COMMISSIONER OF AGRICULTURE
EMERGENCY ORDER
2020-002

WHEREAS, on March 9, 2020, through Executive Order 20-52, the Governor of the State of Florida declared that Novel Coronavirus Disease 2019 (COVID-19) poses a risk to the entire State of Florida, and that as a consequence of this danger, a state of emergency exists in the State of Florida; and

WHEREAS, the United States Centers for Disease Control and Prevention and the Florida Department of Health recommends social distancing measures to control the spread of the COVID-19 outbreak; and

WHEREAS, the Governor of the State of Florida, pursuant to Executive Order 20-52, Section 4, Subparagraph B, authorized State agencies to suspend the effect of any regulatory statute, rule, or order that would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, pursuant to Section 482.032, Florida Statutes, the Department of Agriculture and Consumer Services (Department) shall enforce the provisions of Chapter 482, the Structural Pest Control Act, and specifically, Sections 482.071(2)(b), 482.072(2)(b), 482.111(3), 482.151(5), 482.151(6), 482.156(3), and 482.157(3), Florida Statutes, related to the assessment of late fees for licensure and certification renewals; and

WHEREAS, pursuant to Section 482.032, Florida Statutes, the Department shall enforce the provisions of Chapter 482, the Structural Pest Control Act, and specifically, Sections 482.071(2)(c), 482.072(2)(c), 482.111(4), 482.151(7), 482.156(3), and 482.157(3), Florida Statutes, related to the automatic expiration of a license, certificate, or identification card if not timely renewed; and

WHEREAS, pursuant to Section 482.032, Florida Statutes, the Department shall enforce the provisions of Chapter 482, the Structural Pest Control Act, and specifically, Section 482.2267(3), Florida Statutes, requiring submission of annual renewal fee and doctor's note in order to remain on the registry of persons requiring notification of the application of pesticides; and

WHEREAS, pursuant to Section 487.011, Florida Statutes, the Department shall administer the provisions of Chapter 487, the Florida Pesticide Law, and specifically, Section 487.049(1), Florida Statutes, related to the assessment of late fees for license renewals; and

WHEREAS, pursuant to Section 576.191, Florida Statutes, the Department shall administer the provisions of Chapter 576, Agriculture Fertilizers, and specifically, Section 576.041(2), Florida Statutes, requiring the quarterly report of tonnage of fertilizer sold on a quarterly basis; and

WHEREAS, pursuant to Section 576.191, Florida Statutes, the Department shall administer the provisions of Chapter 576, Agriculture Fertilizers, and specifically, Sections 576.041(3) and (4), Florida Statutes, related to the assessment of late fees for payment of inspection fees; and

WHEREAS, pursuant to Section 580.036(1), Florida Statutes, the Department shall administer the provisions of Chapter 580, Commercial Feed and Foodstuff, and specifically, Sections 580.041(1)(c)3, and 580.065(2)(d)1, Florida Statutes, requiring reporting to the Department within 30 days after the end of each quarter; and

WHEREAS, pursuant to Section 580.036(1), Florida Statutes, the Department shall administer the provisions of Chapter 580, Commercial Feed and Foodstuff, and specifically, Section 580.065(2)(c), Florida Statutes, requiring laboratories to renew certifications annually; and

WHEREAS, pursuant to Section 580.036(1), Florida Statutes, the Department shall administer the provisions of Chapter 580, Commercial Feed and Foodstuff, and specifically, Section 580.065(2)(c), Florida Statutes, related to the assessment of late fees for certification renewals; and

WHEREAS, the impact of the COVID-19 outbreak has caused financial hardships for many individuals and business in the State of Florida who are licensed and regulated by the Department.

NOW THEREFORE, with the powers and authorities conferred by Article IV, Section 4, Florida Constitution and Executive Order 20-52, I hereby declare the following:

1. The imposition of late fees pursuant to the statutes listed below is hereby suspended for thirty (30) days following the execution of this order:

Sections 482.071(2)(b); 482.072(2)(b); 482.111(3); 482.151(5); 482.151(6); 482.156(3); 482.157(3); Section 487.049(1); 576.041(3); 576.041(4); and 580.065(2)(c), Florida Statutes.

2. The renewal of licenses or certificates provided in the following statutes and any Department rules or portions of rules related to such renewals promulgated thereunder is hereby extended for an additional thirty (30) days following the execution of this order:

Sections 482.071(2)(c); 482.072(2)(c); 482.111(4); 482.151(7); 482.156(3); 482.157(3); 482.2267(3); and 580.065(2)(c), Florida Statutes.

3. The reporting requirements provided in the following statutes and any Department rules or portions of rules promulgated thereunder related to reporting requirements are hereby extended for an additional thirty (30) days:

Sections 576.041(2); 580.041(1)(c)3; and 580.065(2)(d)1, Florida Statutes.

4. Unless specifically suspended in this Order or any other Emergency Order issued pursuant to the authority conferred by Article IV, Section 4, Florida Constitution, and Executive Order 20-52, all other portions of Chapters 482, 487, 576, and 580, Florida Statutes, and the rules promulgated thereunder remain in effect.

THIS ORDER shall expire thirty (30) days from this date unless extended or rescinded by the Commissioner of Agriculture.

EXECUTED MARCH 20, 2020.

Nicole Fried

NICOLE FRIED
COMMISSIONER OF AGRICULTURE