

(a) First time violations of Section 456.032, F.S., by the issuance to the Department of a check not supported by sufficient funds.

(b) First time disputes or issues with regard to whether the registration certificate holder provided the necessary information to carry out the purposes of Chapter 466, F.S., including proof of having the necessary equipment and supplies in the appropriate condition as required by Section 466.036, F.S..

(c) First time disputes or issues with regard to whether the registration certificate holder is in violation of Rule 64B27-1.001, F.A.C.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sue Foster, Executive Director
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sue Foster, Executive Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 2004

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.003 RULE TITLE: Degrees, Programs, and Credits
NOTICE OF CHANGE

Notice is hereby given that the following amendment has been made to the proposed rule in accordance in subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 42, of the October 15, 2004, and Vol. 30, No. 51, of the December 17, 2004, issues of the Florida Administrative Weekly. The rule was amended as follows:

Rule 6A-4.003, F.A.C., is amended to include a new subsection (5):

6A-4.003 Degrees, Programs, and Credits.

Degrees, programs, and credits shall be determined acceptable for educator certification purposes based on the following:

(1) through (4) No change.

(5) The Department may not approve an education credential evaluation agency that does not:

(a) Employ evaluation staff that have recent, substantive experience in the United States in foreign credential evaluation work covering all levels of education and verify that staff receive on-going training and professional development in credential evaluation methods and procedures.

(b) Provide verification that the agency has developed and documents procedures for identifying the authenticity of foreign educational credentials.

(c) Make available to the public, evaluation policies and fees.

(d) Maintain a current reference library and materials pertinent to the evaluation of foreign credentials that includes standard references in the field and identifies bibliographic listing.

(e) Use reliable translation services for educational credentials.

(f) Prepare evaluation reports based on complete, identified documentation, including the name and location of the institution, the name of the program, diploma, degree, major field of study, year(s) of completion, and the equivalency to earned accredited postsecondary college credit in the United States.

(g) Provide a list of three or more references with contact information such as state departments of education, professional education organizations, or postsecondary institutions.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-3.002 RULE TITLE: Administration of the Commission
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 43, October 25, 2002, Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-27.001 RULE TITLE: College or University Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 48, November 24, 2004, issue of the Florida Administrative Weekly. The changes are being made in response to comments from the Joint Administrative Procedures Committee.

Subheading (1)(h) now reads as follows:

(h) Canadian, Mexican and Australian academic accounting programs approved by the provincial education bodies or the equivalent educational accreditation body for that country.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John W. Johnson, Executive Director, Florida Board of Accountancy, 240 N. W. 76th Drive, Suite #A, Gainesville, Florida 32607

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-17.001	Definitions
64E-17.002	Design and Safety Requirements
64E-17.003	Requirements for Stand-up Booths
64E-17.004	Operation and Training
64E-17.005	Sanitary Facilities
64E-17.006	Licenses and Fees

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 2, January 14, 2005 of the Florida Administrative Weekly.

The changes were made in response to comments received from the Florida Legislature Joint Administrative Procedures Committee.

The date of the public hearing has been corrected to reflect the accurate year of February 8, 2005 from February 8, 2004.

The date in which the notice of proposed rule development published in the FAW should have read August 13, 2004 instead of August 3, 2004.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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DEPARTMENT OF CITRUS

RULE TITLE: Standards for Citrus Fruit and Citrus Products Bearing the Mark

RULE NO.: 20ER05-1

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 120.54(4)(b), Florida Statutes, states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

Although standards are set for the use of trademarked symbols belonging to the Department, it is the purpose of the Department to protect the citrus industry of the state and promote the sale of citrus fruit and citrus products. Adverse climactic conditions through periods of this growing season accelerated the natural reduction of acid in oranges throughout the state, resulting in higher ratios than those allowed by Grade A limitations and creating a serious threat that processors would be required to incur the costs involved in the removal of the trademarked certification mark requiring Grade A standards from their packaging. Strict enforcement of the “Florida Citrus Growers’ Symbol” requirements shall result in economic waste by causing good and safe food to exceed Grade A brix/acid ratio limitations, rendering unusable the preprinted packaging carrying the mark. Implementation of the unmodified provisions of Chapter 20-109, F.A.C., will result in the restriction of a significant proportion of the orange crop, thereby causing economic loss to Florida citrus interests.

After taking testimony and discussing the matter at a public meeting and hearing in Lakeland, Florida on January 19, 2005, the Florida Citrus Commission found that there exist unusual growing conditions that could cause a substantial portion of the orange crop to fail minimum acid requirements. They voted to adopt Emergency Rule 20ER05-1, amending the brix/acid ratio for maximum Grade A standards beginning January 20, 2005 shall not apply, however the ratio allowed shall not exceed USDA maximum Grade B standards for orange juice.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER05-1, adjusting the requirements for use of the “Florida Citrus Growers’ Symbol” was made via mailing of the meeting notice on January 10, 2005 to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corps and other interested persons.

SUMMARY: Emergency Rule 20ER05-1, allows for use of the mark on orange juice which exceeds the maximum brix/acid ratio for Grade A, however not allowing the ratio to exceed USDA maximum Grade B standards for orange juice.