

575.06 Employees.—[Repealed by s. 3, ch. 96-231, and s. 10, ch. 96-407.]

575.07 Penalties; administrative fine.—[Repealed by s. 3, ch. 96-231, and s. 10, ch. 96-407.]

575.09 Short title.—[Repealed by s. 3, ch. 96-231, and s. 10, ch. 96-407.]

575.10 Purpose.—[Repealed by s. 3, ch. 96-231, and s. 10, ch. 96-407.]

CHAPTER 578

SEED

578.13 Prohibitions.

578.30 Seed Technical Council.

578.13 Prohibitions.—

(1) It shall be unlawful for any person to sell, distribute for sale, offer for sale, expose for sale, handle for sale, or solicit orders for the purchase of any agricultural, vegetable, flower, or forest tree seed within this state:

(a) Unless the test to determine the percentage of germination required by s. 578.09 shall have been completed within a period of 7 months, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale, offering for sale, or transportation, except for germination test for seed in hermetically sealed containers which is provided for in s. 578.28.

(b) Not labeled in accordance with the provisions of this law, or having false or misleading labeling.

(c) Pertaining to which there has been a false or misleading advertisement.

(d) Containing noxious weed seeds subject to tolerances and methods of determination prescribed in the rules and regulations under this law.

(e) Unless a seed license has been obtained in accordance with the provisions of this law.

(f) Unless such seed conforms to the definition of a "lot of seed."

(2) It shall be unlawful for any person within this state:

(a) To detach, deface, destroy, or use a second time any label or tag provided for in this law or in the rules and regulations made and promulgated hereunder or to alter or substitute seed in a manner that may defeat the purpose of this law.

(b) To disseminate any false or misleading advertisement concerning agricultural, vegetable, flower, or forest tree seed in any manner or by any means.

(c) To hinder or obstruct in any way any authorized person in the performance of his duties under this law.

(d) To fail to comply with a stop-sale order or seizure order.

(e) To sell, distribute for sale, offer for sale, expose for sale, handle for sale, or solicit orders for the purchase of any agricultural, vegetable, flower, or forest tree seed labeled "certified seed," "registered seed," "foundation seed," "breeder seed," or similar terms, unless it has

been produced and labeled under seal in compliance with the rules and regulations of any agency authorized by law.

(f) To fail to keep a complete record, including a file sample which shall be retained for 1 year after seed is sold, of each lot of seed and to make available for inspection such records to the department or its duly authorized agents.

(g) To use the name of the Department of Agriculture and Consumer Services or Florida State Seed Laboratory in connection with analysis tag, labeling advertisement, or sale of any seed in any manner whatsoever.

History.—s. 4, ch. 20251, 1941; s. 4, ch. 21942, 1943; s. 4, ch. 22694, 1945; s. 6, ch. 57-199; s. 5, ch. 61-436; ss. 14, 35, ch. 69-106; s. 10, ch. 69-144; s. 13, ch. 96-407.

578.30 Seed Technical Council.—

(1) **COMPOSITION.**—The Seed Technical Council is created within the Department of Agriculture and Consumer Services and shall be composed of 11 members to be appointed by the Commissioner of Agriculture as follows:

(a) Two representatives of the department; one member representing the certified seed growers; one member representing the registered seed dealers; two members representing the vegetable industry; two members representing the agronomic industry; one member representing the greenhouse plant growers; one member representing field seed growers or processors; and one member representing the University of Florida Institute of Food and Agriculture Science.

(b) For the initial appointments, three members shall be appointed for 4-year terms, two members shall be appointed for 3-year terms, two members shall be appointed for 2-year terms, and two members and the department representatives shall be appointed for 1-year terms. Thereafter, all members shall be appointed for a 4-year term, except the two department representatives who shall be appointed each year.

(c) If a vacancy occurs, it shall be filled for the remainder of the term in the same manner as an initial appointment.

(2) **POWERS AND DUTIES.**—The Seed Technical Council shall:

(a) Consider and study all issues involving seed, seedlings, vegetative propagating materials, and plants.

(b) Review and make recommendations to the department on any seed matter.

(c) Advise and consult with the Commissioner of Agriculture and the directors of the divisions responsible for conducting the seed inspection program, at their request or upon its own initiative, regarding the promulgation, administration, and enforcement of all laws and rules relating to inspection, regulation, and certification.

(d) Consider all matters submitted to it by the Commissioner of Agriculture, the division directors, or other members of the council.

(e) Submit proposed legislation and rules to the Commissioner of Agriculture.

(f) Suggest policies and practices for the administration of this chapter to the Commissioner of Agriculture and the division directors, which they shall duly consider.

(3) MEETINGS; PROCEDURES; RECORDS.—The council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The council shall meet at the call of the chairman, at the request of the department or a majority of the council membership, or at such times as may be prescribed by council rules.

(b) The Commissioner of Agriculture shall designate one of the department representatives to serve as the secretary of the council.

(c) In conducting its meetings, the council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting, which shall show the names of the members present at each meeting and the actions taken. The records shall be kept on file with the secretary and shall be public records.

(4) OFFICIAL ACTION.—A majority of members shall constitute a quorum, and action by a majority of a quorum shall be official.

(5) PER DIEM AND TRAVEL EXPENSES.—Members of the council shall receive no compensation for their services but shall be reimbursed for per diem and travel expenses as provided in s. 112.061.

History.—s. 9, ch. 93-29; s. 4, ch. 96-231; s. 14, ch. 96-407.

CHAPTER 581

PLANT INDUSTRY

581.145 Aquatic plant nursery registration; special permit requirements.

581.199 Confidential business information.

581.145 Aquatic plant nursery registration; special permit requirements.—

(1) A nursery or nursery stock dealer shall not engage in any business involving the importation, transportation, cultivation, collection, sale, or possession of any aquatic plant species unless a certification of registration has been issued by the department.

(2) It shall be unlawful for any nursery or nursery stock dealer to import, transport, cultivate, collect, sell, or possess any noxious aquatic plant listed on the prohibited aquatic plant list established by the Department of Environmental Protection in s. 369.25(3)(b) without a special permit issued by the department.

(a) No special permit shall be issued until the department determines that the proposed activity poses no threat or danger to the waters, wildlife, natural resources, agriculture, or environment of the state.

(b) The department may not issue a special permit with respect to a prohibited aquatic plant species if the Department of Environmental Protection prohibits the importation, transportation, cultivation, collection, sale, or possession of the species.

(3) Notwithstanding any other provision of state or federal law, the Department of Agriculture and Consumer Services shall issue, by request, a permit to the aquaculture producer to engage in the business of exporting water hyacinths (*Eichhornia spp.*) only to Canada and only when such water hyacinths are cultivated

in a nursery for the sole purpose of exportation and the aquaculture activity has been certified by the Department of Agriculture and Consumer Services. In accordance with any appropriate federal law or United States treaty, no Florida aquaculture producer shall ship water hyacinths to Canada under such a permit for the purpose of importing water hyacinths back into the United States, nor shall drop shipments be made to any other destination within the United States. This provision shall in no way restrict or interfere with the Department of Environmental Protection's efforts, or those of any other agency or local government with responsibilities for the management of noxious aquatic plants, to control or eradicate noxious nonnursery aquatic plants, including water hyacinths. This provision shall not be a consideration in the approval or the release of biological control agents for water hyacinths or any other noxious aquatic plants.

History.—s. 6, ch. 92-147; s. 52, ch. 93-169; s. 464, ch. 94-356; s. 73, ch. 95-144; s. 22, ch. 96-247.

581.199 Confidential business information.—It is unlawful for any authorized representative who in an official capacity obtains under the provisions of this chapter any information entitled to protection as a trade secret, as defined in s. 812.081, to use that information for personal gain or to reveal it to any unauthorized person.

History.—s. 6, ch. 88-31; s. 8, ch. 92-4; s. 59, ch. 93-169; s. 353, ch. 96-406.

CHAPTER 585

ANIMAL INDUSTRY

PART II

ANIMAL DISEASE INSPECTION, CONTROL, AND ERADICATION

- 585.01 Definitions.
- 585.08 General powers of the department; rules.
- 585.105 Purchase, distribution, and administration of approved brucella vaccine.
- 585.145 Control of animal diseases.
- 585.15 Dangerous transmissible disease or pest a public nuisance.
- 585.155 Whole-herd and calf vaccination.
- 585.17 Care of animals with transmissible diseases and liability therefor.
- 585.18 Duty to report diseased animals.
- 585.19 Duty of practitioners of veterinary medicine and owners of animals to report dangerous transmissible diseases or pests; penalty.
- 585.20 Injection of pathogenic organisms into animals.
- 585.21 Sale of biological products.
- 585.24 Cattle fever tick eradication; quarantine; facilities; dipping; schedules.
- 585.30 Cattle fever tick eradication; procedure where owner fails or refuses to dip.
- 585.432 Screwworm control; eradication.
- 585.45 Right to declaratory judgment.
- 585.61 Animal disease diagnostic laboratories.