

Notice of Development of Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE TITLE: Pest Control Fumigation Rules

RULE NO:

5E-14.102 Definitions.

5E-14.105 Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms.

5E-14.110 Fumigation Requirement – Notices.

5E-14.111 Fumigation Requirements – Application; Restrictions and Precautions.

5E-14.112 Fumigation Requirements – Prefumigation Inspections, Evacuation, Warning Notices (Signs), Special Safety Precautions and Responsibilities.

5E - 14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

PURPOSE AND EFFECT: The purpose of the rule amendment is to clarify the definition of a “connected structure” and delineate requirements for structural connections which have not previously been provided in rule for fumigation pest control, alert consumers to the possibility that fumigations may be performed by a subcontracted company; appropriately address the need to provide the department prior notice of a fumigation as well as set forth new requirements for emergency information required on fumigation signage; provide fumigator’s the option of using the chloropicrin warning agent at label prescribed rates; and require records be maintained with respect to cylinder usage as part of the overall fumigation record keeping.

SUBJECT AREA TO BE ADDRESSED: Fumigation operations.

SPECIFIC AUTHORITY: 482.051, F.S.

LAW IMPLEMENTED: 482.051(1), 482.051(3), 482.051(4), 482.152, 482.241, 482.071, 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6), F.S., Section 1, Chapter 92-203, Laws of Florida

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 10, 2007 10:00 am

PLACE: The Mid-Florida Research and Education Center, Room 185, 2725 Binion Road, Apopka, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Michael J. Page, Chief of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961, (850) 921-4177