

601-294D-08

Proposed Committee Substitute by the Committee on General Government Appropriations

1                                   A bill to be entitled

2           An act relating to the Department of

3           Agriculture and Consumer Services; amending s.

4           487.041, F.S.; increasing the annual fees to

5           register each brand of pesticide in order to

6           defray the expenses of the department; amending

7           s. 500.12, F.S.; increasing the fee to

8           accompany an application for a food permit to

9           be issued by the department; amending s.

10          576.041, F.S.; increasing the fee paid by

11          persons receiving a license to distribute

12          fertilizer; amending s. 580.041, F.S.;

13          increasing the fees paid by distributors of

14          commercial feed for animals which accompanies

15          an application for registration as a

16          distributor; amending s. 585.155, F.S.;

17          requiring that all female cattle vaccinated

18          with the Brucella abortus vaccine be identified

19          according to federal regulations; repealing s.

20          585.105, F.S., relating to the purchase,

21          distribution, and administration of Brucella

22          vaccine; providing for retroactive application;

23          providing an effective date.

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

26

27           Section 1. Paragraph (b) of subsection (1) and

28           paragraph (c) of subsection (2) of section 487.041, Florida

29           Statutes, are amended to read:

30           487.041 Registration.--

31           (b) For the purpose of defraying expenses of the

601-294D-08

1 department in connection with carrying out the provisions of  
 2 this part, each person shall pay an annual registration fee of  
 3 ~~\$350~~ ~~\$250~~ for each registered brand of pesticide. The annual  
 4 registration fee for each special local need label and  
 5 experimental use permit is \$100. All registrations expire on  
 6 December 31 of each year. If the renewal of a brand of  
 7 pesticide, including the special local need label and  
 8 experimental use permit, is not filed by January 31 of the  
 9 renewal year, an additional fee of \$25 per brand of pesticide  
 10 shall be assessed per month and added to the original fee.  
 11 This additional fee may not exceed \$250 per brand of  
 12 pesticide. The additional fee must be paid by the registrant  
 13 before the renewal certificate for the registration of the  
 14 brand of pesticide is issued.

15 (c) Each registration issued by the department to a  
 16 registrant for a period beginning in an odd-numbered year  
 17 shall be assessed a fee of ~~\$700~~ ~~\$500~~ per brand of pesticide  
 18 and a fee of \$200 for each special local need label and  
 19 experimental use permit, and the registration shall expire on  
 20 December 31 of the following year. Each registration issued by  
 21 the department to a registrant for a period beginning in an  
 22 even-numbered year shall be assessed a fee of ~~\$350~~ ~~\$250~~ per  
 23 brand of pesticide and fee of \$100 for each special local need  
 24 label and experimental use permit, and the registration shall  
 25 expire on December 31 of that year.

26 Section 2. Paragraph (b) of subsection (1) of section  
 27 500.12, Florida Statutes, is amended to read:

28 500.12 Food permits; building permits.--

29 (b) An application for a food permit from the  
 30 department must be accompanied by a fee in an amount  
 31 determined by department rule, which may not exceed ~~\$650~~ ~~\$500~~

Bill No. SB 22-C

Barcode 732938

601-294D-08

1 and shall be used solely for the recovery of costs for the  
2 services provided, except that the fee accompanying an  
3 application for a food permit for operating a bottled water  
4 plant may not exceed \$1,000 and the fee accompanying an  
5 application for a food permit for operating a packaged ice  
6 plant may not exceed \$250. The fee for operating a bottled  
7 water plant or a packaged ice plant shall be set by rule of  
8 the department. Food permits must be renewed annually on or  
9 before January 1. If an application for renewal of a food  
10 permit is not received by the department within 30 days after  
11 its due date, a late fee, in an amount not exceeding \$100,  
12 must be paid in addition to the food permit fee before the  
13 department may issue the food permit. The moneys collected  
14 shall be deposited in the General Inspection Trust Fund.

15 Section 3. Subsection (1) of section 576.041, Florida  
16 Statutes, is amended to read:

17 576.041 Inspection fees; records; bond.--

18 (1) Every licensee shall pay to the department an  
19 inspection fee in the amount of \$1 ~~75 cents~~ per ton for  
20 fertilizer sold in the state, except raw ground phosphate  
21 rock, soft phosphate, colloidal phosphate, phosphatic clays  
22 and all other untreated phosphatic materials, gypsum, hydrated  
23 lime, limestone, and dolomite when sold or used for  
24 agricultural purposes, on which the inspection fee shall be 30  
25 cents per ton. All fees paid to the department under this  
26 section shall be deposited into the State Treasury to be  
27 placed in the General Inspection Trust Fund to be used for the  
28 sole purpose of funding the fertilizer inspection program.

29 Section 4. Paragraph (b) of subsection (1) of section  
30 580.041, Florida Statutes, is amended to read:

31 580.041 Master registration; fee; refusal or

601-294D-08

1 cancellation of registration.--

2 (1)

3 (b) The registration form shall be accompanied by a  
4 fee that shall be based on tons of feed distributed in this  
5 state during the previous year. If a distributor has been in  
6 business less than 1 year, the tonnage shall be estimated by  
7 the distributor for the first year and based on actual tonnage  
8 thereafter. These fees shall be as follows:

10 SALES IN TONS	FEE
12 Zero, up to and including 25.....	<del>\$40</del> \$25
13 More than 25, up to and including 50.....	<del>\$75</del> \$50
14 More than 50, up to and including 100.....	<del>\$150</del> \$100
15 More than 100, up to and including 300.....	<del>\$375</del> \$300
16 More than 300, up to and including 600.....	<del>\$600</del> \$500
17 More than 600, up to and including 1,000.....	<del>\$900</del> \$750
18 More than 1,000, up to and including 2,000.....	<del>\$1,250</del>
19 <del>\$1,000</del>	
20 More than 2,000, up to and including 5,000.....	<del>\$2,000</del>
21 <del>\$1,500</del>	
22 More than 5,000.....	<del>\$3,500</del> \$2,500

24 Section 5. Section 585.155, Florida Statutes, is  
25 amended to read:

26 585.155 Brucellosis ~~whole-herd and calf vaccination.--~~

27 ~~(1) All female calves born in the state that are to be  
28 used for dairy breeding purposes shall be vaccinated with an  
29 approved Brucella abortus vaccine by state or federal  
30 regulatory officials or licensed, accredited veterinarians.~~

31 ~~(1)(2)~~(a) All female cattle ~~calves~~ officially

601-294D-08

1 vaccinated with Brucella abortus vaccine shall be ~~permanently~~  
 2 identified at the time of vaccination in accordance with Title  
 3 9, part 78, Code of Federal Regulations ~~with the official~~  
 4 ~~shield tattoo "V," registered by the United States Department~~  
 5 ~~of Agriculture, in the right ear, preceded by the numeral of~~  
 6 ~~the quarter of the year and followed by the last numeral of~~  
 7 ~~the year.~~

8 (b) In addition, all female cattle ~~each calf~~ shall be  
 9 individually identified at the time of vaccination, if not  
 10 already identified by tattoo, electronic identification  
 11 device, or brand, by an official vaccination ear tag in the  
 12 right ear. The tag shall include the designated state prefix,  
 13 followed by the letter "V," two additional letters, and four  
 14 numerals. Registration tattoos, electronic identification  
 15 devices, or individual brand numbers may be substituted for  
 16 the official ear tags. This identification shall be  
 17 accurately recorded on the official vaccination record.

18 (c) Duplicate reports covering these vaccinations  
 19 shall be immediately furnished to the department and shall  
 20 constitute the official record of vaccination.

21 ~~(3) Each owner of a herd of cattle in this state shall~~  
 22 ~~enroll the herd in a program to determine whether the herd is~~  
 23 ~~infected with brucellosis. When reactors or suspects are~~  
 24 ~~disclosed in a herd, the department and the owner must develop~~  
 25 ~~a plan to eliminate the infection in accordance with the~~  
 26 ~~Uniform Methods and Rules for Brucellosis Eradication and the~~  
 27 ~~rules of this state. The plan shall include the required~~  
 28 ~~testing, removal of reactor animals, calfhood vaccination and~~  
 29 ~~whole herd vaccination to clear the herd of infection. The~~  
 30 ~~department shall provide for the establishment of low~~  
 31 ~~brucellosis incidence areas and brucellosis free areas which~~

601-294D-08

1 ~~can be recognized by the United States Department of~~  
2 ~~Agriculture as having Class "Free," Class "A," or Class "B"~~  
3 ~~status under the Uniform Methods and Rules for Brucellosis~~  
4 ~~Eradication.~~

5       ~~(2)(4)~~ Only an approved vaccine produced under license  
6 of the United States Department of Agriculture shall qualify  
7 for vaccination purposes under this section.

8       Section 6. Section 585.105, Florida Statutes, is  
9 repealed.

10       Section 7. This act shall take effect November 1,  
11 2007, or upon becoming a law, whichever occurs later; however,  
12 if this act becomes law after November 1, 2007, it shall  
13 operate retroactively to November 1, 2007.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31