

NOTICE OF PROPOSED RULE

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Entomology - Pest Control Regulations 5E-14

RULE TITLES: RULE NOS.:

Licensee Identification – Vehicles, Equipment 5E-14.103

Termite or other wood-destroying organism
inspection report: 5E-14.142

TEXT OF THE PROPOSED RULE IS:

5E-14.103 Licensee Identification - Vehicles, Equipment.

To assist the Department in enforcement of Chapter 482, F.S., and all regulations thereunder, the licensee shall identify all units or equipment used by him or in his behalf for pest control as follows:

(1) All motor vehicles and all trailers used in behalf of or by any licensee or licensee's employees in the conduct of pest control shall be ~~permanently~~ marked for easy identification with the licensee's name or trade name, as registered with the Department. Vehicles shall be permanently marked except as provided below. The term "permanently marked" shall mean paint or decals applied to the vehicle body itself. ~~Magnetic signs are prohibited. This requirement may be waived by the Department for a period of time not to exceed fifteen (15) working days in authentic and verifiable emergencies when the licensee has given written notice to the Entomologist Inspector in the area describing the cause of the emergency, the vehicle being replaced, the substituting vehicle, and the anticipated termination date of the emergency.~~ Only those vehicles used exclusively for the purpose of sales and soliciting of business may be

temporarily marked, including the use of magnetic signs, provided that no pesticides or pesticide application equipment are carried in the vehicle. All vehicles used in the conduct of pest control that carry or contain pesticides or pesticide application equipment, shall be permanently marked.

Specific Authority 482.051(24) FS. Law Implemented 482.051(42), 482.161, 482.191 FS., Section 1, Chapter 92-203, Laws of Florida. History—New 1-1-77, Joint Administrative Procedures Committee Objection Withdrawn – See FAW Vol. 3, No. 30, July 29, 1977, Amended 6-27-79, Formerly 10D-55.103,_____.

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

(1) through (2) (b) No change.

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1),(2),(4) and (5), F.S., each licensee having a certified operator in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings in the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, Rev.02/04 ~~3/02~~, which is incorporated by reference. The licensee shall not place any disclaimers or additional language on the Wood Destroying Organisms Inspection Report. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

1. through 2. No change.

3. The inspection shall include an examination for visual evidence of wood-decaying fungi and damage caused by wood-decaying fungi. Wood-decaying fungi are fungi that can cause

damage to wood, such as those that produce white rot, brown rot, poria, and cubical rot, but not surface molds that do not cause damage to sound wood.

Specific Authority 482.051 F.S. Law Implemented ~~482.061~~, 482.071, 482.091, ~~482.111(5),(9)~~, 482.161(1)(g), 482.226(1),(2),(4), (5), and (6) F.S. History-new 1-2-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, _____.