




Florida Department of Agriculture and Consumer Services
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MEMORANDUM 832

DATE: October 10, 2008
TO: Pest Control Business Licensees
FROM: Michael J. Page, Chief 
Bureau of Entomology and Pest Control
SUBJECT: Recent Amendments to Chapter 5E-14, Florida Administrative Code

Effective September 17, 2008, there were several revisions to Chapter 5E-14, Florida Administrative Code (F.A.C.).

The Bureau will begin active enforcement of these revisions beginning on January 1, 2009, EXCEPT for the revisions that affect the new Notice of Fumigation, Form 13667 (Section 5E-14.110, F.A.C.); the fumigation warning signs (Section 5E-14.112(3), F.A.C.); the requirement to record fumigation cylinder numbers (Section 5E-14.142(1), F.A.C.); and finally, the new WDO Reporting Form, DACS 13645 (Section 5E-14.142(2)(c), F.A.C.). Enforcement of the specific sections mentioned above will begin on April 1, 2009, to allow the industry time to accommodate this change. There will be no additional grace period for the aforementioned rules after this date.

A brief summary of the rule changes are as follows:

- A definition of "Connected Structure" has been created (5E-14.102(17), F.A.C.)
- In the WDO contract section, a new paragraph added requires a licensee to notify the consumer in writing, either within contract or by a separate statement signed or initialed by the consumer, that the licensee may subcontract the work to other licensees. (5E-14.105(9), F.A.C.).
- Section 5E-14.110, F.A.C., now requires all fumigation notices to be submitted on the Notice of Fumigation, Form 13667, Rev. 05/08. Paragraph (5) was modified and the "approximate time of release" was removed. Also, paragraph (6) requires any change(s) in the information on fumigation notices previously sent to the Department to be submitted in writing in advance of the fumigation. (There is still an emergency exception.)



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- The “commodity” waiver for occupied areas in Section 5E-14.111(2), F.A.C., was removed and with the new definition of connected structure, paragraph (3)(a) was omitted and (3)(b) was renumbered to 5E-14.111(3), F.A.C.
- In Section 5E-14.112(3), F.A.C, the fumigation warning signs were modified. The signs now require the date and time the fumigant was introduced, and added an entry to specify the name of the person who introduced the fumigant.
- Section 5E-14.142(1), F.A.C., was modified to require the fumigant cylinder numbers be recorded in addition to the standard RUP information. This change will not require the use of a separate or referenced form. Recording cylinder numbers may be accomplished on fumigation log sheets or by another method deemed appropriate by the licensee.
- Significant changes to the WDO Report Form, DACS – 13645 have been adopted. Section 5E-14.142(2)(c), F.A.C., now requires the use of the new WDO Form 13645, Rev 05/08. The new form is available from the Department’s website at this link: <http://www.flaes.org/aes-ent/formsandpubl.html>. Some of the features of this new form include the following:
 - The form has been expanded to two (2) pages to accommodate additional space for observations
 - The consumer language has been clarified
 - The form provides a new section for areas of the structure that are obstructed or inaccessible
 - The form requires the inspector to list the structure(s) that were inspected on a property

As previously stated, enforcement of this new form will begin on April 1, 2009 with no exceptions.

- Section 5E-14.142(3)(b), F.A.C., involving telephone advertising and telephone numbers was modified and eliminates the requirement for the telephone lines to terminate at the licensed business location. The telephone directory advertising must, “...show the licensee’s name or trade name as registered with the department as well as the complete licensed business location address from where services will be performed and telephone numbers.” A new paragraph (c) requires that an identification cardholder must perform all solicitation and acceptance of pest control whether performed in person or by telephone. This change does not require office clerical staff to hold an identification card if they only arrange or schedule pest control and/or accept credit card payments as long as a trained identification cardholder performs the work contracted.
- Section 5E-14.123(4), F.A.C., increased the examination fee to \$300 for each category exam. This change will take effect for the March 2009 examination.
- And finally, Section 5E-14.149, F.A.C., was amended repealing the requirement for the department to impose investigative costs (formerly paragraph 10), and the subsequent paragraphs were renumbered.

Please contact this office at 850.921.4177 if you have any questions.