negative herd test within the previous twelve (12) months must be listed on the OCVI; ~~or~~

(III) Are official brucellosis vaccinated animals under ~~eighteen (18)~~ months of age, or are steers or spayed heifers; ~~or~~

(IV) Are consigned directly to a recognized slaughtering establishment.

b. A negative brucellosis test, as provided in the Brucellosis Eradication: Uniform Methods and Rules, ~~Effective October 1, 2003~~, USDA, APHIS 91-45-013, Effective October 1, 2003, is required within thirty (30) days prior to ~~I~~importation for dairy and beef cattle or bison not exempted in sub-paragraph ~~5C-3.004(3)(d)2.a., 5C-3.004(2)(b)2.a.,~~ F.A.C. Brucellosis Eradication: Uniform Methods and Rules, USDA, APHIS 91-45-013, Effective October 1, 2003, is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

c. Rodeo Bulls.

(I) Rodeo bulls performing in rodeo events may be ~~I~~imported without tests provided the bulls are not changing ownership and are under eighteen (18) months of age; or individual bulls are negative to a brucellosis test, as provided in the Brucellosis Eradication: Uniform Methods and Rules, ~~Effective October 1, 2003~~, USDA, APHIS 91-45-013, Effective October 1, 2003, within twelve (12) months prior to ~~I~~importation.

(II) Rodeo bulls ~~I~~imported for purposes other than performing in rodeo events must meet the requirements for ~~I~~importation in sub-paragraphs ~~5C-3.004(3)(d)2.a. or b., 5C-3.004(2)(b)2.a. or b., F.A.C., above.~~

3. Trichomoniasis Testing

a. All non-virgin bulls and all bulls eighteen (18) months of age and older, which are not otherwise exempt from negative trichomoniasis test requirements, must test negative to an official Trichomoniasis Approved Test, as defined in subsection 5C-3.001(49), F.A.C., within sixty (60) days prior to entry into Florida. The laboratory name, accession number, test date, negative trichomoniasis test results and Official Identification must be recorded on the OCVI or Owner-Shipper Statement. Exemptions to the trichomoniasis testing requirement are:

(I) Bulls consigned directly to a Recognized Slaughtering Establishment.

(II) Bulls entering Florida, moving directly to an Approved Livestock Facility and being sold in slaughter only channels.

Test eligible bulls moving directly to an Approved Livestock Facility which are not accompanied by a negative Approved Trichomoniasis Test shall be visibly identified and shall be announced during the sale as selling for slaughter only. These bulls must move directly from the Approved Livestock Facility to a Recognized Slaughtering Establishment.

(III) Bulls entering Florida for exhibition or rodeo, provided they do not commingle with female cattle and return to state of origin immediately following exhibition or rodeo event.

(IV) Virgin bulls less than eighteen (18) months of age, as determined by breed registry records or absence of permanent central incisor teeth in wear. The OCVI or Owner-Shipper Statement must include any and all identification and a statement declaring the bull(s) as virgin and less than eighteen (18) months of age.

b. Approved Livestock Facilities shall maintain a list of all Trichomoniasis test eligible bulls arriving via interstate movement, and shall indicate whether or not the bull has a negative Trichomoniasis test. The list of bulls, Trichomoniasis test status, and a copy of all the negative Approved Trichomoniasis Test reports shall be made available to Department personnel for verification on the day of the sale.

c. Bulls eighteen (18) months of age and older, moving under a Commuter Herd Agreement, FDACS-09264, Rev. 04/18, are to be accompanied by proof of a negative annual Trichomoniasis Approved Test within twelve (12) months of movement. The following statement shall be on the accompanying Owner-Shipper Statement: "All herd bulls over eighteen (18) months of age are tested annually for Trichomoniasis and all herd bull additions are tested negative prior to commingling. The bull(s) included in this shipment have not commingled with Trichomoniasis positive bulls or cows exposed to Trichomoniasis positive bulls".

(4)(3) Prior Permission Number. A Pprior Ppermission Nnumber shall be required for all cattle or bison originating from:

- (a) Non-Tuberculosis Accredited-Free State or areas, or
- (b) Non-Brucellosis Class-Free State or areas, or
- (c) VS Affected-States.

(4) Forms and Materials. Bovine Tuberculosis Eradication, Uniform Methods and Rules, Effective January 1, 2005, APHIS 91 45 011 and Brucellosis Eradication: Uniform Methods and Rules, Effective October 1, 2003, APHIS 91 45 013, are hereby incorporated by reference. Copies may be obtained from: www.gpoaccess.gov. Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89) may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16 FS. History—Amended 3-22-63, 8-20-64, 9-23-65, 7-25-66, 11-15-67, 3-1-68, 3-12-70, 7-1-70, 9-1-72, 4-5-77, 7-1-79, 7-1-80, 9-30-80, 8-9-81, 9-14-82, 6-26-83, 2-5-85, Formerly 5C-3.04, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, Amended _____.

5C-3.005 Goats or Sheep.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. All goats or sheep imported into Florida, except goats or sheep consigned directly to Recognized Slaughtering Establishments, must be accompanied by an OCVI. The OCVI must include the following:

(a) The Official Individual Identification of each animal which must conform to the identification guidelines of the USDA, APHIS Scrapie Eradication Uniform Methods and Rules, USDA, APHIS 91-55-079, June 1, 2005. USDA, APHIS Scrapie Eradication Uniform Methods and Rules, USDA, APHIS 91-55-079, June 1, 2005 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. Approved methods of identification include:

1. Official USDA-APHIS-VS Scrapie eartags; or
2. Premises identification tattoos (must be legible and contain the flock number and unique animal number. The flock number is assigned by the USDA, APHIS and is required to be on the OCVI); or
3. Official breed registry tattoos (must be accompanied by either the official breed registration certificate or an OCVI that includes the corresponding official registration number); or
4. Electronic microchip/implant (must be accompanied by owner statement of ID numbers, chip manufacturer, chip reader for verification verification of placement and the USDA flock number recorded on the OCVI) when the breed registry allows for electronic implant identification, as recorded on a registration certificate.

(b) A statement that each goat or sheep is free of the clinical signs of the diseases: caseous lymphadenitis, contagious ecthyma (Orf), chlamydial keratoconjunctivitis, scabies, scrapie, and contagious footrot.

(2) Prior Permission Number. A Pprior Ppermission Nnumber shall be required for all sheep or goats originating from VS-affected states under state or USDA, APHIS quarantine. The Pprior Ppermission Nnumber must be written on the OCVI.

(3) Immediate Slaughter Goats or Sheep. Slaughter goats or sheep are not required to have an OCVI, as exempted by this rule, but do require:

(a) Owner-Shipper Statement. Evidence of ownership or authority to transport the animals as provided in subsection 5C-3.002(2), F.A.C.; and

(b) Official Identification. All goats or sheep entering Florida for slaughter purposes must be individually identified in accordance with paragraph 5C-3.005(1)(a), F.A.C.; and

(c) The goats or sheep must be moved directly to a Recognized Slaughter Establishment without stopping or unloading at other livestock facilities in en route.

(4) Testing Requirements for Dairy Goats.

(a) Tuberculosis Test. Dairy goats six (6) months of age or older must originate from an Accredited Tuberculosis-Free Herd, or have had a negative caudal fold tuberculosis test within ninety (90) days prior to importation into Florida. If originating from an Accredited Tuberculosis-Free Herd, the herd accreditation number and date of last herd accreditation test within the previous twelve (12) months must be written on the OCVI.

(b) Brucellosis Test. Dairy goats six (6) months of age or older must originate from a Certified Brucellosis-Free Herd, or have had documentation of a negative brucellosis test within ninety (90) days prior to importation to Florida. If originating from a Certified Brucellosis-Free Herd, the herd certification number and date of the last herd certification test within the previous twelve (12) months must be written on the OCVI.

(c) Test Exemptions. There are no tuberculosis or brucellosis test requirements for meat type, ~~companion~~ or pygmy goats.

~~(5) Materials. The USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005 are hereby incorporated by reference. Copies may be obtained from: www.gpoaccess.gov.~~

~~Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16 FS. History—New 6-29-62, Amended 2-5-85, Formerly 5C-3.05, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, Amended~~

5C-3.007 Swine.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. All swine imported into Florida, except swine consigned directly to a Recognized Slaughter Establishment or an Approved Livestock Facility market for sale to slaughter, must be accompanied by an OCVI. Swine exempted from the OCVI requirement must be accompanied by an Owner-Shipper Statement as provided in subsection 5C-3.002(2), F.A.C.

(2) The OCVI must contain the Official Individual Identification. Official Individual Identification is required for all swine, six (6) months of age or older. Official Individual Identification for swine includes:

(a) Identification that complies with the United States Department of Agriculture 9 C.F.R. §§ 71.19(a)-(c) (2018). United States Department of Agriculture 9 C.F.R. §§ 71.19(a)-

(c) (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.
or

(b) Breed registration tattoos, or ear notches, when accompanied by breed registration papers.

(3)(2) Prior Permission Number. A Pprior Ppermission Nnumber is required on all swine Iimported into Florida. The Pprior Ppermission Nnumber must be written on the OCVI or Owner-Shipper Statement accompanying the animals.

(4)(3) Testing Requirements Test Required.

(a) Brucellosis Test.

1. All sSwine six (6) months of age or older Iimported into Florida, not consigned directly to a Recognized Slaughtering Establishment for breeding, exhibition or pet purposes must:

a. Originate from herds not known to be infected with or exposed to brucellosis and be accompanied by proof of an official negative brucellosis test, as provided in 9 C.F.R. §§ 78.1 and 78.33(b)(2) (2018)~~9 CFR § 78.1 (2009) and 9 CFR § 78.33(b)(2) (2009)~~, conducted within thirty (30) days prior to importation. 9 C.F.R. §§ 78.1 and 78.33(b)(2) (2018) are hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>;
or

~~b. Be production swine that orgainate directly from a Validated Brucellosis Free State; or~~

b. Originate directly from a Validated Brucellosis-Free Herd. The Validated Brucellosis-Free Herd number and the date of the last certification test within the past twelve (12) months must be written on the OCVI.

~~2. Feeder Swine. Swine imported into Florida for feeder purposes must:~~

~~a. Originate from herds not known to be infected with or exposed to swine brucellosis and be accompanied by proof of an~~

~~official negative brucellosis test, as provided in 9 CFR § 78.33(b)(2) (2009), conducted within thirty (30) days prior to importation into Florida; or~~

~~b. Originate from Validated Brucellosis Free Herds; or~~

~~e. Be production swine that originate and are shipped directly from a farm of origin in a Swine Brucellosis Stage III (Free) State.~~

(b) Pseudorabies Test.

1. All Sswine six (6) months of age or older Iimported into Florida, not consigned directly to a Recognized Slaughtering Establishment for breeding, exhibition, or pet purposes must:

a. Originate from a herd not known to be infected with or exposed to pseudorabies and be accompanied by proof of an official negative pseudorabies test, as provided in 9 CFR §§ 85.1 and 85.7(c)(2) (2018)~~(2009)~~, conducted within thirty (30) days prior to importation. 9 C.F.R. §§ 85.1 and 85.7(c)(2)

(2018) are hereby incorporated by reference and is available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>;

~~or~~
 b. ~~Be production swine that originate directly from a Pseudorabies Stage IV or V (Pseudorabies Free) State, or~~
~~be. Originate from a Qualified Pseudorabies-Negative (QN) Feeder Pig Herd, or~~

~~2. Feeder Swine-~~

~~Swine imported into Florida for feeder purposes must:~~

~~a. Originate from herds not known to be infected with or exposed to pseudorabies and be accompanied by proof of an official~~

~~negative pseudorabies test, as provided in 9 CFR § 85.1 (2009), conducted within thirty (30) days prior to importation;~~
~~or~~

~~b. Originate from a Qualified Pseudorabies Negative (QN) Herd; or~~

~~c. Originate from a Pseudorabies-Monitored Feeder Pig Herd (MFPH) Herd;~~

~~d. Be production swine that originate directly from or shipped directly from the farm of origin in a Pseudorabies Stage III, IV, or V (Pseudorabies Free) State.~~

~~(5)3. Immediate Slaughter Swine.~~

~~Swine not known to be infected with or exposed to brucellosis or pseudorabies may enter Florida without tests, for slaughter purposes, provided they are accompanied by an Owner-Shipper Statement, have Official Individual Identification as required in subsection 5C-3.007(2), and have a Prior Permission Number. The Prior Permission Number and Official Identification must be written on the accompanying document. Such swine must be:~~

~~(a). Consigned directly to a Recognized Slaughtering Establishment; or~~

~~(b). Consigned directly to an Approved Livestock Facility market and then sold to a Recognized Slaughtering Establishment.~~

~~(6)4. Feral and Transitional Swine may be imported into Florida provided:~~

~~Transitional Swine may be Imported into Florida provided they are accompanied by an OCVI, have Official Individual Identification as required in subsection 5C-3.007(2), F.A.C. and have a Prior Permission Number. The Prior Permission Number and Official Identification must be written on the accompanying document. Transitional swine may be Imported into Florida for slaughter as provided in subsection 5C-3.007(5), F.A.C. Transitional swine Imported into Florida, not consigned directly to a Recognized Slaughter Facility, must be:~~

~~(a). They have tested negative for pseudorabies and brucellosis, as provided in 9 C.F.R. §§ 85.1 and 78.33(b)(2) (2018)(2009), on two (2) consecutive official tests conducted~~

~~not less than thirty (30) days apart with the last test being within thirty (30) days of importation; and~~

~~(b) They have been isolated from all other swine, from the time of the first pseudorabies and brucellosis test until Imported into Florida.~~

~~b. They have a prior permission number; and~~

~~e. They are accompanied by an OCVI. The prior permission number must be written on the OCVI.~~

~~(7) Feral Swine may not be Imported into Florida.~~

~~(4) Materials. 9 CFR §§ 78.1, 78.33(b)(2), 85.1 and 85.7(c)(2) (2009), are hereby incorporated by reference. Copies may be obtained from: www.gpoaccess.gov.~~

~~Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16 FS. History—Amended 3-24-65, 11-7-67, 6-20-68, 1-1-71, 3-1-72, 8-4-77, 2-5-85, 10-23-85, Formerly 5C-3.07, Amended 9-6-89, 3-23-94, 12-12-04, 5-24-10, Amended _____.~~

~~5C-3.009 Dogs or Cats.~~

~~(1) Official Certificate of Veterinary Inspection (OCVI) Required. All dogs or cats imported into Florida, except for dogs or cats imported only for exhibition purposes, only and that which will remain in the state for less than six (6) months, and any service animal, any or working dog, and any privately owned pets traveling with their owners, all dogs and cats imported into Florida must be accompanied by an OCVI stating that they are:~~

~~(a) Are free from signs of any infectious or communicable disease;~~

~~(b) Did not originate within an area under quarantine for rabies; and~~

~~(c) Are not known to have a history of exposure to a rabies-infected animal prior to importation.~~

~~(2) Dogs or Cats for Sale or Adoption Requirements for Importation.~~

~~(a) Each dog or cat imported into Florida must:~~

~~1. Be accompanied by an OCVI, and~~

~~2. Meet the minimum standards for vaccinations, tests, and anthelmintic treatments, and be eight (8) weeks of age or older as specified in Section 828.29, F.S.~~

~~(b) Evidence of compliance with Section 828.29, F.S., shall accompany the owner or agent having custody jurisdiction of such dogs or cats imported into Florida or to which ownership is being transferred.~~

~~(3) Rabies Vaccination. All dogs or cats, three (3) months of age and older, transported into Florida, including exhibition dogs or cats, or service animals, and working dogs, and privately owned pets traveling with their owners, three (3) months of age and older, transported into Florida must have proof of a current rabies vaccination.~~

~~(4) Prior Permission Number. Dogs or cats originating from areas under quarantine for rabies must have a Prior~~

~~P~~ermission ~~N~~umber from the Division as provided in subsection 5C-3.002(3), F.A.C. The ~~P~~rior ~~P~~ermission ~~N~~umber must be written on the OCVI.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16, 828.29(1)(a), (2)(a) FS. History—New 6-29-62, Amended 2-5-85, Formerly 5C-3.09, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, Amended.

5C-3.011 Cervids (Farmed or Captive).

(1) Farmed or captive Cervids will be denied entry into the State of Florida unless accompanied by a valid Florida Fish and Wildlife Conservation Commission license or permit as referenced in Rule 68A-4.0051, F.A.C., except Cervidae, other than white-tailed deer, which are:

(a) Moving to and originating from a zoological facilities which meet or exceed all applicable Association of Zoos and Aquariums (AZA) accreditation standards (2013) as required by Rule 68A-4.0051(1) F.A.C.; or

(b) Reindeer entering temporarily (less than ninety (90) days for exhibition) provided that:

1. The reindeer do not originate from a facility located in a county where Chronic Wasting Disease has been documented or a county which adjoins to a county where Chronic Wasting Disease has been documented; and

2. Will not be kept at a Premises in Florida with other species of the family Cervidae.

~~(2)(1)~~ Chronic Wasting Disease (CWD) Herd Status.

(a) All ~~C~~eervids ~~I~~mpported into Florida must originate from herds that are performing CWD surveillance and are not located in a county or an adjoining county where CWD has been documented; and enrolled in a CWD herd certification program, as provided in 9 CFR § 55, Subpart B (2009), in the state from which the originating herd is located, and

(b) The animal health officials in the originating state must confirm the surveillance and the location of any positive CWD cases in the originating state. ~~originating herd must have participated in the program for the previous five (5) years with no cases of CWD reported.~~

~~(3)(2)~~ Official Certificate of Veterinary Inspection (OCVI) Required.

(a) All ~~C~~eervids ~~I~~mpported into Florida, ~~except those consigned to a recognized slaughtering establishment,~~ must be accompanied by an OCVI. The OCVI must list the official identification of each animal, the date and negative results for any required tests as provided below, and a ~~P~~rior ~~P~~ermission ~~N~~umber.

(b) All information required on the OCVI ~~shall be fully must be~~ completed by the issuing ~~A~~ccredited ~~V~~eterinarian and shall include:

1. The name, physical address and phone number of the consignor;

2. The name, physical address and phone number of the consignee;

3. The point of origin;

4. The point of destination;

5. The date of examination;

6. The number of animals examined;

7. The Official ~~I~~ndividual ~~I~~dentification number of each cervid;

8. The age, sex, and breed of each animal;

9. The test results and CWD herd status for brucellosis and tuberculosis as specified in Rule 5C-26.005, F.A.C.

10. A statement by the issuing ~~A~~ccredited ~~V~~eterinarian that the animals identified on the OCVI are free of signs of infectious, communicable, or neurologic disease;

11. The phone number of the issuing ~~A~~ccredited ~~V~~eterinarian;

12. The purpose for which the animals are being moved;

13. The CWD herd status of the herd of origin; and

14. The prior permission number.

(c) A copy of the OCVI shall be forwarded immediately ~~by Email to AnimalPermits@FreshFromFlorida.com or~~ via facsimile message, Fax: (850) 410-0946, to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, prior to shipment for review and verification that ~~I~~mport requirements have been met and issuance of a ~~P~~rior ~~P~~ermission ~~N~~umber.

(d) The OCVI shall be void thirty (30) days after issuance.

~~(4)(3)~~ Prior Permission Number. All ~~C~~eervids ~~I~~mpported into Florida, must have a ~~P~~rior ~~P~~ermission ~~N~~umber. The ~~P~~rior ~~P~~ermission ~~N~~umber must be written on the OCVI ~~or owner shipper statement~~ accompanying the animals.

~~(5)(4)~~ Testing Requirements and Exemptions.

(a) Chronic Wasting Disease Test. There is no ~~chronic wasting disease~~ test presently required for ~~I~~mportation of ~~C~~eervids into Florida. However, the animal(s) ~~I~~mpported must meet the requirements of subsection ~~5C-3.011(2)~~~~5C-3.011(1)~~, F.A.C., prior to ~~I~~mportation.

(b) Tuberculosis Test.

1. Cervids from an Accredited Tuberculosis-Free Herd, as provided in 9 ~~C.F.R.CFR~~ §§ 77.33(f) (2018~~2009~~), are exempt from this test. 9 C.F.R. § 77.33(f) (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. The herd status must be listed on the accompanying OCVI.

2. Cervids which do not originate from Accredited Tuberculosis-Free Herds and are not known to be affected with or exposed to tuberculosis may be ~~I~~mpported into Florida if they are:

a. Under six (6) months of age; ~~or~~

b. Originate from a herd which has been classified negative to an official tuberculosis test, as provided in 9 ~~C.F.R.CFR~~ §§

77.20 (20182009), of all eligible animals conducted within the past twelve (12) months, and the animals to be Imported are negative to a second official tuberculosis test conducted within ninety (90) days of Importation. 9 C.F.R. § 77.20 (2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>;

c. The animals to be Imported have two (2) consecutive negative official tuberculosis tests, as provided in 9 C.F.R. CFR § 77.20 (20182009), conducted not less than ninety (90) days apart, the second test conducted within ninety (90) days prior to Importation, with animals isolated from all other members of the herd during the testing period;

d. The official tuberculosis test results and dates of tests must be recorded on the OCVI accompanying the animals.

(c) Brucellosis Test.

1. Cervids originating from a Certified Brucellosis-Free Herd as defined in the USDA, APHIS, Brucellosis in Cervidae: Uniform Methods and Rules, Effective September 30, 2003, USDA, APHIS 91-45-16, Effective September 30, 2003, are exempt from this test. USDA, APHIS, Brucellosis in Cervidae: Uniform Methods and Rules, APHIS 91-45-16, Effective September 30, 2003, is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. The herd status must be listed on the accompanying OCVI.

2. Cervids which do not originate from Certified Brucellosis-Free Herds and are not known to be affected with or exposed to brucellosis may be Imported if they are:

a. Under six (6) months of age; or

b. Sexually intact animals, six (6) months of age or older, and negative to an official brucellosis test, as provided in the Brucellosis in Cervidae: Uniform Methods and Rules, Effective September 30, 2003, APHIS 91-45-16, Effective September 30, 2003, conducted within ninety (90) days prior to Importation. The official brucellosis negative test results must be recorded on the OCVI accompanying the animals.

~~(6)(5)~~ Consignee's herd shall be registered and comply with requirements of the Florida Department of Agriculture and Consumer Services Cervidae Herd Health Plan as provided in Chapter 5C-26, F.A.C., ~~unless imported for slaughter.~~

~~(6) Movement to Slaughter. All cervids imported into Florida for immediate slaughter must be consigned to a recognized slaughtering establishment and accompanied by an Owner Shipper Statement and a prior permission number. The prior permission number must be written on the Owner Shipper Statement.~~

~~(7) Materials. 9 CFR § 55, Subpart B (2009), 9 CFR §§ 77.20 and 77.33(f) (2009), and APHIS 91 45 16, Brucellosis in Cervidae, Uniform Methods and Rules, Effective September~~

~~30, 2003, are hereby incorporated by reference. Copies may be obtained from: www.gpoaccess.gov.~~

~~Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2) FS. History—New 3-23-94, Amended 12-12-04, 5-24-10, Amended~~

5C-3.012 Domestic Fowl, Poultry, Poultry Products and Ratites.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. All Domestic Fowl, Poultry, and Eggs For Hatching Purposes Imported into Florida, unless exempted by this rule, must be accompanied by an OCVI. Poultry and Eggs For Hatching Purposes ~~eggs classified~~ under provisions of the National Poultry Improvement Plan (NPIP) may substitute Report of Sales of Hatching Eggs, Chicks, and Poult, VS Form 9-3 (FEB 2016 OCT 2014), for the OCVI. Report of Sales of Hatching Eggs, Chicks, and Poult, VS Form 9-3 (FEB 2016 OCT 2014) is hereby incorporated by reference and available online ~~online~~ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

Racing Pigeons that are transported out of Florida for racing purposes in a sealed crate(s) and reenter Florida with unbroken seals are exempt from the OCVI Importation requirements. The OCVI or VS Form 9-3 must include the Official Identification approved by the United States Department of Agriculture in accordance with 9 C.F.R. §§ 86.4(a)(3) (2018). 9 C.F.R. §§ 86.4(a)(3) (2018) is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(2) Prior Permission Number. To acquire a Prior Permission Number, an Official Avian Permit FDACS-09257, Rev. 05/18 must be completed and submitted to the Division of Animal Industry. Official Avian Permit is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

A Prior Permission Number is required on the accompanying documentation for Importation of all Domestic Fowl, Poultry, and Eggs For Hatching Purposes, except those listed below in paragraphs (a)-(f), that originate from a state not affected by Exotic New Castle Disease (END) or Avian Influenza (AI):

(a) Poultry consigned directly to a Recognized Slaughtering Establishment for slaughter;

(b) Individual exotic birds;

(c) Racing Pigeons returning to Florida in unbroken, sealed containers;

(d) Exhibition birds originating in NPIP participating flocks in Florida and returning to Florida;

(e) Those shipments moving through Florida for transshipment outside of the United States and traveling on an

international OCVI, consigning the shipment to a foreign ~~country~~ ~~county~~, provided the shipping containers are not opened in Florida.

(f) Eggs for Hatching Purposes ~~Hatching eggs~~ or chicks less than four (4) days of age originating from NPIP participating flocks accompanied by a Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (FEB 2016~~2014~~).

(3) Testing Requirements

(a) Pullorum-Typhoid testing requirement.

1. An official negative test for Pullorum-Typhoid, as provided in 9 C.F.R. §§ 147.1-147.5 (2018~~2013~~), as adopted in Rule 5C-3.001, F.A.C., is required within thirty (30) days of Importation into Florida for Poultry or on the flock from which Eggs for Hatching Purposes ~~hatching eggs~~ originate. However, no Pullorum-Typhoid test is required for the following:

a. Importing Ppoultry or Eggs for Hatching Purposes originating from flocks classified under provisions of the NPIP as U.S. Pullorum-Typhoid Clean, as provided in 9 CFR §§ 145.23(b), 145.33(b), 145.43(b), 145.53(b) and 145.63(b) (2018~~2013~~), as adopted in Rule 5C-3.001, F.A.C.

b. Quail, pheasants, and other birds used strictly for hunting purposes that are consigned directly to a Florida Fish and Wildlife Conservation Commission licensed hunting preserve;

c. Ratites;

d. Waterfowl Imported for exhibition purposes;

e. Exotic birds;

f. Racing Pigeons and doves of the family Columbidae;

g. Exhibition birds originating from NPIP-participating flocks in Florida returning to Florida. These birds must be accompanied by proof of a valid NPIP flock testing record for pullorum-typhoid indicating that the flock test, in accordance with a 9 C.F.R. § 145.53(b) (2018~~2013~~), as adopted in Rule 5C-3.001, F.A.C., was conducted within the previous twelve (12) months or proof of a valid NPIP participant card current within the past twelve (12) months; or

h. Poultry consigned directly to a Recognized Slaughtering Establishment for slaughter.

2. Pullorum -Typhoid testing records for exhibition birds not originating from a NPIP-participating flock will be documented by an Authorized Representative from the state or USDA at the Fair Exhibition - Poultry Summary of Pullorum-Typhoid Testing, FDACS-09170, Rev. 09/17. Fair Exhibition - Poultry Summary of Pullorum-Typhoid Testing, FDACS-09170, Rev. 09/17 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(b) Avian Influenza (AI) testing requirements.

1. Poultry or Ppoultry Pproducts originating from a non-AI affected state.

a. All Ppoultry and Ppoultry Pproducts must be accompanied by proof of a negative, approved test for Avian Influenza (AI). AI samples collected by the Division will be documented by an Authorized Representative from the state on Avian Influenza/Exotic Newcastle Disease Poultry Surveillance Submission Form, FDACS-09230, Rev. 09/17. Avian Influenza/Exotic Newcastle Disease Poultry Surveillance Submission Form, FDACS-09230, Rev. 09/17 is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>; ~~and,~~

b. Entry into Florida must be within twenty-one (21) days of the Avian Influenza (AI) sample being taken; and,

c. If a flock with greater than thirty (30) birds is to be Imported, then no less than thirty (30) samples per flock must be taken with at least ten (10) samples taken per house; or

d. If a flock of less than thirty (30) birds is to be Imported, then all birds must be tested.

2. Exemptions ~~Exemptions~~ to the AI testing requirements for Ppoultry and Ppoultry Pproducts originating from a non-AI affected state. No AI test is required for the following:

a. Poultry or Ppoultry Pproducts originating from flocks classified as U.S. Avian Influenza Clean, as provided in 9 C.F.R. §§ 145.23(h), 145.33(1), 145.43(g), 145.53(e), and 145.63(b) (2018~~2013~~), as adopted in Rule 5C-3.001, F.A.C., in non-AI affected states;:-

b. Ratites;

c. Exotic birds; or

d. Racing Pigeons and doves of the family Columbidae.

3. Proof of negative Avian Influenza (AI) testing and the Department issued Pprior Ppermission Number, unless exempted from Pprior Ppermission Number requirement in accordance with subsection 5C-3.012(2), F.A.C., must be documented on the Report of Sales of Hatching Eggs, Chicks, Poults, VS Form 9-3 (FEB 2016~~OCT 2014~~), or OCVI listing the description of birds, test date, test results, and the name of the laboratory.

4. Poultry Pproducts originating from an Avian Influenza (AI) affected state.

a. From a Quarantine or Control Area as defined by originating state. No Domestic Ffowl, live Ppoultry or Ppoultry Pproducts or Eggs for Hatching Purposes ~~hatching eggs~~ originating from a Quarantine or Control ~~Control~~ Area in an Avian Influenza (AI) affected state may enter Florida, except for Imported birds that have completed all USDA or originated state of origin requirements to move from a Quarantine or Control Area, and have completed Florida Import requirements as described in subsections (1)-(3) of this rule. The Department shall verify USDA requirements have been met through the Emergency Management Response System (EMRS) prior to

permitting for entry into Florida by the State Veterinarian's Office.

b. Non-Quarantine or Control Areas as defined by originating state. All Poultry and Poultry Products;

(I) Must be accompanied by proof of a negative, approved test for Avian Influenza (AI); and,-

(II) Entry into Florida must be within seven (7) days of the Avian Influenza (AI) sample being taken; and,-

(III) If a flock with greater than thirty (30) birds is to be Imported, then no less than thirty (30) samples per flock must be taken with at least ten (10) samples taken per house; or

(IV) If a flock of less than thirty (30) birds is to be Imported, then all birds must be tested.

5. The following Poultry and Poultry Products originating from a non-quarantined area in an AI affected state are exempt from the AI testing requirements described in sub-subparagraph (3)(b)4.b.;

a. Poultry or Poultry Products, originating from flocks classified as U.S. Avian Influenza Clean, as provided in 9 C.F.R. §§ 145.23(h), 145.33(1), and 145.43(g), ~~145.53(e), and 145.63(b) (20182013)~~, as adopted in Rule 5C-3.001, F.A.C., in AI affected states;-

- b. Ratites;
- c. Exotic birds; or
- d. ~~Racing Pigeons and doves of the family Columbidae.~~

6. Proof of negative Avian Influenza (AI) testing and a Department Department issued Prior Permission Number must be documented on the Report of Sales of Hatching Eggs, Chicks, Poults, VS Form 9-3 (FEB 2016OCT 2014), or OCVI listing the ~~description described~~ of birds, test date, test results, and the name of the laboratory.

(c) Exotic Newcastle Disease (END) testing requirements. ~~Exotic Newcastle Disease (END) testing requirements apply to only those shipments of Poultry or Poultry Products originating from an END affected state.~~

1. Quarantine or Control Areas. No Domestic Fowl, live Poultry or Poultry Products, or Eggs for Hatching Purposes ~~hatching eggs~~ originating from a Quarantine or Control Area may enter Florida except for Imported birds that have completed all USDA and originating state requirements to move from a Quarantine or Control Area, have completed Florida Import test requirements as described in subsections (1)-(3) of this rule, and are permitted for entry into Florida by the State Veterinarian's Office.

2. Non-Quarantine or Control Areas.

a. All Poultry and Poultry Products must be accompanied by proof of a negative, approved test for Exotic Newcastle Disease (END). END samples submitted by the Division will be documented by an Authorized Representative from the state on Avian Influenza/Exotic Newcastle Disease

Poultry Surveillance Submission Form, FDACS-09230, Rev. 09/17, as incorporated in paragraph 5C-3.012(3)(b), F.A.C.

b. Entry in Florida must be within seven (7) days of the Exotic Newcastle Disease (END) sample being taken; and,-

c. If a flock with ~~greater~~ greater than thirty (30) birds is to be Imported, then no less than thirty (30) samples per flock must be taken with at least ten (10) samples taken per house; or

d. If a ~~flock flocks of~~ with less than thirty (30) birds is to be Imported, then all birds must be tested.

3. Documentation. Poultry or Poultry Products must be accompanied by a Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (FEB 2016OCT 2014), or OCVI indicating Poultry or Poultry Product originated originates from an END-negative flock, listing the Department issued ~~Prior Permission Number~~, description of birds, test date, test results, and the name of testing laboratory.

(4) Containers for Shipment. All Imported Domestic Fowl, Poultry, and Eggs For Hatching Purposes must be shipped in new or Cleaned and Disinfected reusable containers.

Rulemaking Authority 570.07(23), 585.002(4) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16 FS. History--New 3-23-94, Amended 12-12-04, 5-24-10, 2-8-16, Amended

5C-3.014 Elephants.

(1) Elephant *Mycobacterium tuberculosis* (Mtb) Categories. Elephants are placed into one of three (3) categories depending on their risk of being positive for Mtb as classified in the Recommendations for the Diagnosis, Treatment, and Management of Tuberculosis (*Mycobacteria tuberculosis*) in Elephants in Human Care (2017). Recommendations for the Diagnosis, Treatment, and Management of Tuberculosis (*Mycobacteria tuberculosis*) in Elephants in Human Care (2017) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. The three (3) Mtb categories are:

(a) Category A: Elephants have had no known exposure to an Mtb culture-positive animal within the past five (5) years. They are also consistently negative by an annual Triple Trunk Wash (TW) technique.

(b) Category B: Elephants have had contact with an Mtb positive animal within the past five (5) years, but are themselves consistently negative by annual triple TW series technique.

(c) Category C: Elephants are positive on TW cultures or culture of other body fluid. These animals cannot travel except for specific medical reasons. They are considered infected with Mtb.

(2) Official Certificate of Veterinary Inspection (OCVI) required. Only Category A and B elephants are permitted to be Imported into Florida and must be accompanied by an OCVI. The OCVI must include the following:

(a) The animal’s name, age, sex, any identifying marks, and microchip number, if applicable;

(b) The animal’s Mtb category; and

(c) The most recent TW culture history to include:

1. The date the TW sample was taken;
2. The full name of the testing laboratory;
3. Test accession number; and
4. Test result.

(3) Test Requirements

(a) Category A animals require proof of a negative TW culture with the sample taken within twelve (12) months of Importation into Florida.

(b) Category B animals require proof of a negative TW culture with the sample taken within ninety (90) days of Importation into Florida.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Michael Short, State Veterinarian, Division Director
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture, Nicole “Nikki” Fried
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 08/20/2018

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

RULE NOS.:	RULE TITLES:
5P-2.001	Program Participation
5P-2.002	Program Responsibilities
5P-2.003	Procurement Standards
5P-2.004	Reimbursement Process
5P-2.005	Administrative Reviews
5P-2.006	Fiscal Action
5P-2.009	Emergency Meals

PURPOSE AND EFFECT: This rulemaking adopts rules for the administration of School Nutrition Programs.

SUMMARY: The proposed rules establish eligibility criteria, identify program responsibilities, set procurement standards, present requirements for reimbursement, and demonstrate how Administrative Reviews will be conducted to determine any necessary fiscal action of School Nutrition Programs. The proposed rules are specific to Florida’s practices as allowed by the applicable Codes of Federal Regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

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: There are no costs associated with the establishment of this rule and program participation is voluntary.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 570.07(23); 595.404(4); 595.404(10), FS.

LAW IMPLEMENTED: 595.404; 595.501, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: S. Quinn Skinner, 600 S. Calhoun Street, Tallahassee, FL 32399, (850)617-7400

THE FULL TEXT OF THE PROPOSED RULE IS:

5P-2.001 Program Participation.

Each School Food Authority desiring to participate in a School Nutrition Program, as defined in subsection 5P-1.001(1), F.A.C., and each participating Sponsor, must meet the standards established by the United States Department of Agriculture as provided in 2 CFR 200, 7 CFR 15, 15a, 15b, 7 CFR 210, 7 CFR 220, 7 CFR 245 and 7 CFR 250 all revised as of January 1, 2018, and which are hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, Chapter 595, Florida Statutes, and this rule chapter.

(1) School Nutrition Program Application. School Food Authorities desiring to participate in a School Nutrition Program must be eligible as required by FNS Instruction 776-7, Rev. 1 FNS-620 (10/81), which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, and must:

(a) Submit to the department a complete application online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled “School Nutrition Programs Application”, FDACS-01951 Rev. 12/18, which is hereby incorporated by reference and available online at

<https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>. For the purposes of this program, a complete application includes:

1. All Sponsor Information as requested on the application; and

2. All Site Information as requested on the application for at least one site.

(b) If the School Food Authorities did not participate in the program in the year prior to the current year, the School Food Authorities must complete the School Nutrition Program training with eighty (80) percent accuracy or higher prior to being considered for approval for participation.

(2) Application Deadlines. Applications to participate in the School Nutrition Programs cover the period of July 1–June 30 annually. Applications must be received by the last day of February for participation in the current school year. Applications received between March 1 and June 30 will be considered for the following school year.

(3) Afterschool Snack Program. School Food Authorities are eligible to participate in the Afterschool Snack Program if they are a current Sponsor in a School Nutrition Program.

(4) Seriously Deficient Sponsors. Seriously Deficient Sponsors are Sponsors that were declared Seriously Deficient pursuant to paragraph 5P-1.004(1)(a), F.A.C. Sponsors reapplying for participation in School Nutrition Programs that were declared Seriously Deficient in the year prior to the current year, must be eligible as required in this rule, and must submit an application pursuant to paragraph 5P-2.001(1)(a), F.A.C.

(5) Ineligible Sponsors. Sponsors that owe money to the department from previous fiscal action taken are not eligible to participate in the program.

(6) Agreement. Each Sponsor approved to participate in the School Nutrition Program must enter into a written agreement with the department, using the form entitled “Child Nutrition Programs Agreement”, FDACS-01716 Rev. 06/18, which is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(7) Terminated Sponsors. Sponsors that have been terminated from the School Nutrition Program and are applying again to participate must meet all eligibility requirements in this rule chapter and submit an application pursuant to subsection 5P-2.001(1), F.A.C.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10) FS. Law Implemented 595.404 FS. History-New _____.

5P-2.002 Program Responsibilities.

(1) Meal Service Times. School Nutrition Program lunches must be served in accordance with the timing requirements specified in 7 CFR 210.10(l)(1), previously incorporated in Rule 5P-2.001, F.A.C. The school principal and staff must

schedule meal serving periods in such a manner as to permit and encourage maximum student participation in the School Nutrition Program. The Department of Agriculture and Consumer Services shall have the following responsibilities:

(a) To require that all Child Nutrition Programs for which federal reimbursement is granted shall meet at least the minimum standards established by the United States Department of Agriculture as provided in 2 CFR 200 and 7 CFR 15, 15a, 15b, 210, 215, 220, 225, 226, 240, 245, 250 and 252, all revised as of January 1, 2018, which are hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?no=Ref-09513>.

(b) To require that all Child Nutrition Programs meet at least the minimum standards established by chapter 595, Florida Statutes, under title 5P, Florida Administrative Code.

(c) To distribute the required state matching in such a manner as to comply with the provisions for state matching under the National School Lunch Act, as amended. The annual state matching allocation shall be distributed by computing the district's percentage share of total federal revenue received times the state general revenue matching allocation. The federal revenue includes Sections 4 and 11 of the National School Lunch Act and Sections 4 and 5 of the Child Nutrition Act of 1966, as amended, for two (2) fiscal years prior to the current fiscal year. The state matching allocation shall be distributed to Sponsors in equal amounts quarterly.

(2) Break Out Meal Service. Sponsors desiring to serve lunch to children ages 1 through 4 over two service periods must submit a request in writing to the department for approval. Requests must be submitted online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled “Request to Break Out Meal Service”, FDACS-01950 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>. Requests must be received by the department at least fourteen (14) days prior to the requested date the two service periods are to take effect. Each School Nutrition Programs Sponsor shall have the following responsibilities:

(a) To provide the necessary food service programs to meet nutritional needs of students during the school day. These food service programs shall be appropriately scheduled and shall include as a minimum a reimbursable lunch and if desired, a reimbursable breakfast, both priced as a unit. Supplemental foods which make a nutritional contribution to these meals may also be provided.

(b) To adopt policies covering all phases of the School Nutrition Program.

(c) To control the sale of food and beverage items in competition with the School Nutrition Program in accordance

with 7 CFR 210.11, previously incorporated in paragraph (1)(a) of this rule. Competitive food and beverage items sold to students during the school day must meet the nutrition standards for competitive food as defined and required in 7 CFR 210.11. Unless being sold by the School Nutrition Program, it is impermissible for any competitive food item sold to students during the school day to consist of ready to eat combination foods of meat or meat alternate, as defined in 7 CFR 210.10, previously incorporated in paragraph (1)(a) of this rule, and grain products as defined in 7 CFR 210.11. Each Sponsor is permitted to grant a special exemption from the standards for competitive foods as specified above for the purpose of conducting infrequent school sponsored fundraisers, not to exceed the following maximum number of school days per school campus each school year:

School Type	Maximum Number of School Days To Conduct Exempted Fundraisers
Elementary Schools	5 days
Middle School/Junior High Schools	10 days
Senior High Schools	15 days
Combination Schools	10 days

Elementary Schools: Schools providing regular or other instruction at one or more grade levels from PK through grade 5. This category includes schools serving grade 6 if also serving one or more grades PK through 5 (e.g., a K-6 school).

Middle/Junior High Schools: Schools providing regular or other instruction in middle school configurations (grades 6-8) and junior high school configurations (grades 7-9). This category also includes schools serving a single grade in the 6-8 range (e.g., a 6th grade center).

Senior High Schools: Schools providing regular or other instruction at one or more grade levels from 9 to 12. This classification includes 9th grade centers.

Combination Schools: Schools providing regular or other instruction in grade groupings that include more than one of the categories described above (e.g., PK-8, 6-12, K-12, etc.).

Each Sponsor shall maintain records documenting the occurrence of any exempted school sponsored fundraisers to demonstrate compliance with this rule. No school sponsored fundraisers, which include the sale of food items, shall be permitted to occur until thirty (30) minutes after the conclusion of the last designated meal service period. For the purposes of this section, "school sponsored fundraiser" shall be defined as any event or activity occurring on the school campus during which currency, tokens, tickets, or the like are exchanged for the sale or purchase of items or services to benefit the school, a

school organization or group, or a charitable organization, and which is authorized according to the Sponsor's policy and has been approved by the school principal or designee.

(d) To maintain a Healthy School Team for all schools under its jurisdiction in accordance with 42 U.S.C. 1758b (10/1/10), which is hereby adopted and incorporated by reference and available online at http://www.flrules.org/Gateway/reference.asp?No=Ref_04501. Any Healthy School Team should include, but not be limited to, the following stakeholders: parents, students, school food service program representatives, school administrators, school health professionals, physical education teachers and the public as provided in 42 U.S.C. 1758b(b)(3). In addition to the requirements specified in 42 U.S.C. 1758b, a Healthy School Team shall:

1. Be responsible for ensuring compliance with paragraph (2)(e) of this rule and 7 CFR 210.11, previously incorporated in paragraph (1)(a) of this rule, as it relates to competitive food and beverage items sold on a school campus;

2. Maintain a school calendar identifying the dates when exempted competitive food fundraisers will occur in accordance with the frequency specified in paragraph (2)(e) of this rule; and,

3. Report its school's compliance with this rule to the designated Local Educational Agency official or school official responsible for overall compliance with the Local Educational Agency's wellness policy as required in 42 U.S.C. 1758b(b)(5)(B).

(e) To provide an alternative food service program for students attending double session schools. The school board, after considering the nutritional needs of all the students attending the school, shall determine the alternative program needed.

(f) To provide for the control, administration, supervision, and operation of all School Nutrition Programs. The Sponsor may contract with a food management company to provide food service in one (1) or more schools; provided that the Sponsor shall retain responsibility for its operation, administration, supervision and control, in compliance with the program agreement and federal regulations.

(g) To adopt a policy for providing economically needy students with free and reduced price lunches and breakfasts, when breakfasts are served, that will comply with 2 CFR 200 and 7 CFR 210 and 220, previously incorporated in paragraph (1)(a) of this rule. This policy shall include a plan for verifying economic need of students and shall be approved by the Department.

(h) To limit the amount of funds recovered annually for food service indirect costs to the restricted federal indirect cost rate approved annually by the Florida Department of Education, multiplied by the total Nonprofit School Food Service Account

~~expenditures less expenditures for capital outlay, replacement of equipment, and USDA Foods; and cash in lieu of donated foods.~~

~~(3) Point of Service. Meal counts must be taken daily at the point of service in accordance with 7 CFR 210.7(c)(1) through (2), previously incorporated in Rule 5P-2.001, F.A.C. Sponsors desiring to implement an alternate point of service must submit a request for approval to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "Alternative Point of Service Request", FDACS-01912 Rev. 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>. The school principal and local school staff shall schedule meal serving periods in such a manner as to permit and encourage maximum student participation in the School Nutrition Program.~~

~~(4) Competitive Foods. Each Sponsor must control the sale of food and beverage items in competition with the School Nutrition Program in accordance with 7 CFR 210.11, previously incorporated in Rule 5P-2.001, F.A.C. Competitive food and beverage items sold to students during the school day must meet the nutrition standards for competitive food as defined and required in 7 CFR 210.11. Unless being sold by the Sponsor, it is impermissible for any competitive food item sold to students during the school day to consist of ready-to-eat combination foods of meat or meat alternate, as defined in 7 CFR 210.10, previously incorporated in Rule 5P-2.001, F.A.C., and grain products as defined in 7 CFR 210.11. Each Sponsor is permitted to grant sites a special exemption from the standards for competitive foods as specified above for the purpose of conducting school-sponsored fundraisers, not to exceed the following maximum number of school days per site each school year:~~

Site Type	Maximum Number of School Days To Conduct Exempted Fundraisers
Elementary Schools	5 days
Middle School/Junior High Schools	10 days
Senior High Schools	15 days
Combination Schools	10 days

~~Elementary Schools: Schools providing regular or other instruction at one or more grade levels from PK through grade 5. This category includes schools serving grade 6 if also serving one or more grades PK through 5 (e.g., a K-6 school).~~

~~Middle/Junior High Schools: Schools providing regular or other instruction in middle school configurations (grades 6-~~

8) and junior high school configurations (grades 7-9). This category also includes schools serving a single grade in the 6-8 range (e.g., a 6th grade center).

Senior High Schools: Schools providing regular or other instruction at one or more grade levels from 9 to 12. This classification includes 9th grade centers.

Combination Schools: Schools providing regular or other instruction in grade groupings that include more than one of the categories described above (e.g., PK-8, 6-12, K-12, etc.).

Each Sponsor must maintain records documenting the occurrence of any exempted school-sponsored fundraisers to demonstrate compliance with this rule. No school-sponsored fundraisers, which include the sale of food items, will be permitted to occur until thirty (30) minutes after the conclusion of the last designated meal service period. For the purposes of this section, "school-sponsored fundraiser" is defined as any event or activity occurring on site during which currency, tokens, tickets, or the like are exchanged for the sale or purchase of items or services to benefit the school, a school organization or group, or a charitable organization, and which is authorized according to the Sponsor's policy and has been approved by the school principal or designee. The following forms are hereby incorporated by reference and may be obtained from the Division of Food, Nutrition and Wellness, Florida Department of Agriculture and Consumer Services, 600 South Calhoun Street, Suite 120, Tallahassee, FL 32399 or online as indicated:

(a) FDACS 01717 Rev. 04/18, National School Lunch Program Claim Form, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09514>.

(b) FDACS 01718 Rev. 04/18, Special Milk Program Claim Form, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09515>.

(c) FDACS 01713 Rev. 04/18, Net Cash Resources Report, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09516>.

(d) FDACS 01716 Rev. 04/18, Child Nutrition Programs Agreement, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09517>.

(5) Healthy School Teams. Sponsors must maintain a Healthy School Team for all sites under its jurisdiction. Any Healthy School Team should include, but not be limited to, the following stakeholders: parents, students, school food service program representatives, school administrators, school health professionals, physical education teachers and the public. A Healthy School Team will:

(a) Be responsible for ensuring compliance with subsection (4) of this rule and 7 CFR 210.11, previously incorporated in Rule 5P-2.001, F.A.C., as it relates to competitive food and beverage items sold on site;

(b) Maintain a calendar identifying the dates when exempted competitive food fundraisers will occur in accordance with the frequency specified in subsection (4) of this rule; and

(c) Report its compliance with this rule and the local school wellness policy required in 7 CFR 210.31, previously incorporated in Rule 5P-2.001, F.A.C., to the designated official responsible for overall compliance with 7 CFR 210.31.

(6) Food Service Management Companies. Sponsors must provide for the control, administration, supervision, and operation of all School Nutrition Programs. The Sponsor may contract with a food service management company to provide food service for one (1) or more sites but the Sponsor must retain responsibility for the program's operation, administration, supervision and control.

(7) Economically-needy Students. Sponsors must adopt a policy for providing economically needy students with free and reduced price meals that will comply with and 7 CFR 210, 7 CFR 220, and 7 CFR 245, previously incorporated in Rule 5P-2.001, F.A.C.

(8) Direct Certification. Sponsors must Directly Certify children as eligible for free program participation as specified in 7 CFR 245.6(b), previously incorporated in Rule 5P-2.001, F.A.C., except for residential child care institutions only serving its residents.

(a) All Sponsors must conduct Direct Certification with SNAP, TANF, and Medicaid at least three times each school year as scheduled below:

1. Before October 1;
2. After October 1 and before January 15; and
3. After January 15 and before April 1.

(b) Direct Certification for SNAP, TANF, and Medicaid must be conducted using the Florida Direct Certification system online at <https://fdc.freshfromflorida.com>, or by requesting the Direct Certification List for specific counties.

1. Requests for access to the Florida Direct Certification system or the Direct Certification List must be submitted online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "Direct Certification Agreement", FDACS-01804 Rev. 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

2. Direct Certification must only be conducted using the Florida Direct Certification system or the Direct Certification List.

(9) October Data. All Sponsors must submit October Data to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "October Data Collection Form",

FDACS-01943 Rev. 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, no later than November 30 of each year.

(10) Verification. Verification must be conducted in accordance with 7 CFR 245.6a(c), previously incorporated in Rule 5P-2.001, F.A.C. All Sponsors must submit data retrieved during Verification efforts to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "School Food Authority (SFA) Verification Collection Report," FNS-742 (10/12), which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, no later than November 30 of each year.

(11) April Data. All Sponsors must submit April data to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "April Data Collection Form", FDACS-01940 Rev. 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, no later than April 10 of each year.

(12) Food Safety Inspections. Each Sponsor must attempt to obtain a minimum of two (2) food safety inspections for each site during each school year as specified in 7 CFR 210.13(b) and 7 CFR 220.7(a)(2), previously incorporated in Rule 5P-2.001, F.A.C. The scope of the food safety inspections may vary according to the type of food service operations and is determined by the agency responsible for inspections.

(a) If less than two (2) inspections are completed, one of the following reasons must be reported as to why:

1. The site is a satellite self-preparation site or a service only site;
2. The site opened after the last day of February in the current school year;
3. The site closed on or before the last day of February in the current school year; or
4. The agency responsible for performing the inspections did not have a health inspector available.

(b) Sponsors must report to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, no later than May 15 of each year, the number of food safety inspections for all sites operating School Nutrition Programs. If less than two (2) inspections are completed, the Sponsor must have documentation demonstrating a second inspection was requested and the result of the request.

(13) Indirect Costs. Sponsors must limit the amount of funds recovered annually for food service indirect costs to the restricted federal indirect cost rate approved annually by the

Florida Department of Education, multiplied by the total Nonprofit School Food Service Account expenditures less expenditures for capital outlay, replacement of equipment, and USDA Foods; and cash-in-lieu of donated foods.

(14) Net Cash Resources. Sponsors must report net cash resources for the prior fiscal year to the department as part of the annual renewal process online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled “Net Cash Resources Report”, FDACS-02045 Rev. 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(a) Sponsors reporting net cash resources in excess of three months’ average expenditures must within 60 days of submitting the Net Cash Resources Report, submit an action plan, online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled “Net Cash Resources Action Plan”, FDACS-02044 12/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, to reduce their nonprofit school food service account to no more than three months’ average expenditures.

(b) Should the Sponsor fail to submit an action plan to the department, the department will require the Sponsor to reduce the price children are charged for lunch, improve food quality, or take other action designed to improve the school food service, such as upgrading food service equipment, developing nutrition education materials and curricula, or training of food service personnel, and any other use in accordance with 2 CFR 200, previously incorporated in Rule 5P-2.001, F.A.C. The department will work with each Sponsor to determine the best course of action.

(15) Equipment and Capital Expenditures. All equipment and capital expenditures, as defined by 2 CFR 200.439, previously incorporated in Rule 5P-2.001, F.A.C., with a per-unit acquisition cost of \$5,000 or more and accruing to a Sponsor’s nonprofit school food service account must be pre-approved by the department.

(a) Requests for approval of equipment and capital expenditures must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399 using the form entitled “Capital Expenditure Pre-Approval Request”, FDACS-02011 Rev. 10/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(b) Any equipment and capital expenditures not meeting the general criteria for allowability as set out in Subpart E – Cost Principles of 2 CFR 200, previously incorporated in Rule 5P-2.001, F.A.C., will not be approved by the department.

(c) Any equipment and capital expenditures found on the department’s FNS-approved equipment list will receive automatic department approval without submission of a request for approval. The FNS-approved equipment list is made available online at <https://fans.freshfromflorida.com> or by written request mailed to 600 S. Calhoun Street (H2), Tallahassee, FL 32399.

(16) Audit Requirements. Sponsors that expend \$750,000 or more during the fiscal year in federal awards must have a single audit conducted for that year in accordance with Subpart F – Audit Requirements of 2 CFR 200, previously incorporated in Rule 5P-2.001, F.A.C.

(a) In determining whether \$750,000 in federal awards have been expended, the Sponsor must combine the value of USDA Foods received as determined by the United States Department of Agriculture (USDA), all reimbursements received for meals served to eligible children as a part of the Summer Food Service Program, if applicable, School Nutrition Programs, and all other federal awards as defined in 2 CFR 200.38, previously incorporated in Rule 5P-2.001, F.A.C. Sponsors may obtain the value of USDA Foods received by accessing the Web-Based Supply Chain Management website at <https://www.eauth.usda.gov/Login/login.aspx> or by calling the department toll-free at (800) 504-6609.

(b) A copy of the audit report must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within nine (9) months after the end of the audit period.

(c) If any issues related to the School Nutrition Programs are noted in the audit report, and require corrective action, the department will provide a plan to the Sponsor to correct all said issues. The Sponsor will have thirty (30) calendar days from the date of receipt of this plan to address each issue noted.

Rulemaking Authority 570.07(23), 595.404(4), (10), (11) FS. Law Implemented 595.404 FS. History—New 3-26-66, Amended 4-17-72, 4-19-73, 10-20-73, 6-17-74, Repromulgated 12-5-74, Amended 5-4-76, 10-18-77, 12-11-79, 1-7-81, 7-28-81, 9-23-81, 6-28-83, 10-15-84, 7-10-85, Formerly 6A-7.42, Amended 5-3-88, 5-16-90, 6-30-92, Formerly 6A-7.042, Amended 10-11-99, 1-25-00, Formerly 6-7.042, 6A-7.0411, Amended 9-24-14, 6-21-18, Formerly 5P-1.003, Amended

5P-2.003 Procurement Standards.

(1) Contracts. All contracts must be issued using the standards outlined in 7 CFR 210.21, 7 CFR 220.16 and 2 CFR 200, previously incorporated in Rule 5P-2.001, F.A.C.

(a) Pursuant to 7 CFR 210.21(c)(1) and 7 CFR 220.16(c)(1), the department will conduct a pre-issuance review of each Sponsor's proposed contracts.

(b) The department will examine each Sponsor's proposed contracts prior to the issuance, if:

1. The Sponsor has a contract with a food service management company; or

2. The Sponsor has any proposed contracts that exceeds \$50,000 for public and charter school Sponsors or the simplified acquisition threshold identified in 2 CFR 200.88, previously incorporated in Rule 5P-2.001, F.A.C., for all other Sponsors.

(c) Sponsors are allowed to enter into a Successive Purchasing Agreement, as defined in subsection 5P-1.001(37), F.A.C., when the awarded Contractor agrees, in writing, to permit the Successive Purchasing Agreement at the same terms, conditions, and prices, or below such prices.

1. Sponsors must submit Successive Purchasing Agreement and written authorization from the Contractor to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within seven (7) calendar days of execution.

2. Sponsors must conduct a separate procurement to obtain goods and services if the proposed Successive Purchasing Agreement results in a material change to the underlying contract. The department considers a change to be material if it would cause the contractor to bid differently if the prospective change had existed during the solicitation process or if the total cost of the change exceeds the thresholds referenced in subparagraph 5P-2.003(1)(b)2, F.A.C.

(2) Training. A contractor or food service management company wanting to contract to provide food services to any Sponsor must complete, with an eighty (80) percent passing score or higher, the online vendor training found at <http://freshfromflorida.com/trainFNW>, or attend an in-person vendor training, prior to bidding on Sponsor solicitations. Rulemaking Authority 570.07(23), 595.404(4), 595.404(10) FS. Law Implemented 595.404 FS. History-New _____.

5P-2.004 Reimbursement Process.

(1) Advances. In accordance with 7 CFR 210.8(d) and 7 CFR 220.11(e), previously incorporated in Rule 5P-2.001, F.A.C., the department will not advance funds to Sponsors for School Nutrition Programs.

(2) Claims. Claims for Reimbursement must only be made by Sponsors operating under written agreement, incorporated in subsection 5P-2.001(6), F.A.C., with the department except as provided in paragraph (a) through (c) of this subsection.

(a) If a Sponsor has not executed a written agreement with the department prior to beginning program operations, the department will make reimbursement payments for meals

served during the calendar month preceding the calendar month in which the written agreement is executed.

(b) All meals must meet meal pattern requirements pursuant to 7 CFR 210.10, previously incorporated in Rule 5P-2.001, F.A.C.

(c) The Sponsor must provide sufficient documentation to support the Claim for Reimbursement when submitted to the department. Such documentation must include the number of free, reduced price, and paid meals served to eligible children.

(d) All Claims for Reimbursement must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "National School Lunch Program Claim Form", FDACS 01717 Rev. 12/18, which is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(3) Due Dates. All Sponsors must submit to the department a monthly Claim for Reimbursement online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "National School Lunch Program Claim Form", FDACS 01717 Rev. 12/18, previously incorporated in Rule 5P-2.002(2)(d), F.A.C.

(a) Claim for Reimbursement forms must be postmarked or submitted online to the department not later than thirty (30) days following the last day of the full month covered by the claim (claim month).

(b) Adjustments on Claims for Reimbursement must be completed and postmarked or submitted online to the department within sixty (60) days of the last day of the claim month. Upward adjustments on Claims for Reimbursement are limited to two adjustments per claim month per Sponsor unless the adjustment results from an Administrative Review or from other federally-required or state-imposed audits.

(4) One-Time Exception. Claims for Reimbursement and any adjustments made to Claims for Reimbursement not filed within the prescribed timeframes will not be paid by the department unless otherwise authorized by USDA's Food and Nutrition Service (FNS) or as provided in paragraph (a) of this subsection.

(a) A Sponsor may only request a one-time exception for late submission of Claims for Reimbursement every thirty-six (36) months for all School Nutrition Programs collectively. Sponsors must submit a corrective action plan online at <https://fans.freshfromflorida.com> or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399.

(b) The corrective action plan must include:

1. The reason(s) contributing to the late submission of the claim or upward adjustment of the claim;

2. An outline the action(s) to be taken to avoid future late submissions;

3. A statement of understanding regarding the frequency of one-time exceptions in paragraph (a) of this subsection; and

4. The signature of an authorized representative.

(5) Inactivation. Failure by any Sponsor to submit a Claim for Reimbursement for three (3) consecutive program months will result in the inactivation of the Sponsor's participation in the School Nutrition Program. If the Sponsor would like to continue their active participation in the School Nutrition Program, the Sponsor will need to reapply as described in Rule 5P-2.001, F.A.C.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(5), 595.404(10) FS. Law Implemented 595.404 FS. History-New

5P-2.005 Administrative Reviews.

(1) Administrative Review. The department will conduct Administrative Reviews of all Sponsors participating in the School Nutrition Programs in accordance with 7 CFR 210.18, previously incorporated in Rule 5P-2.001, F.A.C., and the 2018-2019 Administrative Review Guidance Manual, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(2) Audits. The department will include currently applicable findings from federally-required audit activity or from any state-imposed audit requirements in the Administrative Review to prevent duplication of effort when or if findings pertain to the reviewed Sponsors or the overall operation of the School Nutrition Programs and are relevant to the review period.

(3) Overpayment. In conducting Administrative Reviews for any fiscal year, the department will disregard overpayment which does not exceed \$600, in accordance with 7 CFR 210.19(d) and 7 CFR 220.15(c), previously incorporated in Rule 5P-2.001, F.A.C.

(4) State Site Reviews. The department will review food service operations at each site included in the Administrative Review. Should any meals be disallowed at a site for reasons outlined in 7 CFR 210.18, previously incorporated in Rule 5P-2.001, F.A.C., and the 2018-2019 Administrative Review Guidance Manual, previously incorporated in this rule, the Sponsor must provide documentation showing the disallowed meals were deducted from the Claim for Reimbursement to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within seven (7) calendar days of the Site Review and prior to receiving payment on the Claim for Reimbursement.

(5) Program Records. The Sponsor must make available to the department all required program records no later than the

last day of the scheduled Administrative Review period. The department may grant a one-time extension, per Administrative Review, to the timeframe to provide all required program records by seven (7) calendar days upon written request by the Sponsor when extraordinary circumstances arise; such as temporary school closures, natural disasters, extreme weather conditions, or other circumstances beyond the Sponsor's control. Documentation will not be accepted beyond the date established between the Sponsor and the department.

(6) Exit Conference. The department will hold an exit conference at the close of the Administrative Review to discuss overall program operations, any program deficiencies observed, the extent of the program deficiencies and the actions needed to correct the program deficiencies. The department will set an appropriate deadline(s) for completion of corrective action based on the type of corrective action to be completed.

(7) Report. The department will provide the Sponsor and the Sponsor's Superintendent (or equivalent for a non-public Sponsor) with an Administrative Review Report.

(a) The Administrative Review Report will include the program deficiencies observed, the needed corrective actions, the deadlines for completion of the corrective action, and the potential fiscal action and accompanying appeal rights.

(b) If the findings include those described in subparagraphs 5P-1.004(1)(a) 1.a.-k., F.A.C., the Sponsor will be declared Seriously Deficient.

(c) The Administrative Review Report will be sent via email and certified mail, return receipt requested within thirty (30) calendar days of the exit conference at the close of the Administrative Review period and will be deemed received by the Sponsor five (5) calendar days following the date the notice was sent.

(7) Corrective Action. For any program deficiencies identified by the department through an Administrative Review, Sponsors must submit a corrective action plan with supporting documentation to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within thirty (30) calendar days of receipt of the Administrative Review Report. The corrective action plan must include:

(a) Each identified program deficiency;

(b) The corrective action required;

(c) The timeframe by which the corrective action will be, or was completed; and

(d) Documentation to demonstrate corrective action was completed as prescribed in the Administrative Review Report.

(8) Extension Requests. The department may extend the timeframe(s) specified to complete the required corrective action(s) upon the request of Sponsor when extraordinary circumstances arise; such as temporary school closures, natural

disasters, extreme weather conditions, or other circumstances beyond the Sponsor's control.

(a) A request to extend the timeframe(s) to complete the required corrective action(s) must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within thirty (30) calendar days of receipt of the Administrative Review Report.

(b) This request must include the following:

1. A justification that demonstrates good cause beyond the Sponsor's control for why the corrective action plan cannot be submitted by the original completion date. Good cause includes unexpected, temporary closures, natural disasters, extreme weather conditions, or other circumstances beyond the Sponsor's control, and

2. Specify the new desired completion date.

(9) Seriously Deficient. If after thirty (30) calendar days of the date of notification, the Sponsor fails to respond to the department regarding the required corrective actions or fails to request an extension of the timeframe in which the corrective actions can be completed, the Sponsor will be deemed Seriously Deficient and subject to suspension, pursuant to paragraph 5P-1.004(1)(a), F.A.C.

(10) Follow-up Reviews. Follow-up reviews of Sponsors and sites will be conducted if:

(a) The Sponsor is declared Seriously Deficient;

(b) A food safety deficiency is noted during the Administrative Review; or

(c) When the number of student eligible for free or reduced-price meals as observed by the department is significantly different than the number of student eligible for free or reduced price meals claimed by a site on a prior day of the current year; and

(d) To ensure that corrective action has been taken as prescribed by the department in the Administrative Review Report.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10), 595.501(1) FS. Law Implemented 595.404, 595.501 FS. History-New _____.

5P-2.006 Fiscal Action.

(1) Fiscal Action. Fiscal Action is defined as the recovery of overpayment through direct assessment or offset of future Claims for Reimbursement, disallowance of any portion of a Claim for Reimbursement, disallowance of overclaims as reflected in unpaid Claims for Reimbursement, submission of a revised Claim for Reimbursement, and correction of program records to ensure that unfiled Claims for Reimbursement are corrected when filed. Fiscal action also includes disallowance of funds for failure to take corrective action to meet the meal requirements in 7 CFR 210.10 and 7 CFR 220.8, previously

incorporated in Rule 5P-2.001, F.A.C., and restoration of the nonprofit school food service account from a nonfederal source for unallowable costs pursuant to 2 CFR 200, previously incorporated in Rule 5P-2.001, F.A.C.

(2) Assessment of Fiscal Action. The department will assess fiscal action for program deficiencies identified in 7 CFR 210.18(l)(1) through (2), previously incorporated in Rule 5P-2.001, F.A.C., and identified unallowable costs to the program, embezzlement, willful misapplication of funds, theft, or fraudulent activity.

(3) Recovery of Payment. The department's response to a Sponsor failing to submit an accurate Claim for Reimbursement is governed by 7 CFR 210.8 and 7 CFR 220.14, previously incorporated in Rule 5P-2.001, F.A.C., except that the department will recover current fiscal year overpayments from a Sponsor by offsetting future Claims for Reimbursement. The department will recover overpayments identified from a prior fiscal year from a Sponsor, and any fiscal action assessed pursuant to subsection (2) of this rule, through direct assessment using the following collection procedures:

(a) The department will make a written demand to the Sponsor stating the Fiscal Action assessed via certified mail, return receipt requested.

(b) If after thirty (30) calendar days, the Sponsor has failed to remit full payment or agree to a repayment schedule, the Sponsor will be declared Seriously Deficient pursuant to paragraph 5P-1.004(1)(a), F.A.C.

(4) Withholding Payments. The department will withhold fifty (50) percent of program payments pursuant to 7 CFR 210.24 and 7 CFR 220.18 for the causes specified in 7 CFR 210.18(l)(1), previously incorporated in Rule 5P-2.001, F.A.C.

(5) Penalties. Failure to comply with the requirements of this rule chapter will result in the penalties prescribed in Rule 5P-1.004, F.A.C. and 7 CFR 210.25, 210.26, 7 CFR 220.6(b) through (c), and 7 CFR 220.19, previously incorporated in Rule 5P-2.001, F.A.C.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10), FS. Law Implemented 595.404, 595.501 FS. History-New _____.

5P-2.009 Emergency Meals

Emergency meal services shall be administered as provided in paragraph 5P-3.001(11)(a), F.A.C. In addition, Sponsors must do the following:

(1) Eligibility. In the event of an unanticipated school closure during the school year, the department will provide an expedited approval for School Districts, as defined in Section 595.402(5), F.S., operating the National School Lunch Program with current agreements to operate the Summer Food Service Program, pursuant to Rule 5P-3.001(11), F.A.C., if the Sponsor submits a letter of intention to provide such emergency meals to the department online at <https://fans.freshfromflorida.com>,

or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, accompanied by the Sponsor's application to participate in the Summer Food Service Program, pursuant to Rule 5P-3.001(1)(a), F.A.C., and contain the following:

(a) A list of the sites that would be activated to serve emergency meals;

(b) The contact person for the School District regarding service of emergency meals;

(c) The estimated number of children to be served;

(d) Time(s) in which meals will be served;

(e) Type(s) of meals to be served (i.e., breakfast, lunch, snack, and/or supper);

(2) Location. Emergency meals must be served at the site and during the time(s) indicated in the letter of intention. If the Sponsor is unable to serve meals at the location and during the time(s) indicated in the letter of intention, the Sponsor must submit, using the same method described in Rule 5P-2.009(1), F.A.C., a request to change the location or time and the reason for the change.

(3) Meal Pattern. All emergency meals served must meet the meal pattern requirements in 7 CFR 225.16(d) revised as of January 1, 2018, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(4) Claims for Reimbursement. Sponsors must submit Claims for Reimbursement in accordance with Rule 5P-3.004, F.A.C.

(5) Record Retention. Sponsors must maintain all records necessary to demonstrate compliance with the requirements in this Rule, pursuant to 7 CFR 225.15(c) revised as of January 1, 2018, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10), FS. Law Implemented 595.404, 595.501 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lakeisha T. Hood
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 30, 2018

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-25.031	Definitions
12-25.033	Eligibility and Qualifications
12-25.035	Responsibility for Program Training, Certification Procedures, and Program Availability
12-25.037	Applying for Participation in the Program
12-25.047	Development of Agreed Upon Procedures
12-25.048	Submission of the Certified Audit Report

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 45 No. 25, February 6, 2019 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 03/28/2019, the Department issued a Final Order granting ASilver Crest ALF, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/28/2018, and noticed in FAR Volume 45, Number 10. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 03/28/2019, the Department issued a Final Order granting Gentry Park Orlando Assisted Living and Memory Care, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/31/2018, and noticed in FAR Volume 45, Number 12. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 03/29/2019, the Department issued a Final Order granting Miami-Dade County d/b/a Helen M. Sawyer Plaza ALF, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/28/2018, and noticed in FAR Volume 45, Number 03. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 03/29/2019, the Department issued a Final Order granting S-H Thirty-Five Opco Lutz, LLC d/b/a Atria Lutz, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/01/2019, and noticed in FAR Volume 45, Number 47. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 03/29/2019, the Department issued a Final Order granting HCP Port Orange FL Opco, LLC d/b/a Atria Port Orange, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/01/2019, and noticed in FAR Volume 45, Number 47. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 03/29/2019, the Department issued a Final Order granting S-H Thirty Five Opco Tamarac, LLC d/b/a Atria Tamarac, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/01/2019, and noticed in

FAR Volume 45, Number 47. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.007 Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees

NOTICE IS HEREBY GIVEN that on April 18, 2019, the Board of Professional Engineers, received a petition for variance or waiver filed by Tameem AlTameemi. The Petitioner is seeking a variance or waiver of Rule 61G15-20.007(1)(b), F.A.C., with respect to the requirement that each applicant for a Florida engineers license must demonstrate the completion of a substantial equivalency for the general education course requirements. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, at the above address or telephone (850)521-0050 or by email: zraybon@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.002 Experience

NOTICE IS HEREBY GIVEN that on April 18, 2019, the Board of Professional Engineers, received a petition for variance or waiver filed by Kenneth Ward. Although no rule is listed, Petitioner is requesting a variance or waiver of Rule 61G15-20.002, F.A.C., regarding the requirements for entry into the engineering examination. Petitioner seeks waiver of the rule's request that 48 months of engineering experience be obtained after receipt of the Bachelor of Science in Engineering degree. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, at the above address or telephone (850)521-0050 or by email: zraybon@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-3.008 Pre-licensing Education for Broker and Sales Associate Applicants

NOTICE IS HEREBY GIVEN that on March 11, 2019, the Florida Real Estate Commission, received a petition for variance or waiver submitted by Scott D. Sutherland, regarding the requirement of subsection 61J2-3.008(1), F.A.C., that he take the Florida Real Estate Exam and to become licensed as a real estate sales associate he must satisfactorily complete the Commission-prescribed course designated as Course I which consist of 63 hours of 50 minutes each, inclusive of examination, in the basic fundamentals of real estate principles and practices, basic real estate, and license law. Comments on this petition should be filed with the Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, FL 32801, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, at the above address or telephone (850)487-1395 or by email: Lori.Crawford@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-2.002 Definition of "Supervision" for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NOTICE IS HEREBY GIVEN that on April 26, 2019, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for waiver or variance filed by Che'von Jackson seeking a variance or waiver of Rule 64B4-2.002, F.A.C., which provides the definition of "supervision" for clinical social work, marriage and family therapy and mental health counseling.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

The Florida Elections Commission announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2019, 8:30 a.m. until adjourned

PLACE: Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399-6526.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agency matters. Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports. Rules Review. Portions of this meeting are confidential and closed to the public.

A copy of the agenda may be obtained by contacting: the Commission Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050, or by viewing the Commission's web site: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Commission Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: the Commission Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050, or by viewing the Commission's web site: www.fec.state.fl.us.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Preschool Development Grant State Advisory Council for Early Childhood Care and Education announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2019, 9:00 a.m. – 3:00 p.m., or until business is concluded, whichever is earlier.

PLACE: Florida Department of Education, Turlington Building, 325 W. Gaines Street, Tallahassee, FL 32399, Conference Room 1703

Please note: This building is a secure building. Members of the public wishing to attend the meeting will need to ensure they have photo identification, sign in at the security desk, and then will be escorted to the meeting room.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Preschool Development Grant Birth through Five: Statewide Needs Assessment and Strategic Plan for early childhood care and education programs and services.

A copy of the agenda may be obtained by contacting: Molly Grant, Molly.Grant@oel.myflorida.com or (850)717-8550.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Molly Grant, molly.grant@oel.myflorida.com or (850)717-8550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT) announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, May 9, 2019, 5:30 p.m.

PLACE: Sanborn Event Center, 815 S Alabama Ave., DeLand, FL 32724

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Number: 441414-1; 438968-2

Project Description: Taylor Road (State Road (S.R.) 15A) Access Management from West of S. Woodland Blvd. (S.R. 15 (US 17/92)) to West of Adelle Avenue & Taylor Road Intersection Improvements S. Woodland Blvd. The public hearing is being held to review the latest design plans. The projects are funded for construction in July of 2020. The access management improvements will involve constructing concrete medians and traffic separators with left turn lanes and adding asphalt to U-turn areas on Taylor Road between S. Woodland Boulevard and South Adelle Avenue. A new traffic signal will be installed at South Clara Avenue. Safety improvements are also proposed at the intersection of Taylor Road and S. Woodland Boulevard. These include the construction of a traffic island between the through and right turn lanes at the intersection, as well as traffic signal, drainage, and pedestrian improvements that meet Americans with Disabilities Act current standards.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer

Smith, FDOT District Five Title VI Coordinator at jennifer.smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: A flier will be distributed at the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Gene Varano, FDOT Project Manager, by phone at (386)943-5145, or by email at gene.varano@dot.state.fl.us. Persons who require translation services (free of charge) should also contact Gene Varano by phone at (386)943-5145, or by email at gene.varano@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gene Varano, FDOT Project Manager, by phone at (386)943-5145, or by email at gene.varano@dot.state.fl.us. Additional information is available on the project website at http://www.cflroads.com/project/441414-1/SR_15A_15_600_to_SR-15_from_US_17_92_to_Adelle_Ave.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2019, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Ste. 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Resiliency Coalition Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2019, immediately after TBRPC Council meeting, or 12:00 Noon – 1:00 p.m.

PLACE: 4000 Gateway Centre Blvd., Ste. 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Resiliency Coalition.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/LEPC District 9 announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2019, 9:30 a.m.

PLACE: Cape Coral Emergency Operations Center, 1115 SE 9th Ave, Cape Coral, FL 33990

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Southwest Florida Local Emergency Planning Committee (LEPC)

A copy of the agenda may be obtained by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org.

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

The Apalachee Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 9, 2019, 1:00 p.m. ET

PLACE: ARPC Conference Room, 2507 Callaway Road, Stueie 200, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Bi-Monthly Meeting of the ARPC Executive Committee

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303, JWatson@thearpc.com, (850)488-6211 x 103.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 14, 2019, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Public Hearings, Workshops, and Committee Meetings. Consideration of Suwannee River Water Management District business.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website at www.mysuwanneeriver.com. When published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 10, 2019, 11:00 a.m.

PLACE: Gamble Rogers State Recreation Area, 3100 S Ocean Shore Blvd, Flagler Beach, FL 32136

GENERAL SUBJECT MATTER TO BE CONSIDERED: Site visit of the Flagler County Wetland Restoration Project.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Andrea Dzioba at adzioba@sjrwmd.com or by phone at (386)643-1915.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Civil Rights Coordinator at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 15, 2019, 9:00 a.m.

PLACE: Dial In Number: 1(866)528-2256, Guest Code: 4875556#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Teleconference

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301, ext. 241.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301, ext. 241. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301, ext. 241.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 22, 2019, 9:30 a.m.

PLACE: Via Telephone Conference Call. To connect, dial 1(888)585-9008, Conference Pass Code: 258-893-642

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF HEALTH

The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 10, 2019, 1:45 p.m.

PLACE: Conference call-in number: 1(888)585-9008, Conference room: 844-494-458

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Biomedical Research Advisory Council will meet via conference call to discuss and vote on a proposed language change to the FY 2019-2020 Bankhead-Coley, James and Esther King, and Live Like Bella Funding Opportunity Announcements.

A copy of the agenda may be obtained by contacting: Teresa Mathew at Teresa.Mathew@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 10, 2019, 1:30 p.m.

PLACE: Toll Free Number – 1(888)585-9008, 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2019, 9:00 a.m.

PLACE: 1003 E. Palm Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hillsborough County Alliance business.

A copy of the agenda may be obtained by contacting: Ilka Suda, 1(813)337-5805.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ilka Suda, 1(813)337-5805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2019, 1:00 p.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention

A copy of the agenda may be obtained by contacting: Sofia Castro at sindie.castro@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sofia Castro at sindie.castro@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NO.: RULE TITLE:

69C-3.001 Purpose

The Florida Department of Financial Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2019, 1:00 p.m.

PLACE: 1801 Hermitage Boulevard, Room 440C, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the Chief Financial Officer's Treasury Investment Committee pursuant to Section 17.575, Florida Statutes. The purpose of the meeting is to provide an overview of Treasury operations and performance.

A copy of the agenda may be obtained by contacting: Wanda Cole, (850)413-3310.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wanda Cole, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3310. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wanda Cole, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3310. **PLEASE NOTE:** The Hermitage Building is a secure facility. Persons wishing to attend should call Ms. Cole to obtain access to the elevator that accesses the Fourth Floor.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, May 13, 2019, 3:00 p.m., Audit/Budget/Finance Committee Meeting; Tuesday, May 14, 2019, 8:30 a.m., Annual/Board of Governors Meetings

PLACE: Conrad Miami Hotel, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit/Budget/Finance Committee Meeting: To review and discuss matters relating to FAJUA Financial/Audit reporting and any other matters that may come before the Committee.

Annual Meeting of the Members: To approve Annual Meeting Minutes of April 17, 2018; to receive Association's Annual Report; elect Member Company Members and consider any other matters that may come before the Members.

Board of Governors Meeting: To receive reports of the General Counsel, General Manager and Committees; to consider and take actions based on those reports and consider any other matters that may come before the Board.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive, Suite 201-A, Tallahassee, Florida 32308, (850)681-2003, sneal@fajua.org.

REGION 1 TRAINING COUNCIL

The George Stone Criminal Justice Training Center announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2019, 10:30 a.m.

PLACE: Santa Rosa Sheriff Office

GENERAL SUBJECT MATTER TO BE CONSIDERED: new and current information from CJSTC and from FDLE pertaining to training curriculum and rules.

A copy of the agenda may be obtained by contacting: Sylvia Larson (850)944-6775.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (850)944-6775. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sylvia Larson (850)944-6775.

ENTERPRISE FLORIDA, INC.

The Florida Defense Alliance announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 15, 2019, 8:00 a.m. – 5:00 p.m. ET

PLACE: Four Points by Sheraton Tallahassee Downtown, 316 W. Tennessee Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida's military installations, missions, and quality of life for Florida's military community.

A copy of the agenda may be obtained by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterprise-florida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterprise-florida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michelle Griggs, (850)298-6640, mgriggs@enterprise-florida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 16, 2019, 9:00 a.m. – 12:15 p.m. ET

PLACE: Four Points by Sheraton Tallahassee Downtown, 316 W. Tennessee Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida’s military installations and missions.

A copy of the agenda may be obtained by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterprise-florida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterprise-florida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bruce Grant, (850)298-6652, bgrant@enterprise-florida.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 16, 2019, 10:00 a.m. (ET)

PLACE: Contact Kathy Coyne at (941)378-7408 to participate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include the 2018 financial audit, update on federal tax matters, Audit Committee Charter procedures checklist, and auditor confirmation.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Investment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 15, 2019, 10:00 a.m. (ET)

PLACE: Kathy Coyne at (941)378-7408 to participate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include 2019-2020 meeting schedule; investment marketplace update; portfolio compliance review; investment policy & guidelines review; and the investment manager performance.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

QCAUSA

The Florida Department of Transportation announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, May 16, 2019, 5:00 p.m. – 7:00 p.m.

PLACE: Indian River State College, Mueller Campus, Richardson Center, 6155 College Lane, Vero Beach, FL 32966

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Multimodal Master Plan is integral in the achieving overall regional mobility goals for I-95/SR-9 from the Palm Beach/Martin County, Florida line to the Indian River/Brevard County, Florida line, a stretch of about 71 miles.

The goal of this project is to identify short-term and long-term capacity and operational improvements necessary to bring the facility to Strategic Intermodal System (SIS) standards. It will also recommend actions to be taken by the Florida Department of Transportation and the relevant local governments to protect and enhance the facility through the year 2045.

A copy of the agenda may be obtained by contacting: Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Dr. Min-Tang Li, PE, FDOT Project Manager at (954)777-4652 or email at Min-Tang.Li@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dr. Min-Tang Li, PE, District Four Project Manager at (954)777-4652 or toll free at 1(866)336-8435, ext. 4652, via email at Min-Tang.Li@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dr. Min-Tang Li, PE, District Four Project Manager at (954)777-4652 or toll free at 1(866)336-8435, ext. 4652, via email at Min-Tang.Li@dot.state.fl.us.

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

The Central Florida Expressway Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 21, 2019, 9:30 a.m. – 11:30 a.m.

PLACE: Central Florida Expressway Authority (CFX), CFX Board Meeting Room, 4974 ORL Tower Road, Orlando, FL 32807

GENERAL SUBJECT MATTER TO BE CONSIDERED: CFX Project No: 599-224

Project Description: CFX Project Development and Environment (PD&E) Study Poinciana Parkway Extension

The Central Florida Expressway Authority (CFX) is conducting a PD&E Study for the proposed Poinciana Parkway Extension project. The study will determine if a limited access facility

between the northern end of Poinciana Parkway to County Road 532 is viable and fundable in accordance with CFX policies and procedures.

Environmental Advisory Group (EAG) members will review the findings of the comparative evaluation of the alternatives and provide input on the preferred alternative. As a special advisory resource to the Central Florida Expressway Authority (CFX) and the consultant team, the EAG provides input regarding environmental impacts, local needs, concerns and potential physical, natural, social and cultural impacts that are crucial in the evaluation of corridor and alternative alignments. The overall goals of the Poinciana Parkway Extension are to: provide improved connections between area roads; accommodate anticipated transportation demand; provide consistency with local and regional plans; support economic viability and job creation; support intermodal opportunities; and enhance evacuation and emergency services.

Public involvement and interagency coordination are an integral part of the assessment process, and multiple opportunities for participation are being provided.

If you have any questions or would like more information about the study, please contact Mary Brooks, Public Involvement Coordinator, by phone at (407)802-3210, or by email at ProjectStudies@CFXway.com or visit the study webpage at <https://bit.ly/2KECX9a>. You may also follow the study on Facebook at <https://www.facebook.com/PoincianaPkwyExt/>.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require accommodations under the Americans with Disabilities Act or persons who require translation services, free of charge, should contact Ms. Brooks as noted above.

A copy of the agenda may be obtained by contacting: Mary Brooks, Public Involvement Coordinator, by phone at (407)802-3210, or by email at ProjectStudies@CFXway.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mary Brooks, Public Involvement Coordinator, by phone at (407)802-3210, or by email at ProjectStudies@CFXway.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Robert Primo, In Re: Winter Colony, Inc., Docket No. 2019003169 on January 18, 2019. The following is a summary of the agency's declination of the petition: The Division is unable to issue a declaratory statement regarding past conduct. A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by the City of Ocala Growth Management on February 1, 2019. The following is a summary of the agency's disposition of the petition: Petitioner requested an answer to the following questions, based upon the townhouse project described: 1. Does section 903.2.8, Florida Building Code, Building, 6th Edition (2017), apply to the proposed townhouse building? 2. Are fire sprinklers required in the building? On April 16, 2019, the Commission provided the following answers: The answer to Petitioner's first question is no. Pursuant to section 101.2, Florida Building Code, Building, 6th Edition (2017), the project in question falls within the scope of the residential sections of the Florida Building Code; therefore, section 903.2.8, Florida Building Code, Building, 6th

Edition (2017), does not apply to the townhouse in question. The answer to Petitioner’s second question is no. In accordance with section R313, Florida Building Code, Residential, 6th Edition (2017), the townhouse in question is not required to be sprinkled. These answers are predicated on the understanding that there is no lawfully adopted ordinance relating to fire sprinklers which has been in effect since January 1, 2010, and which has any bearing on this project.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

**Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

**DEPARTMENT OF EDUCATION
REQUESTING BIDS FOR FURNISHING
INSTRUCTIONAL MATERIALS TO THE STATE OF
FLORIDA**

Sealed bids addressed to the Florida Department of Education and marked “Sealed Bid” will be received no later than 5:00 p.m. (EDT), June 14, 2019.

Bids shall include proposals for furnishing instructional materials effective April 1, 2020, for a period of five years in the area of K-12 World Languages, Computer Science and 9-12 Career and Technical Education. Materials bid for adoption must meet the criteria established in the specifications and the policies and procedures available by accessing the Department of Education website at <http://www.fldoe.org/academics/standards/instructional-materials> or from the Instructional Materials Office, Room 432 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400. The bid shall state the lowest wholesale price at which the materials will be furnished as of April 1, 2020, when the contract period begins.

Each bidder shall furnish digital or electronic samples of required materials submitted, at a time designated by the Department of Education, which samples shall be identical with the digital or electronic samples approved and accepted by the state instructional materials reviewers as provided in subsection 1006.38(2), Florida Statutes.

The digital or electronic instructional materials bid for adoption must be interoperable on commonly available mobile and desktop digital devices, using industry standard protocols such as EPUB or IMS Learning Tools. The digital instructional materials must be accessible through a school districts’ digital learning and technology infrastructure to ensure students have access to high quality electronic and digital instructional materials as per paragraph 1011.62(12)(a), Florida Statutes. Publishers are encouraged to provide digital materials that comply with IMS global standards, including the Learning Information Services specifications, in order to ensure interoperability with a wide variety of platforms.

Contracts must be executed and required bonds submitted within 30 calendar days after receipt of the contract.

The Department of Education reserves the right to reject any or all bids.

DEPARTMENT OF EDUCATION
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT
REGARDING SOLICITING APPLICATIONS
FOR

Request for Qualifications
HOMESTEAD CAMPUS
STUDENT SUCCESS CENTER
“ARCHITECTURAL SERVICES”
2019-RB-32-A

Pursuant to Sections 287.055, 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the “Board”) is soliciting applications for Homestead Campus Student Success Center

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after April 30, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

DEPARTMENT OF EDUCATION
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT
REGARDING SOLICITING APPLICATIONS
FOR

Request for Qualifications
KENDALL CAMPUS
PRE-SCHOOL LAB
“ARCHITECTURAL SERVICES”
RFQ 2019-RB-34-A

Pursuant to Sections 287.055, 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the “Board”) is soliciting applications for Kendall Campus Pre-School Lab

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after April 30, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

DEPARTMENT OF EDUCATION
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT

REGARDING SOLICITING APPLICATIONS
FOR

Request for Qualifications
HOMESTEAD CAMPUS
STUDENT SUCCESS CENTER
“ARCHITECTURAL SERVICES”
2019-RB-32-A

Pursuant to Sections 287.055, 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the “Board”) is soliciting applications for Homestead Campus Student Success Center

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after April 30, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-001, Email: rbristol@mdc.edu.

DEPARTMENT OF EDUCATION
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT
REGARDING SOLICITING APPLICATIONS
FOR

Request for Qualifications
MEDICAL CAMPUS
VACATED SPACES
“ARCHITECTURAL SERVICES”
2019-RB-35-A

Pursuant to Sections 287.055, 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the “Board”) is soliciting applications for Remodeling of Medical Campus Vacant Spaces.

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after April 30, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

DEPARTMENT OF EDUCATION
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT
REGARDING SOLICITING APPLICATIONS
FOR

Request for Qualifications
INTERAMERICAN CAMPUS

**PRE-SCHOOL LAB AND PARKING GARAGE
“ARCHITECTURAL SERVICES”
2019-RB-33-A**

Pursuant to sections 287.055, 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting applications for InterAmerican Pre-School Lab and Parking Garage Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after April 30, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

**DEPARTMENT OF EDUCATION
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT
REGARDING SOLICITING APPLICATIONS
FOR**

**Request for Qualifications
INTERAMERICAN CAMPUS PLAZA BUILDING –
REMODELING VACANT FLOORS
“ARCHITECTURAL SERVICES”
2019-RB-36-A**

Pursuant to Sections 287.055, 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting applications for Interamerican Campus, Interamerican Plaza Building – Remodeling of Vacant Floors Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after April 29, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

**FLORIDA A&M UNIVERSITY FACILITIES PLANNING,
CONSTRUCTION AND SAFETY
FAMU Campus Site Electrical Primary/Communications
Utilities
NOTICE TO Electrical Contractors**

Florida A&M University, on behalf of its Board of Trustees, announces that Electrical Contractors services will be required for the project listed above.

PROJECT LOCATION: Located on Florida A&M University’s campus.

PROJECT DESCRIPTION/ SCOPE

15KV Primary Electric Utility:

This part of the project consists of electrical primary concrete encased underground duct banks with octagonal manholes, 12.47KV primary cables, 15KV SF-6 primary switches with enclosures and concrete pads, pad mounted transformers and concrete pads and electric metering equipment per FAMU standard with fiber optic cables for electric metering.

Communications Utility:

This part of the project consists of underground communications conduits octagonal manholes and fiber optic cables.

PROJECT PHASING:

The project time frame anticipates a Summer 2019 construction start with completion and occupancy Winter of 2019.

Plans can be pickup at Seminole Blueprint 2915-1 E Park Ave, Tallahassee, FL 32301, (850)671-2714

All seal bids shall be submitted and addressed to: the Office of Procurement Services, Florida A&M University, 2380 Wahnish Way, Suite 214, Tallahassee, Florida 32307-000 by 2:00 p.m. local time, on Tuesday, May 21, 2019 . Facsimile (FAX) submittals are not acceptable and will not be considered.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, April 24, 2019 and 3:00 p.m., Tuesday, April 30, 2019.

Rule No.	File Date	Effective Date
1A-39.001	4/30/2019	5/20/2019
2A-2.0001	4/30/2019	5/20/2019
2A-2.002	4/30/2019	5/20/2019
2A-2.013	4/30/2019	5/20/2019
2A-2.014	4/30/2019	5/20/2019
2A-2.015	4/30/2019	5/20/2019
2A-2.016	4/30/2019	5/20/2019
2A-2.017	4/30/2019	5/20/2019
2A-2.018	4/30/2019	5/20/2019
60P-6.011	4/24/2019	5/14/2019

64B9-15.0045	4/29/2019	5/19/2019
68B-39.002	4/26/2019	5/16/2019
68B-39.003	4/26/2019	5/16/2019
68B-39.004	4/26/2019	5/16/2019
68B-39.0041	4/26/2019	5/16/2019
68B-39.0045	4/26/2019	5/16/2019
68B-39.0046	4/26/2019	5/16/2019
68B-39.0047	4/26/2019	5/16/2019
68B-39.005	4/26/2019	5/16/2019
68B-39.006	4/26/2019	5/16/2019
68B-39.007	4/26/2019	5/16/2019
68B-39.008	4/26/2019	5/16/2019
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

PMA-Customs LLC d/b/a Haus of Trikes and Bikes for the establishment of KYMC motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kymco USA, Inc., intends to allow the establishment of PMA-Customs LLC, d/b/a Haus of Trikes and Bikes as a dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd., dba Kymco (line-make KYMC) at 4601 Fowler Street, Fort Myers, (Lee County), Florida 33907, on or after May 31, 2019.

The name and address of the dealer operator(s) and principal investor(s) of PMA-Customs LLC, d/b/a Haus of Trikes and

Bikes are dealer operator(s): Manfred Glanzner, 4601 Caloosa Vista Road, Fort Myers, Florida 33901; principal investor(s): Manfred Glanzner, 4601 Caloosa Vista Road, Fort Myers, Florida 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Joe Wofford, Kymco USA, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On April 29, 2019, the State Surgeon General issued an Order of Emergency Restriction with regard to the certification of Guettie Belizaire, C.N.A., Certificate # CNA 92643. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On April 29, 2019, the State Surgeon General issued an Order of Emergency Restriction with regard to the license of Lorena Virginia Carlozzi R.N., License # RN 9386598. This Emergency Restriction Order was predicated upon the State

Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On April 29, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the certificate of Shawntee Latrell Smith, C.N.A., Certificate # CNA 354665. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On April 29, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the certificate of April Jackson, C.N.A., Certificate # CNA 110247. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On April 29, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Mayrelis Lopez, R.P.T., License No. # RPT 19282. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

Derelict Vessel Removal Grant 2018-2019, Third Opportunity Announcement

The Florida Fish and Wildlife Conservation Commission (FWC) is announcing the opportunity for State, County, Municipal and other authorized governmental entities, to apply for Derelict Vessel Removal Grants. The third application period for the Bulk Derelict Vessel Removal Grant Program will begin on Monday, May 6, 2019, 8:00 a.m. (ET), and end on Wednesday June 19, 2019, 5:00 p.m. (ET). Applications received after Wednesday, June 19, 2019, will not be eligible for consideration in round three. All removal applications must demonstrate proof that due process was provided for each vessel's owner. At a minimum, this would include an opportunity for the vessel owner to challenge the derelict vessel determination, either in criminal court or in an administrative hearing. Vessel cases not demonstrating that these opportunities have been offered to the owners of the vessels will not be considered for state funding assistance. A letter of Authorization for Removal from the law enforcement officer must also be included for each vessel applied for. Should funding be available for a fourth or subsequent round of applications, new announcements will be made. The grant guidelines and application form may be downloaded at: <http://www.MyFWC.com/DVGrant>.

You may also receive the guidelines and application by contacting Phil Horning at (850)617-9540 or email DVGrant@MyFWC.com.

Applications that meet the requirements for the Rapid Removal Grant Program may be submitted at any time after the opportunity announcement start date, but no later than November 1, 2019, 5:00 p.m. (ET) (based on available funding). Rapid removal cases must meet requirements of published guidelines, as well as due process requirements. Total funding allocated for derelict vessel removal for fiscal year 2018-2019 is \$1,000,000. The balance remaining will be available for additional DV removal grant opportunities in the 2018-2019 budget year. Applications may be mailed to the Florida Fish and Wildlife Conservation Commission, Boating and Waterways Section, Derelict Vessel Grant Program Administrator, at 620 S. Meridian Street – Room 235, Tallahassee, Florida 32399-1600 or emailed to DVGrant@MyFWC.com.

For further information, please contact: Phil Horning, Derelict Vessel Program Administrator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, (850)617-9540 or email Phil.Horning@MyFWC.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Notice of Application Period to Administer the Black Business Loan Program

The Florida Department of Economic Opportunity (DEO) announces the opening of the Black Business Loan Program Application Period for Fiscal Year 2019 – 2020 from May 1, 2019 through June 1, 2019.

Applicants must submit all required information noted in s. 288.7102, Florida Statutes, and chapter 73C-1, Florida Administrative Code to DEO by June 1, 2019.

Please contact Kechia Dean for any submission information or instructions via email at Kechia.dean@deo.myflorida.com or at (850)717-8533. Please visit the Florida Administrative Code, chapter 73C-1 or [click here](#) for detailed application instructions.

Section XIII

**Index to Rules Filed During Preceding
Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
