

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NOS.: **RULE TITLES:**
 5L-1.001 General Requirements and Intent
 5L-1.002 Definitions
 5L-1.003 Shellfish Harvesting Area Standards
 5L-1.004 Production and Market Standards
 5L-1.005 Shellfish Processing Certification
 5L-1.006 Compliance and Penalties
 5L-1.007 Container Identification; Prohibitions
 5L-1.008 Shellfish Handling
 5L-1.009 Shellfish Relaying
 5L-1.010 Buildings and Facilities
 5L-1.011 Equipment for Shellfish Processing
 5L-1.012 Sanitary Operations
 5L-1.013 Facility Operation
 5L-1.014 Heat Shock Method
 5L-1.015 Depuration and Wet Storage Facility Operations
 5L-1.016 Depuration Shellfish Sampling Procedures
 5L-1.017 Water Treatment Standards
 5L-1.019 Laboratory Procedures and Sample Testing

PURPOSE AND EFFECT: The proposed rule amendments will reclassify some shellfish harvesting areas to protect the health of shellfish consumers and to provide access to renewable shellfish resources. The proposed rules will also clarify requirements related to commercial shellfish activities, will adopt the 2023 version of the National Shellfish Sanitation Program Model ordinance, will define the terms “marina” and “mooring area,” and will add language to allow remote buying. In addition, revisions will clarify language throughout the chapter, including provisions related to wet storage requirements and corrective actions, as well as tagging requirements.

SUMMARY: The rulemaking will amend the following shellfish harvesting areas and management plans: Big Lagoon (#01), North Bay (#10), Apalachicola Bay System (#16), Lower Tampa Bay (#48), Sarasota Bay (#54), South Banana River (#79), Body A (#80), and South Volusia (#82). It will also adopt the 2023 version of the National Shellfish Sanitation Program Model and will add language to allow remote buying. In

addition, definitions will be added, and shellfish harvesting requirements will be clarified. Procedures related to corrective actions following a wet storage system failure are also being added.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: As part of this analysis, the Department reviewed the proposed rule expansion to allow remote buying and clarifying wet storage requirements and found no adverse impacts to the industry. The proposed rule changes do not require additional fees. No interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 397.2522, 500.09, 597.020 F.S.

LAW IMPLEMENTED: 397.2522, 500.09, 500.10, 500.172, 597.010(15), (18), 597.020 F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Smith, Michelle.Smith@FDACS.gov, (850)617-7600.

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.001 General Requirements and Intent.

(1) A shellfish processing facility certification is required to operate any shellfish processing facility.

(2) It is the intent of the Department to establish regulations and specifications to be known as the “Comprehensive Shellfish Control Code”, relating to sanitary practices for the catching, handling, relaying, depuration, packaging, preserving and storing of shellfish products.

(3) through (5) No change.

(6) Adoption of Federal Regulations and Standards – To the extent not inconsistent with the rules herein, the following

are hereby incorporated and adopted. The documents are available online as indicated.

(a) The following parts of Title 21, Code of Federal Regulations (C.F.R.):

1. Part 7 – Enforcement Policy, revised as of April 1, 2025 ~~April 1, 2018~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18497>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10360>;

2. Part 101 – Food Labeling, revised as of April 1, 2025 ~~April 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18498>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10361>;

3. Part 109 – Unavoidable Contaminants in Food for Human Consumption and Food-Packaging Material, revised as of April 1, 2025 ~~April 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18499>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10362>;

4. Part 110 – Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food, revised as of April 1, 2025 ~~April 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18500>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10363>;

5. Part 117 – Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food, Revised as of April 1, 2025 ~~April 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18501>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10364>;

6. Part 123 – Fish and Fishery Products, revised as of April 1, 2025 ~~April 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18502>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10365>;

7. Part 161 – Fish and Shellfish, revised as of April 1, 2025 ~~April 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18503>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10366>;

8. Part 509 – Unavoidable Contaminants in Animal Food and Food-Packaging Material, revised as of April 1, 2025 ~~April 1, 2018~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18504>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10367>.

(b) Title 40, C.F.R., ~~Part 141, Section 141.2, Code of Federal Regulations~~, revised as of July 1, 2025 ~~July 1, 2017~~,

<https://flrules.org/gateway/reference.asp?No=Ref-18505>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-10368>.

(c) The Purpose, the Definitions, and Chapters 1 through 13, and 15 through 16 of the “Model Ordinance” of the National Shellfish Sanitation Program (NSSP), Guide for the Control of Molluscan Shellfish, 2023 ~~2019~~ Revision, herein adopted and incorporated by reference are available online at

<https://flrules.org/gateway/reference.asp?No=Ref-18496>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-15068>.

Except for:

1. through 2. No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 11-5-92, Formerly 16R-7.001, Amended 7-3-95, 2-6-97, 6-23-99, Formerly 62R-7.001, Amended 8-9-00, 5-29-02, 4-26-10, 3-23-17, 5-7-19, 1-18-23.

5L-1.002 Definitions.

(1) No change.

(2) Alternative ~~p~~Processing – any processing done to shellfish which does not follow the time-temperature matrix as stated in subparagraphs 5L-1.008(9)(a)1.-3. ~~5L-1.008(7)(a)1.-3-~~ and paragraph 5L-1.008(9)(b) ~~5L-1.008(7)(b)~~, F.A.C.

(3) Approved ~~harvesting~~ ~~harvest~~ area – an area in which it is indicated by a sanitary survey or other monitoring program data that fecal material, pathogenic microorganisms, radio nuclides, harmful chemicals, and marine biotoxins are not present in dangerous concentrations.

(4) Aquaculture Use Zones (AUZ) – legally-defined parcels that are surveyed, describing and indicating corners and boundaries, that have been subdivided into individual aquaculture leases issued pursuant to Section 253.68, F.S., and paragraph 18-21.004(2)(m), F.A.C.

(5) Authorized User – an Aquaculture Certificate of Registration holder authorized by an aquaculture leaseholder to operate on the ~~sovereignty~~ ~~sovereign~~ submerged state land aquaculture ~~lease~~ ~~leases~~ and listed on a valid Aquaculture ~~Leaseholder and Authorized User Acknowledgment form~~.

(6) No change.

(7) Certified shellfish ~~processing~~ facility – the location, structures and equipment that has been certified pursuant to ~~R~~ule ~~Chapter~~ 5L-1.005, F.A.C., as a shellstock shipper, shucker-packer, or repacker. The certified shellfish ~~processing~~ facility shall comply with all laws, rules, and permits applicable to the shellfish business operation.

(8) Closed area (closed waters) – an area where the harvesting of shellfish is not permitted. Closed areas include prohibited and unclassified areas as well as temporarily closed approved, conditionally approved, restricted, and conditionally restricted ~~harvesting~~ ~~harvest~~ areas.

(9) Code – the Comprehensive Shellfish Control Code, ~~rule~~ Chapter 5L-1, F.A.C.

(10) No change.

(11) Conditionally approved ~~harvesting~~ ~~harvest~~ area – an area in which it is indicated by a sanitary survey or other monitoring program data that the area is subjected to intermittent microbiological pollution and, under such conditions, is temporarily unsuitable as a source of shellfish for direct marketing. Such an area shall be managed by an operating procedure that will assure that shellfish from the area

are not harvested from waters not meeting approved area criteria.

(12) Conditionally restricted harvesting harvest area – an area in which it is indicated by a sanitary survey or other monitoring program data that the area is subjected to intermittent microbiological pollution and, under such conditions, is temporarily unsuitable as a source of shellfish for relaying or depuration. Such an area shall be managed by an operating procedure that will assure that shellfish from the area are not harvested from waters not meeting restricted area criteria.

(13) Corrective action plan – is a brief outline of the deficiency(ies) found during an inspection of a certified shellfish processing facility with the corresponding rule deficiencies cited and the time frame in which the deficiency(ies) must be corrected.

(14) through (16) No change.

(17) Deficiency – a condition or practice that is not in compliance with the rules governing the operation of the certified shellfish processing facility as outlined in ~~rule~~ Chapter 5L-1, F.A.C., “The Comprehensive Shellfish Control Code.”

(18) No change.

(19) Depuration facility (controlled purification ~~facility plant~~) (DP) – a certified shellfish processing facility that processor who obtains shellstock from approved, conditionally approved, restricted or conditionally restricted harvesting harvest area(s) and submits such shellstock to a Department approved controlled purification process. The treatment process is designed to purge shellfish of bacterial and viral contamination to the extent that such shellfish are rendered safe for human consumption.

(20) Designated representative – is the individual who supervises all activities associated with the operation of the certified shellfish processing facility in the absence of the facility owner or facility supervisor.

(21) Emergency – any unusual incident resulting from natural or unnatural causes which endangers the health, safety, or resources of the state, including, but not limited to, a hurricane, storm, or harmful algal bloom red tide; petroleum spill; toxic substance discharge; inability of a sewage treatment plant to comply with permit conditions due to a breakdown of equipment, power outage, destruction by fire, wind, or by other cause.

(22) through (27) No change.

(28) ~~HACCP~~– Hazard Analysis and Critical Control Points (HACCP) – ~~a~~ system of inspection, control, and monitoring measures initiated by a certified shellfish processing facility shellfish processor to identify and control microbiological, chemical, or physical food safety hazards which are likely to occur in shellfish products produced by the facility.

(29) through (33) No change.

(34) Key deficiency – a condition or practice which may result in adulterated, misbranded misbranded, or unwholesome product.

(35) Lot of shellstock – a single type of bulk shellstock or container of shellstock of no more than one day’s harvest from a single harvesting harvest area gathered by one or more harvesters.

(36) Lot of shucked shellfish – a collection of containers of no more than one day’s shucked product from a single harvesting harvest area produced under conditions as nearly uniform as possible, and designated by a common container code or marking.

(37) No change.

(38) Marina – any water area with a structure (docks, basin, floating docks, etc.) which is used for docking and constructed to provide temporary or permanent docking space for more than ten (10) boats.

(38) through (39) renumbered (39) through (40) No change.

(41) Mooring area – any water area that is used to provide temporary or permanent anchorage for more than twenty (20) boats with marine sanitation devices. Mooring areas do not include any structures for docking boats.

(42)(40) NSSP Model Ordinance – the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, published by the U.S. Department of Health and Human Services and the Interstate Shellfish Sanitation Conference.

(41) through (43) renumbered (43) through (45) No change.

(46)(44) Prohibited harvesting harvest area – an area from which the taking of shellfish is not permitted.

(47)(45) Public Water sSystem – a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any “special irrigation district.” A public water system is either a “community water system” or a “non-community water system.” See Title 40, C.F.R. the Code of Federal Regulations (C.F.R.), Title 40, Part 141, Section 2, revised as of August 5, 2025 July 1, 2015, incorporated in paragraph 5L-1.001(6)(b), F.A.C.

(48)(46) Remote bBuying – a certified shellfish processing facility processor or designated representative taking

possession of shellfish at any location different than their certified shellfish processing facility location.

~~(49)~~(47) Repacker/~~Repacking Facility~~ (RP) – a certified shellfish processing facility, other than the original certified shucker-packer, who repacks shucked shellfish into other containers for distribution or sale. A repacker may also purchase, repack and ship shellstock. A repacker shall not shuck shellfish.

~~(50)~~(48) Repeat ~~c~~Critical deficiency – is the same “critical” deficiency that has been listed on the corrective action plans for the same certified shellfish processing facility anytime during the preceeding 180 days.

~~(51)~~(49) Repeat ~~k~~Key deficiency – is the same “key” deficiency that has been listed on the corrective action plans for the same certified shellfish processing facility anytime during the preceeding 180 days.

~~(52)~~(50) Repeat ~~o~~Other deficiency – is the same “other” deficiency that has been listed on the corrective action plans for the same certified shellfish processing facility anytime during the preceeding 180 days.

~~(53)~~(51) Restricted harvesting ~~harvest~~ area – an area in which it is indicated by a sanitary survey or other monitoring program data that fecal material, pathogenic microorganisms, radionuclides ~~radio-nuclides~~, harmful chemicals, and marine biotoxins are not present in dangerous concentrations such that shellfish harvested from such an area and subjected to a suitable and effective purification process are safe for human consumption.

~~(54)~~(52) Restricted use ~~s~~Shellstock – shellstock that is harvested from harvesting ~~harvest~~ areas classified as approved or conditionally approved in the open status and under conditions that do not allow the sale of shellstock for direct marketing for raw consumption. Restricted use shellstock is identified with a green tag indicating the shellstock is intended for shucking by a certified shellfish processing facility or post harvest processing only.

(53) through (55) renumbered (55) through (57) No change.

~~(58)~~(56) Shellfish ~~p~~Processor – a shellstock shipper, shucker-packer, or repacker who possesses a shellfish processing facility certification from the Department.

~~(59)~~(57) Shellfish ~~r~~Relaying – the transfer of shellfish from an aquaculture lease closed for the harvest of shellfish to a certified depuration facility or another aquaculture lease open for the harvest of shellfish, pursuant to Rule 5L-1.009, F.A.C.

(58) renumbered (60) No change.

~~(61)~~(59) Shellstock shipper/~~Shellstock shipping facility~~ (SS) – a certified shellfish processing facility which buys, repacks and sells shellstock. A shellstock shipper is not authorized to shuck shellfish nor to repack shucked shellfish but may ~~also~~ buy and sell sealed containers of shucked shellfish.

(60) through (61) renumbered (62) through (63) No change.

~~(64)~~(62) Shucker-packer/~~Shucker-packer facility~~ (SP) – a certified shellfish processing facility which shucks and packs shellfish. SPs may act as a shellstock shipper and/or repacker.

~~(63)~~ Swing deficiency – a deficiency that could either be a “critical” or a “key” deficiency, or it could be either a “key” or an “other” deficiency, depending on the location, severity and ~~circumstances~~.

~~(65)~~(64) Time of ~~h~~Harvest – is defined as the time when shellfish are first removed from the water and placed on or in a manmade conveyance or other means of transport.

~~(66)~~(65) Time of ~~r~~Refrigeration – is defined as the time when shellfish are first placed within an ambient environment of 45°F or less.

(66) through (68) renumbered (67) through (69) No change.

~~(69)~~ Violation and deficiency – are used interchangeably within these rules. The meaning of both is that a facility is not in compliance with the rules governing their operation as outlined in rule Chapter 5L 1, F.A.C., “The Comprehensive Shellfish Control Code.”

~~(70)~~ Warning letter – a warning letter includes a notice of non-compliance.

~~(70)~~(74) Wet storage – the temporary storage of shellfish harvested from an approved sources or in the open status conditionally approved harvesting ~~harvest~~ area and placed in tanks containing water that meets approved or open status conditionally approved shellfish harvesting area water quality standards.

(72) renumbered (71) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 11-5-92, 5-20-93, Formerly 16R-7.003, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.003, Amended 8-9-00, 5-29-02, 3-23-17, 4-2-19, 1-18-23.

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV of the NSSP Model Ordinance. Copies of the Shellfish Harvesting Area Classification Boundaries and Management Plans, (FDACS-P-01593, ~~r~~Revised March 2026 ~~August 2022~~), containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria are hereby incorporated by reference, and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-19253> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-~~

15069, or may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399.

(2) Approved harvesting harvest areas – An area shall be classified as approved when a sanitary survey, conducted in accordance with Chapter IV of the NSSP Model Ordinance, indicates that pathogenic microorganisms, radionuclides, and/or harmful industrial wastes do not reach the area in dangerous concentrations and this is verified by laboratory findings whenever the sanitary survey indicates the need. Shellfish may be harvested from such areas for direct marketing. This classification is based on the following criteria:

(a) No change.

(b) The bacteriological quality of every sampling station in those portions of the area most probably exposed to fecal contamination shall meet one of the following standards during the most unfavorable meteorological, hydrographic, seasonal, and point source pollution conditions: 1) The median or geometric mean fecal coliform ~~Most Probable Number~~ (MPN) of water shall not exceed 14 per 100 milliliters (ml-), and not more than 10% percent of the samples shall exceed a fecal coliform MPN of 43 per 100 ml- (per 5-tube, 3-dilution test) or 2) The median or geometric mean fecal coliform ~~Most Probable Number~~ (MPN) of water shall not exceed 14 per 100 ml-, and not more than 10% percent of the samples shall exceed a fecal coliform MPN of 33 per 100 ml- (per 12-tube, single-dilution test) or 3) The median or geometric mean fecal coliform Membrane Filter (MF) colony forming units (CFU) of water shall not exceed 14 per 100 ml-, and not more than 10% percent of the samples shall exceed a fecal coliform MF CFU colony forming unit of 31 per 100 ml. Harvest from temporarily closed approved areas shall be unlawful.

(c) No change.

(3) Conditionally approved harvesting harvest areas – An area shall be classified as conditionally approved when a sanitary survey, conducted in accordance with Chapter IV of the ~~NSSP National Shellfish Sanitation Program~~ Model Ordinance, indicates that the area is subjected to intermittent microbiological pollution. The suitability of such an area for harvesting shellfish for direct marketing may be dependent upon attainment of established performance standards by wastewater treatment facilities discharging effluent directly or indirectly into the area. In other instances, the sanitary quality of the area may be affected by seasonal populations, climatic and/or hydrographic conditions, non-point source pollution, or sporadic use of a dock, marina, or harbor facility. Such areas shall be managed by an operating procedure that will assure that shellfish from the area are not harvested from waters not meeting approved area criteria. In order to develop effective operating procedures, these intermittent pollution events shall

be predictable. Harvest from temporarily closed conditionally approved harvesting harvest areas shall be unlawful.

(4) Restricted harvesting harvest areas – An area shall be classified as restricted when a sanitary survey, conducted in accordance with Chapter IV of the ~~NSSP National Shellfish Sanitation Program~~ Model Ordinance, indicates that fecal material, pathogenic microorganisms, radionuclides, harmful chemicals, and marine biotoxins are not present in dangerous concentrations after shellfish from such an area are subjected to a suitable and effective purification process. The bacteriological quality of every sampling station in those portions of the area most probably exposed to fecal contamination shall meet the following standard: The median or geometric mean fecal coliform ~~Most Probable Number~~ (MPN) of water shall not exceed 88 per 100 ml- and not more than 10 percent of the samples shall exceed a fecal coliform MPN of 260 per 100 ml- (per 5-tube, 3-dilution test) or the median or geometric mean fecal coliform ~~Membrane Filter~~ (MF) CFU colony forming units of water shall not exceed 88 per 100 ml-, and not more than 10 percent of the samples shall exceed a fecal coliform MF colony forming unit of 163 per 100 ml- in those portions of the area most probably exposed to fecal contamination during the most unfavorable meteorological, hydrographic, seasonal, and point source pollution conditions. Harvest is permitted according to permit conditions specified in Rule 5L-1.009, F.A.C. Harvest from temporarily closed restricted areas shall be unlawful.

(5) Conditionally restricted harvesting harvest areas – An area shall be classified as conditionally restricted when a sanitary survey or other monitoring program data, conducted in accordance with Chapter IV of the ~~NSSP National Shellfish Sanitation Program~~ Model Ordinance, indicates that the area is subjected to intermittent microbiological pollution. The suitability of such an area for harvest of shellfish for relaying or depuration activities is dependent upon the attainment of established performance standards by wastewater treatment facilities discharging effluent, directly or indirectly, into the area. In other instances, the sanitary quality of such an area may be affected by seasonal population, non-point sources of pollution, or sporadic use of a dock, marina, or harbor facility, and these intermittent pollution events are predictable. Such areas shall be managed by an operating procedure that will assure that shellfish from the area are not harvested from waters not meeting restricted area criteria. Harvest is permitted according to permit conditions specified in Rule 5L-1.009, F.A.C. Harvest from temporarily closed conditionally restricted areas shall be unlawful.

(6) Prohibited harvesting harvest areas – An area shall be classified as prohibited if a sanitary survey indicates that the area does not meet the approved, conditionally approved, restricted, or conditionally restricted classifications. Harvest of

shellfish from prohibited areas shall be unlawful. The waters of all man-made canals, marinas and mooring areas ~~marinas~~ are classified prohibited regardless of their location. The Shellfish Harvesting Area Water Classifications for Marinas and Mooring Areas (FDACS-P-02257, August 2025) containing the Department’s policy regarding marinas and mooring areas is hereby incorporated by reference and available online at <https://flrules.org/gateway/reference.asp?No=Ref-18663>, or may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399.

(7) Unclassified aArea – An area for which no recent sanitary survey exists, and it has not been classified as any area described in subsection (2), (3), (4), (5), or (6), above. Harvest of shellfish from such areas shall be unlawful.

(8) The Department is authorized to open and temporarily close approved, conditionally approved, restricted, or conditionally restricted harvesting harvest areas for harvesting of shellfish in emergencies as defined herein, in accordance with specific criteria established in operating procedures for predictively closing individual harvesting harvest areas, or when harvesting harvest areas do not meet the standards and guidelines established by the National Shellfish Sanitation Program.

(9) The possession of shellfish in cClosed aAreas is prohibited.

(a) This subsection shall not apply to harvesters operating vessels containing shellfish, tagged in accordance with Rule 5L-1.007, F.A.C., only if the vessel is proceeding in a continuous and direct route through a cClosed aArea to a vessel landing area and certified sShellfish processing facility Processor.

(b) No change.

(10) Operating procedures for predictively closing each harvesting harvest area shall be developed by the Department; local agencies, including those responsible for operation of sewerage systems, and the local shellfish industry may be consulted for technical information during operating procedure development. The predictive procedure shall be based on evaluation of potential sources of pollution which may affect the area and should establish performance standards, specify necessary safety devices and measures, and define inspection and check procedures.

(11) Shellfish harvesting area numbers are as follows:

AREA NUMBER	<u>HARVESTING HARVEST</u> AREA NAME
0111	<u>Big Lagoon Approved</u>
0222	Pensacola Bay Conditionally Approved Escambia Bay
0232	Pensacola Bay Conditionally Approved East Bay

0622	Choctawhatchee Bay Conditionally Approved Central Section
0632	Choctawhatchee Bay Conditionally Approved Eastern Section
0822	West Bay Conditionally Approved
1012	North Bay Conditionally Approved Western Section
1022	North Bay Conditionally Approved Eastern Section
1212	East Bay Conditionally Approved Section 1
1401	St. Joseph Bay Approved
1506	Indian Lagoon Conditionally Restricted Winter Nov – Feb
1512	Indian Lagoon Conditionally Approved Spring/Fall Mar – Jun, Oct
1542	Indian Lagoon Conditionally Approved Zone A Winter Nov – Feb
1552	Indian Lagoon Conditionally Approved Zone B Winter Nov – Feb
1601	Apalachicola Bay System Approved Jan – May, Sept – Dec
1611	Apalachicola Bay System Approved Jan – May, Sept – Dec
1605	Apalachicola Bay System Zone A, Zone B, Zone C Jan – May, Sept – Dec
1621	Apalachicola Bay System Approved June – Aug
1631	Apalachicola Bay Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 Summer June – Aug
1612	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1622	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1632	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1671	Apalachicola Bay System Approved Jun – Aug
1642	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1652	Apalachicola Bay System Conditionally Approved <u>May – Sept</u> June – Aug
1662	Apalachicola Bay System Conditionally Approved <u>May – Sept</u> June – Aug
<u>1672</u>	<u>Apalachicola Bay System Conditionally Approved</u>
1801	Alligator Harbor Approved
2002	Ochlockonee Bay Conditionally Approved
2006	Ochlockonee Bay Conditionally Restricted
2206	Wakulla County Conditionally Restricted
2212	Wakulla County Conditionally Approved Zone 1

2222 Wakulla County Conditionally Approved Zone 2
 2502 Horseshoe Beach Conditionally Approved Winter Oct – Mar
 2802 Suwannee Sound Spring Summer Conditionally Approved Feb – May and Sept
 2812 Suwannee Sound Spring Winter Conditionally Approved Oct – Jan
 3001 Cedar Key Approved
 3012 Cedar Key Conditionally Approved Zone A
 3022 Cedar Key Conditionally Approved Zone B
 3202 Waccasassa Bay Conditionally Approved
 3402 Withlacoochee Bay Conditionally Approved
 3701 Citrus County Approved Spring/Fall Mar – June and Oct
 3702 Citrus County Conditionally Approved Winter Nov – Feb
 4202 Boca Ciega Bay Conditionally Approved
 4802 Lower Tampa Bay Conditionally Approved
 5402 Sarasota Bay Conditionally Approved
 5602 Lemon Bay Conditionally Approved
 5802 Gasparilla Sound Conditionally Approved
 6002 Myakka River Conditionally Approved
 6212 Pine Island Sound Conditionally Approved Section 1
 6222 Pine Island Sound Conditionally Approved Section 2
 6232 Pine Island Sound Conditionally Approved Section 3
 6602 Ten Thousand Islands Conditionally Approved
 7001 Indian River/St. Lucie Approved
 7006 Indian River/St. Lucie Restricted
 7202 North Indian River Conditionally Approved
 7412 Body F Conditionally Approved
 7506 Body E Conditionally Restricted
 7602 Body D Conditionally Approved
 7712 Body C Conditionally Approved Zone 1 Spring/Summer/Fall Mar – Nov
 7722 Body C Conditionally Approved Zone 2 Spring/Summer/Fall Mar – Nov
 7732 Body C Conditionally Approved Winter Dec – Feb
 7716 Body C Conditionally Restricted Winter Dec – Feb
 7726 Body C Conditionally Restricted Spring/Summer/Fall Mar – Nov
 7812 Body B Conditionally Approved
 7902 South Banana River Conditionally Approved
 7906 ~~South Banana River Conditionally Restricted~~
 8001 Body A Approved
 8005 ~~Body A Restricted~~

8201 South Volusia Approved
 8212 South Volusia Conditionally Approved Zone 1
 8222 South Volusia Conditionally Approved Zone 2
~~8206 South Volusia Conditionally Restricted~~
 8802 South St. Johns Conditionally Approved
 9202 North St. Johns Conditionally Approved
 9602 Duval County Conditionally Approved
Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended 6-19-00, 8-9-00, 10-14-01, 8-17-04, 9-28-04, 9-5-05, 6-11-06, 3-11-07, 10-2-07, 4-14-08, 7-28-08, 5-5-09, 6-18-09, 12-28-09, 2-9-11, 8-19-12, 3-23-17, 6-28-18, 9-5-19, 5-4-20, 3-31-21, 1-18-23, ____.

5L-1.004 Production and Market Standards.

(1) Shellfish offered for sale at the wholesale market level shall be deemed to be “adulterated” as defined in subsection 5L-1.002(1), F.A.C., and Section 500.10, F.S., and will be subject to rejection or seizure by the Department when it exceeds the following bacteriological criteria: ~~f~~ fecal coliform density of ~~not~~ more than 230 most probable number (MPN) per 100 grams; and a 35°C ~~35°C~~ plate count of ~~not~~ more than 500,000 per gram.

(2) through (4) No change.

(5) Shellfish having undergone a depuration process shall not be released for sale prior to laboratory analysis and approval by the facility plant supervisor or designated representative. Shellfish shall not be released if the geometric mean of three samples exceeds a fecal coliform MPN of 45 per 100 grams of sample, or if any sample’s fecal coliform MPN exceeds 100 per 100 grams of sample.

(6) The use of the elevated temperature coliform plate count is authorized for the bacteriological evaluation of hard clams, Mercenaria spp. ~~Mercenaria spp.~~ only from a depuration facility.

(7) Should the Department suspect contamination of shellfish by metallic ions and compounds, pesticides, detergents, radionuclides, marine toxins, or any toxic substance or adulterant ~~adulterate~~, the Department shall require that shellfish meat be analyzed for such contaminants before suspect shellfish are released for sale.

(8) Shellfish or shellfish products determined to be adulterated, or misbranded shall be subject to recall by the certified shellfish processing facility dealer responsible for distribution of the products. For a first time offense, the Department will apply mitigation measures. Mitigation measures include on-the-spot correction and reconditioning. Reconditioning shall be a mitigation option only if the products will meet the safety standards of Rule 5L-1.004, F.A.C., and the labeling standards of Rule 5L-1.007, F.A.C. For repeat

violations the Department shall issue an order to stop the sale or to condemn, and destroy, shellfish or shellfish containers found to be adulterated, misbranded, or found to be held in non-compliance with any of the provisions of this chapter. ~~Reconditioning shall be a mitigation option only if the products will meet the safety standards of Rule 5L 1.004, F.A.C., and the labeling standards of Rule 5L 1.007, F.A.C. Stop sale, condemnation, or reconditioning of products or containers shall be based on individual conditions found during inspections and shall be conducted using a Seizure and Destruction Order (FDACS 15001, Revision 12/16), herein incorporated by reference, and available online at <https://flrules.org/Gateway/reference.asp?No=Ref-06995>, or may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399.~~

Rulemaking Authority 500.09, 597.020 FS. Law Implemented 500.10, 500.172, 597.020 FS. History--New 1-4-87, Amended 8-10-88, 7-9-89, Formerly 16R-7.006, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.006, Amended 8-9-00, 5-29-02, 3-23-17, 9-5-19,_____.

5L-1.005 Shellfish Processing Facility Certification.

(1) The following ~~form is~~ ~~forms are~~ hereby adopted and incorporated by reference and may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, FL 32399 and available online as indicated:

(~~a~~) Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 10/18), <https://flrules.org/gateway/reference.asp?No=Ref-19252> ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10370>~~.

(~~b~~) Shellfish Processing Facility Inspection Form (FDACS 15009, Revision 09/16), ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-06998>~~.

(~~c~~) Shellfish Processing Facility Inspection Form Addendum (FDACS 15012, Revision 10/16), ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-06999>~~.

(2) ~~A completed Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25) must be submitted to the Department in order to obtain certification or recertification of a shellfish processing facility. Upon request, the Department shall provide an application form entitled Shellfish Processing Certification Application (FDACS 15007, Revision 10/18). This completed application form is required for certification or recertification of the shellfish processing facility.~~

(3) Possession of a current ~~S~~altwater ~~W~~holesale ~~D~~dealer ~~L~~icense issued pursuant to Section 379.362, F.S., or an ~~A~~quaculture ~~C~~ertificate of ~~R~~egistration issued pursuant to

Section 597.004, F.S., shall be required to obtain a shellfish processing facility certification. A copy of the license or certificate ~~of or~~ registration shall be submitted with the Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 ~~10/18~~).

(4) If the applicant's water supply is not from a public water system, the applicant shall submit satisfactory bacteriological water analysis results for certification pursuant to this chapter. Satisfactory bacteriological ~~bacterial~~ water analysis results shall not equal or exceed two colony forming units (CFU) per 100 milliliters (ml) ~~mls~~ for total coliform bacteria on any consecutive samples, and shall not equal or exceed two CFU per 100 ml ~~mls~~ for fecal coliform or *E. coli* ~~*E. coli*~~ bacteria on any samples. Analysis shall be from the source water and an outlet location within the facility, and ice if any is used. The water shall be sampled and approved prior to use of the water supply, every six months while the water supply is in use, and immediately after the water supply has been repaired and disinfected. If the source is a public water system, only a sample from an outlet in the facility and ice, if used, is required prior to certification. The water sample shall be taken and acceptable results provided to the Department within 90 days prior to certification. A copy of the current acceptable water analysis shall be submitted with the Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 ~~10/18~~).

(5) A shellfish processing facility certification number will be assigned by the Department after a completed Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 ~~10/18~~) is received. Failure to submit additional materials required for certification to the Department within 30 days following notice of the deficiency will result in denial of the application.

(6) Certification is granted only to applicants whose shellfish processing facility meets the following inspection requirements: the shellfish processing facility has no critical "Critical" item deficiencies, has no more than two (2) key "Key" item deficiencies or has no more than three (3) other "Other" item deficiencies. However, if there are any key "Key" or other "Other" deficiencies cited the shellfish processing facility processor must comply with the corrective action plan outlined on Shellfish Processing Facility Inspection Form Addendum (FDACS 15012, Revision 10/16), that is given to the owner shellfish processor, facility supervisor or the designated representative at the end of the inspection. Following certification, the certified shellfish processing facility will be subject to unannounced inspections using the Shellfish Processing Facility Inspection Form (FDACS 15009, Revision 09/16), and Shellfish Processing Facility Inspection Form Addendum (FDACS 15012, Revision 10/16) shall be conducted during periods of operation and at such frequency as

necessary to assure that adequate operational and sanitary conditions are maintained. ~~At the completion of each inspection, a copy of the completed inspection forms shall be issued to the facility supervisor or the designated representative.~~

(7) Renewal certification – A certified shellfish processing facility processor shall complete and submit a Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 10/48) for certification renewal annually; ~~applications must be received no later than April 30 to prevent lapse in certification.~~ The certification year starts on July 1 and ends on June 30. The certification shall not be renewed for any facility until the certified shellfish processing facility has: no critical ~~“Critical”~~ deficiencies; no more than two (2) key ~~“Key”~~ item deficiencies; and no more than three (3) other ~~“Other”~~ item deficiencies. Upon completion of the re-certification inspection where the applicant has met the requirements for certification, he/she will be given a corrective action plan by the Department if there are any key ~~“Key”~~ or other ~~“Other”~~ deficiencies cited. The certified shellfish processing facility processor must comply with the corrective action plan outlined on the Shellfish Processing Facility Inspection Form Addendum (FDACS-15012, Revision 10/25 10/46), that is given to the owner shellfish processor, facility supervisor or the designated representative at the end of the inspection.

(8) The owner shellfish processor, facility supervisor, or designated representative must ensure that all employees who receive, handle, and process shellfish obtain training according to Title 21 C.F.R., Part 117, revised as of August 5, 2025 §117.4 (2017) within 30 days of their initial hiring. Proof of training for all employees shall be maintained at the certified shellfish processing facility and provided to the Department upon request.

(9) The Shellfish Processing Facility Certification will be issued to a specific location. The legal entity will be the applicant at that specific location as listed on the Shellfish Processing Facility Certification.

(10) One Shellfish Processing Facility Certificate shall be issued to a shellfish processing facility operating at a single location. ~~No single location will be issued more than one certificate.~~

(a) A person or business operating more than one shellfish processing facility may obtain multiple shellfish processing facility certifications, but only one per location. Each certified shellfish processing facility must be maintained as a separate legal entity with clear traceability of shellfish product.

(b) Multiple persons or businesses may be certified at the same location as long as each certified shellfish processing facility has a unique certification number and is maintained as a separate legal entity with clear traceability of shellfish product.

(11) In the event that a ~~licensed~~ certified shellfish processing facility changes its name, changes owners, changes location, changes address, or changes classifications, a new Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 10/48) must be completed and submitted to the Department. The shellfish processing facility firm will be required to go through the complete certification process.

(12) Possession of a mechanical refrigeration unit that is non-portable and is able to maintain an ambient temperature of 45°F ~~45°F or less below~~ and be of sufficient size to handle one day’s production, shall be required for certification under this chapter.

(13) Each applicant shall have conducted a hazard analysis to determine the critical control points for any food safety hazards that are reasonably likely to occur for shellfish products produced at the location listed on the Shellfish Processing Facility Certification Application (FDACS-15007, Revision 09/25 10/48). Each certified shellfish processing facility shall have someone with HACCP training, knowledge or experience to develop a HACCP plan, reassess and modify the HACCP plan and perform the records review. Each certified shellfish processing facility shall have a written HACCP plan on premises. The HACCP plan shall incorporate critical control points that will eliminate, prevent, or reduce to an acceptable level the hazards identified in the hazard analysis. Critical control points shall have established critical limits for parameters to ensure when exceeded, corrective actions are taken. The HACCP plan shall include the procedures, and frequency that will be used to monitor each of the critical control points to ensure compliance with the critical limits. The HACCP plan shall provide for a recordkeeping system that documents the monitoring of the critical control points. The records shall contain the actual values and observations obtained during monitoring. The plan shall be signed and dated by the owner, facility supervisor, or designated representative at the time of its implementation, and after any modification. Each certified shellfish processing facility shall develop or adopt sanitation monitoring records to meet the requirements in subsection 5L-1.013(17), F.A.C.

(14) The owner, facility supervisor, or designated representative of a certified shellfish processing facility shall verify that the HACCP plan is adequate to control food safety hazards that are reasonably likely to occur, and that the plan is being effectively implemented. Verification shall include at a minimum:

(a) No change.

(b) Ongoing verification including a review of any consumer complaints. The certified shellfish processing facility processor shall determine whether the complaints relate to the performance of critical control points or reveal the existence of

unidentified critical control points, or the calibration of process-monitoring instruments.

(15) All certified shellfish processing facilities that commercially engage in purchasing shellfish from harvesters, shucking, packing, repacking or transporting shellfish are subject to inspection, pursuant to Section 570.15, F.S., and shall allow inspection by the Department during normal operating hours and any time there are shellfish processing activities occurring, in order to determine compliance with sections of this rule. ~~Department shall inspect all certified shellfish processing facilities.~~ Denial of access for such inspection will result in automatically institute agency administrative action up to and including immediate suspension of the shellfish processing facility certification.

(16) It is unlawful for persons to commercially engage in purchasing from harvesters, shucking, packing, or repacking shellfish without having complied with these rules and applied for and obtained a shellfish processing facility certification from the Department.

(17) Upon certification of a shellfish processing facility, the Department shall notify the U.S. Food and Drug Administration of the certified shellfish processing facility's business name and certification number to be published in the FDA website Interstate Certified Shellfish Shippers List: <https://www.fda.gov/food/federal-state-local-tribal-and-territorial-cooperative-human-food-programs/interstate-certified-shellfish-shippers-list> <http://www.fda.gov/food/guidanceregulation/federalstatefoodprograms/ucm2006753.htm>.

(18) The Shellfish Processing Facility Certificate shall be posted in a conspicuous location on the premises.

(19) No change.

(20) All certified shellfish processing facilities shall maintain on the premises a current copy of ~~this rule~~ Chapter 5L-1, F.A.C., entitled "The Comprehensive Shellfish Control Code" and a current copy of the NSSP "Model Ordinance" of the National Shellfish Sanitation Program, Guide for the Control of Molluscan Shellfish, 2015, published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration as incorporated by reference in Rule 5L-1.001, F.A.C.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.007, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.007, Amended 8-9-00, 5-29-02, 3-23-17, 5-7-19, Technical Change 8-14-25, Amended _____.

5L-1.006 Compliance and Penalties.

(1) The Department shall initiate enforcement action as follows:

(a) No change.

(b) At the completion of an inspection, if a deficiency is cited the Department will provide a corrective action plan. ~~The Department will solicit input from the shellfish processor, facility supervisor or the designated representative. The consent and cooperation of the shellfish processor, facility supervisor or the designated representative is not necessary.~~ Lack of cooperation from the owner shellfish processor, facility supervisor or the designated representative will not affect the validity of the corrective action plan or requirement that the plan be implemented. ~~A copy of the Shellfish Processing Facility Inspection Form (FDACS 15009, Revision 01/16), as incorporated in Rule 5L 1.005, F.A.C., and the corrective action plan outlined on the the Shellfish Inspection Facility Inspection Form Addendum (FDACS 15012, Revision 10/16), as incorporated in Rule 5L 1.005, F.A.C., will be provided to the shellfish processor, facility supervisor or the designated representative present at the conclusion of the inspection.~~ The owner shellfish processor, facility supervisor, and the designated representative shall ensure that the certified shellfish processing facility is in full compliance with the corrective action plan ~~as outlined on Shellfish Inspection Facility Inspection Form Addendum (FDACS 15012, Revision 10/16).~~ The owner shellfish processor, facility supervisor, or the designated representative's failure to comply with the corrective action plan ~~outlined on Shellfish Inspection Facility Inspection Form Addendum (FDACS 15012, Revision 1/16),~~ will lead to administrative actions, suspension, and/or revocation of the Shellfish Processing Facility Certification.

(c) If, upon inspection, the Department cites the certified shellfish processing facility for a critical, key, "Critical," "Key," or other "Other" deficiency(ies), the following schedule will be used by the Department with respect to the administrative actions to be taken:

Critical deficiency(ies)

When one or more critical ~~a "Critical"~~ deficiency(ies) is cited, a warning letter will be issued to the certified shellfish processing facility. The deficiency must be corrected immediately. If the deficiency cannot be corrected immediately, the shellfish processing facility certification to operate and processing operations at the certified facility will be suspended due to the presence of as a public health threat ~~and the deficiency must be corrected immediately or the certified facility's certification to operate will be suspended.~~ If the certification to operate is suspended, it will remain suspended until corrections are made and verified by the Department. Product affected by the critical ~~"Critical"~~ deficiency will be controlled to prevent contaminated or adulterated product from reaching consumers. When necessary, the Department shall detain or seize any product that may have been adulterated, initiate a recall of any distributed product and notify necessary officials of a recall.

In addition to these actions the sanction to be imposed on the certified shellfish processing facility upon the finding of any ~~repeat~~ deficiency(ies), as defined in Rule 5L-1.002, F.A.C., will be as follows:

Offense	Critical	Key	Other
1st	Operations or certification suspended until corrected and a warning letter issued	Correct deficiency pursuant to date on corrective action plan	Correct deficiency pursuant to date on corrective action plan
1st Repeat within 180 days	Operations or certification suspended until corrected and fine of \$500 per violation	Correct deficiency pursuant to date on corrective action plan and fine of \$100 per violation	Correct deficiency pursuant to date on corrective action plan and fine of \$50 per violation
2nd Repeat within 180 days	Operations or certification suspended until corrected and fine of \$1,000 1000 per violation	Correct deficiency pursuant to date on corrective action plan and fine of \$200 per violation	Correct deficiency pursuant to date on corrective action plan and fine of \$100 per violation
3rd Repeat within 180 days	Fine of \$1,000 1000 per violation and 7-day suspension of certification or until corrected, whichever is later	Correct deficiency pursuant to date on corrective action plan and fine of \$500 per violation and 7-day suspension of certification	Correct deficiency pursuant to date on corrective action plan and fine of \$200 per violation
4th or Subsequent Repeat within 180 days	Fine of \$1,000 1000 per violation and 14-day <u>suspension</u>	Correct deficiency pursuant to date on corrective	Correct deficiency pursuant to date on corrective

180 days	revocation of certification	action plan and fine of \$1,000 1000 per violation and 14-day suspension of certification	action plan and fine of \$400 per violation
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(d) A warning letter will be sent to the certified shellfish processing facility processor when the establishment has:

1. One or more critical item deficiencies cited in violation of ~~rule~~ Chapter 5L-1, F.A.C., or
2. More than two key “Key” item deficiencies cited in violation of ~~rule~~ Chapter 5L-1, F.A.C., or
3. Five or more ~~One~~ “Key” item deficiency and four ~~“Other”~~ item deficiencies of any type cited in violation of ~~rule~~ Chapter 5L-1, F.A.C.

(e) ~~Willful~~ Violations Not All-Inclusive. This rule contains illustrative violations. It does not, and is not intended to, encompass all possible violations of statute or Department rule by a certified sShellfish processing facility Processor that may adversely affect public health, safety, or welfare or that creates a significant threat of such harm. The absence of any violation from this rule shall in no way be construed to indicate that the violation does not cause harm to the public or is not subject to a penalty. In any instance where the violation is not listed in Chapter 5L-1, F.A.C., the penalty will be determined by consideration of:

1. through 2. No change.

(f) Willful violations shall result in the imposition of an administrative fine of \$1,000 per violation, the suspension of sShellfish processing facility Processor certification, revocation of sShellfish processing facility Processor certification, or any combination thereof. The following shall constitute a willful violation by the certified shellfish processing facility processor:

1. The falsification of any records, tags or labels required under this ~~chapter rule~~ or Chapter 5L-3, F.A.C.
2. through 5. No change.

(g) ~~In cases involving the imposition of a fine the Department will forward an administrative complaint to the shellfish processor, a proposed settlement offer, and a statement of rights. In cases involving the imposition of a suspension or revocation of a facility’s shellfish processing certification the Department will forward an administrative complaint, a statement of rights, and a proposed settlement agreement to the shellfish processor except when the Department has to immediately suspend a certification license because of an immediate public health threat. Payment of fines owed to the Department must be made within 21 days of the certificate holder receiving the notice imposing the fine unless the shellfish processor has sent a written request for a hearing on~~

~~the matter pursuant to Chapter 120, F.S., within the 21 day period to the Department.~~

~~(g)(h)~~ A renewal of a shellfish processing facility's processing certification will not be made if there are any unpaid fines with respect to prior certification periods.

(2) The Department shall suspend the ~~facility's~~ shellfish processing facility's certification if it is determined that there is an immediate serious danger to the public health, safety, or welfare requiring such emergency action. The Department shall, at the time the emergency action is taken, initiate proceedings as provided in Section 120.60, F.S.

(3) Upon suspension or revocation of the facility's shellfish processing certification, ~~the Department shall notify the U.S. Food and Drug Administration so that~~ the facility's business name and certification number will be removed from the Interstate Certified Shellfish Shippers List. Upon reinstatement of the certification, ~~the Department shall notify the U.S. Food and Drug Administration so that~~ the facility's business name and certification number will may be reinstated on the Interstate Certified Shellfish Shippers List.

(4) When the Department finds, or has reason to believe, that any equipment which is located at a certified shellfish processing facility is in violation of this chapter so as to be dangerous or unsanitary the Department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such equipment is, or is suspected of being, in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such equipment by sale or otherwise until permission for removal, use, or disposal is given by the Department or the court. It is unlawful for any person to remove, use, or dispose of such detained or embargoed equipment by sale or otherwise without such permission.

~~(5) Settlement and Additional Enforcement Remedies. In determining the appropriate disciplinary penalty the Department will consider the compliance record of the violator. The provisions of this rule shall not be construed to limit the authority of the Department to enter into settlement with any party per Section 120.57(4), F.S., or to prohibit additional administrative remedies or civil actions. Settlement agreements can provide for installment payments and costs for up to six months. The Department will enforce a failure to comply with a settlement agreement with the penalties and remedies provided in the settlement agreement or as authorized by law.~~

~~(5)(6)~~ Aggravating and Mitigating Factors. The Department will consider aggravating and mitigating factors in determining penalties for violations of this rule chapter. The factors shall be applied against each single count of the listed violation.

(a) Aggravating Factors:

1. The violation caused, or has the potential to cause, harm to the public ~~and the degree or extent of such harm.~~

2. through 3. No change.

4. The certified sShellfish processing facility Processor impeded, or otherwise failed to cooperate with, the Department's inspection and/or investigation.

5. No change.

6. The benefit to the certified sShellfish processing facility Processor.

(b) Mitigating Factors:

1. No change.

2. Whether actions of another party prevented the certified sShellfish processing facility Processor from complying with the applicable laws or rules.

3. Acts of God or nature that impaired the ability of the certified sShellfish processing facility Processor to comply with this rule chapter.

4. No change.

5. The inspection violation history of the certified sShellfish processing facility has no documented violations in the last 2 years Processor.

Rulemaking Authority 500.09, 597.020 FS. Law Implemented 500.09, 597.020 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, Formerly 16R-7.009, Amended 7-3-95, 2-6-97, Formerly 62R-7.009, Amended 8-9-00, 5-29-02, 3-23-17, 1-18-23,___.

5L-1.007 Container Identification; Prohibitions.

(1) Shucked shellfish container – The shucker-packer's or repacker's shellfish processing facility certification number preceded by the state abbreviation must be embossed, imprinted, lithographed, or otherwise permanently and legibly recorded on the external body of containers or on the lid if the lid becomes an integral part of the container during the sealing process (Example: FL-872-SP). Containers shall permanently indicate type of product, quantity, and name and address of shucker-packer packer, repacker, or distributor.

(a) Each container of fresh, fresh frozen, or previously frozen shellfish, with a capacity of less than 64 ounces, shall clearly and permanently display the words "Sell By" followed by the date when the certified shellfish processing facility processor determines the product will reach the end of its shelf life. The date shall consist of the numerical month, and day. For fresh frozen or previously frozen shellfish, the last digit of the year shall be added to the date.

(b) through (d) No change.

(e) Repacked shellfish containers shall also bear an appropriate code identifying the original shucker-packer packer. For restricted use shellstock, the shucked shellfish container may be identified with the language "FOR POST HARVEST PROCESSING ONLY?";

(f) Containers of shucked shellfish will display the following statements, "Consumer information: There is a risk

associated with consuming raw shellfish. If you have chronic illness of the liver, stomach or blood or have immune disorders, you are at greater risk of serious illness from raw shellfish and should eat shellfish fully cooked. If unsure of your risk, consult a physician.” and “Keep Refrigerated.”

(2) Shellstock containers. Each commercial harvester or each certified shellfish processing facility processor shall affix a durable, waterproof tag of minimal size – 2 5/8 by 5 1/4 inches – to each container of shellstock; for commercial harvesters this shall be done prior to leaving the harvest location, regardless of capacity of container; for certified shellfish processing facilities processors this shall be done after final packing. The harvester’s tag must be removed from each container and replaced with a certified shellfish processing facility’s processor’s tag prior to being shipped. The removed harvester’s tag must be kept in the certified shellfish processing facility’s processor’s file for 90 days. In the case where a certified shellfish processing facility processor is also the harvester, that certified shellfish processing facility’s processor’s tag may also be used as the harvester’s tag. In these cases, the certified shellfish processing facility processor must ensure all harvester’s tag information is included on the tag.

(3) The commercial harvester’s tags shall be white in color except as required in paragraph 5L-1.007(3)(i), F.A.C. Before leaving the specific shellfish harvesting area from which the product was harvested, commercial harvester’s tags shall be attached and contain legible waterproof indelible information required by paragraphs 5L-1.007(3)(a)-(i), F.A.C., arranged in the specific order as follows:

(a) The harvester’s Saltwater Product License number or Aquaculture Certificate of Registration number;

(b) through (d) No change.

(e) The identification of the harvesting harvest area using the four digit area number or name of the harvesting harvest area listed in subsection 5L-1.003(11), F.A.C., as well as the most precise identification within that area as practicable. Aquaculture product must also include the aquaculture lease or parcel parcel number;

(f) through (g) No change.

(h) The identification of the cooling option if used, including onboard cooling option (subsection 5L-1.008(11) 5L-1.008(9), F.A.C.), or rapid cooling option (subsection 5L-1.008(12) 5L-1.008(10), F.A.C.) for oysters harvested during the months of April through October.

(i) If shellstock does not comply with exceeds the requirements in subsections 5L-1.008(9), (11), or (12) 5L-1.008(7), (9) or (10), F.A.C., the commercial oyster harvester tag shall be identified with the preprinted language “FOR SHUCKING ONLY BY A CERTIFIED FACILITY” or “FOR POST HARVEST PROCESSING ONLY” in bold, 14-point 14 point font and the tag shall be green in color. Containers of

oysters shall not be tagged with both a green tag and a white tag at any time.

(4) Bulk tagging by harvesters is allowed only for aquaculturists operating with an Aquaculture Certificate of Registration. A bulk tag, shall contain the information required in paragraphs 5L-1.007(3)(a)-(h), F.A.C., along with:

(a) The name of the certified shellfish processing facility in which the product is consigned;

(b) through (c) No change.

(5) The certified shellfish processing facility’s tag shall contain legible, waterproof, indelible information arranged in the specific order as follows:

(a) The shellstock shellfish shipper, shucker-packer, repacker, depurator, or distributors name, address, shellfish processing facility certification number;

(b) The certified shellfish processing facility’s Saltwater Wholesale Dealer License number (WD#) or Aquaculture Certificate of Registration number (AQ#);

(c)(~~b~~) The original shipper’s shellfish processing facility certification number including the state abbreviation;

(c) relabeled (d) No change.

(~~c~~)(~~d~~) The identification of the harvesting harvest area, and for Florida harvesting harvest areas the four digit code or name of the harvesting harvest area listed in subsection 5L-1.003(11), F.A.C. found in paragraph (3)(e) above;

(e) relabeled (f) No change.

(~~g~~)(~~f~~) All oyster shellstock tags must clearly and permanently display the words “Sell By” followed by a date when the certified shellfish processing facility processor determines the product will reach the end of its shelf life. The “Sell By” sell by date shall consist of the numerical month, day, and year; and,

(~~h~~)(~~g~~) The following statements in bold capitalized type “THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE IN CHRONOLOGICAL ORDER FOR 90 DAYS ” and “RETAILER: DATE WHEN THE LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED-”;

(i) The following statements: “Consumer information: There is a risk associated with consuming raw shellfish. If you have chronic illness of the liver, stomach or blood or have immune disorders, you are at greater risk of serious illness from raw shellfish and should eat shellfish fully cooked. If unsure of your risk, consult a physician.” and “Keep Refrigerated.”

(~~j~~)(~~h~~) If shellstock does not comply with exceeds the requirements in subsection 5L-1.008(9), (11) or (12) 5L-1.008(5), (7) or (8), F.A.C., the shellstock processor tag shall be identified as restricted use shellstock with the preprinted language “FOR SHUCKING ONLY BY A CERTIFIED FACILITY” or “FOR POST HARVEST PROCESSING

ONLY” in bold, 14-point ~~14-point~~ font and the tag shall be green in color.

~~(k)(†)~~ For depuration shellstock, paragraphs (5)(a), ~~(b)~~, ~~(c)(†)~~, ~~(f)(e)~~, ~~(g)(†)~~ and ~~(h)(g)~~, above, are required as well as the date of depuration processing, and the depuration cycle or lot number.

~~(l)(†)~~ For shellstock wet stored, paragraphs (5)(a) through ~~(i)(h)~~, above, as well as the following statement: “This product was wet stored on or at (~~l~~-lease number # or certified shellfish processing facility certification number) from (date) to (date).”

(6) Bulk tagging by a certified shellfish processing facility while washing, packing, during depuration, wet storing, staging and intrastate transport of shellfish, is permissible up to final packaging only when the lot container (i.e., pallet), contains shellfish which are harvested on the same day, from the same harvesting harvest area. A bulk certified shellfish processing facility processor tag shall contain the information required in paragraphs 5L-1.007(5)(a)-(g) ~~5L-1.007(5)(a)-(f)~~, F.A.C.; along with:

(a) through (c) No change.

(7) through (8) No change.

~~(9) Shellstock and shucked shellfish containers shall be labeled with the following statements:~~

~~(a) “Consumer information there is a risk associated with consuming raw shellfish. If you have chronic illness of the liver, stomach or blood or have immune disorders, you are at greater risk of serious illness from raw shellfish and should eat shellfish fully cooked. If unsure of your risk, consult a physician.”; and,~~

~~(b) “Keep Refrigerated”.~~

~~(9)(10)~~ It shall be unlawful for any person, firm, corporation, wholesale or retailer to sell or offer for sale any fresh, frozen, or previously frozen shellfish not in compliance with any and all requirements of ~~rule~~ Chapter 5L-1, F.A.C.

~~(10)(11)~~ Whoever knowingly or willfully alters or damages in any manner, or loans or transfers to another person any certification number or shellfish tags, or any person who uses the certification number or shellfish tags, other than the person to whom they were issued, shall be in violation of this section and shall be subject to certification suspension or revocation in addition to any other penalty for violation of ~~rule~~ Chapter 5L-1, F.A.C.

Rulemaking Authority 379.2522, 597.020 FS. Law Implemented 379.2522, 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 8-30-89, 5-6-93, 9-14-93, 8-21-94, Formerly 16R-7.010, Amended 9-1-95, 5-8-96, 2-6-97, 10-12-97, 2-12-98, 2-25-98, 7-1-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.010, Amended 6-19-00, 8-9-00, 10-14-01, 5-29-02, 8-17-04, 9-28-04, 7-28-08, 7-29-08, 4-26-10, 8-31-11, 3-23-17, 5-7-19, 1-18-23,___.

5L-1.008 Shellfish Handling.

(1) Wet storage shall be conducted upon execution of an agreement between a person, firm, or corporation possessing a shellfish processing facility certificate and the Department. Each agreement shall include the following provisions:

(a) The coordinates in Latitude and Longitude where the wet storage facility is to be located.

(b) through (g) No change.

(h) No change.

(i) Should maintenance of the wet storage facility require that the facility be relocated, written notification shall be provided to the Department, by certified mail, a minimum of 10 working days prior to such relocation. All shellfish shall be removed from the wet storage facility prior to relocation.

(j) If wet storage is to be practiced using a shore-based certified shellfish processing facility, the applicable provisions of Rules 5L-1.002, 5L-1.010, 5L-1.011, 5L-1.012, 5L-1.013, 5L-1.015, and subsection 5L-1.017(2), F.A.C., shall apply. All shore-based wet storage facilities shall employ ultraviolet light treatment of all incoming and recirculated seawater. All water quality measurements required by subsection 5L-1.017(2), F.A.C., shall be documented and such data retained for inspection by the Department for a minimum of one year. Paragraphs 5L-1.008(1)(a), (b), (d), (e), (f), (h) and (i), F.A.C., shall not apply to a shore-based wet storage facility.

(k) No change.

(2) through (4) No change.

(5) Resubmerging or Replanting.

(a) No change.

(b) Leaseholders Shellfish processors must maintain an oyster replant log of all replant/resubmerged activities including:

1. through 5. No change;

6. Replant Quantity.

(c) Leaseholders Shellfish processor must provide access to records upon request by the Department.

(d) No change.

(e) Replanted/resubmerged aquaculture oysters larger than 25 millimeters (1 3/4 inch) that are removed from the water during the course of routine oyster husbandry practices for more than 4 hours during April through October must be returned to the lease and submerged on an aquaculture lease for a minimum of 14 days before they can be harvested and sold to a certified shellfish processing facility. Routine oyster husbandry practices include the use of suspended grow out containers that maybe unsubmerged during natural tidal cycles.

(6) Remote buying is prohibited unless a certified shellfish processing facility has written authorization from the

Department to implement a remote buying plan for product purchased from a harvester.

(a) Remote buying will only be permissible for aquacultured shellfish delivered by a harvester on the day of harvest.

(b) Certified shellfish processing facilities planning to receive shellfish products from harvesters at a location other than their certified shellfish processing facility must submit a written remote buying plan that includes the following:

1. Onshore location where remote buying will occur.

2. List of harvesters, with their AQ Certificate number, who may deliver product to that remote location.

3. Description of transportation plan from remote location to certified shellfish processing facility, including segregation of product from different harvest areas.

4. Frequency of planned remote buying operations, and method for informing the Division of scheduled remote buying occurrences.

(c) Certified shellfish processing facilities implementing a remote buying plan must maintain remote buying records that include the following:

1. Date of Transfer

2. Harvester identification (AQ Cert #)

3. Harvester name and initials

4. Harvest date and area

5. Quantity and type of product

6. Receipt time at remote location

7. Receipt temperature of product at remote location, and

8. Name of designated representative taking possession

(d) Remote buying records must be available for inspection at the remote buying location and during transport of shellfish product purchased at a remote location. Upon delivery to the certified shellfish processing facility the records must be maintained at the certified shellfish processing facility and available for inspection for a minimum of 1 year.

(e) Certified shellfish processing facilities proposing a remote buying plan must demonstrate to the Department that their transportation plan will prevent adulteration or commingling of shellfish products. This demonstration will include on-site observation of proposed methods by a Department inspector.

(f) This authorization will be valid until the end of the current certification period. To renew a remote buying authorization, the shellfish processor must resubmit their remote buying plan.

(g) Certified shellfish processing facilities that are cited for deficiencies in implementing their authorized remote buying plan more than twice within a 6-month period will have their authorization to implement a remote buying plan suspended for 6 months. They will need to resubmit a remote buying plan for evaluation before implementation after that period.

(7) A Commercial Harvester may not harvest, attempt to harvest, possess in or on Florida Waters or sell a wild shellfish unless they are harvesting pursuant to a valid Saltwater Products License with a shellfish endorsement, or Apalachicola Bay oyster harvesting license, issued by the Florida Fish and Wildlife Conservation Commission.

(8) An aquaculture leaseholder or Authorized User, or employees thereof, may not operate on an aquaculture lease, or possess or sell aquacultured shellfish unless in possession of a valid Aquaculture Certificate of Registration, or a copy of the certificate.

(9) Throughout the year, shellfish shall be harvested between sunrise and sunset as established by the National U.S. Weather Service. All shellfish shall be delivered, same day of harvest, by the harvester directly to a certified shellfish processing facility. A certified shellfish processing facility which has met the requirements of subsection 5L-1.008(6), F.A.C., and is authorized for remote buying of shellfish from harvesters may take possession of shellfish at their authorized remote buying location. Authorization for remote buying does not provide exemption from any other harvest time or temperature requirements.

(a) Clams:

1. through 3. No change.

4. Tempering, as an alternative process, shall consist of those methods which have demonstrated through verification studies that the process renders hard clams which are as safe as hard clams meeting subparagraphs 5L-1.008(9)(a)1.-3. 5L-1.008(7)(a)1.-3., F.A.C. Prior to initiating tempering a certified shellfish processing facility shall have written approval from the Department. The certified shellfish processing facility must provide the following:

a. A description of all facilities, equipment and methods to be used in the alternative process. This process must be included in the certified shellfish processing facility's HACCP plan.

b. No change.

c. The process to be followed shall not exceed 16 hours total time between hard clam harvest and refrigeration at 45°F 45°F or less. Product harvest, processing, tempering and food storage at 45°F 45°F or less must be scheduled to occur as a continuous procedure.

d. Upon initiation, the tempering process must have temperature control of 68°F or less and be maintained until hard clams are placed into refrigeration of 45°F 45°F or less.

(b) Oysters:

1. Non-Vibrio Non-Vibrio Control months include November, December, January, February and March.

2. Vibrio Vibrio Control months include April, May, June, July, August, September and October.

3. No change.

4. During the month of April, all oysters harvested shall be delivered to a certified shellfish processing facility and placed under mechanical refrigeration by 11:00 a.m. of the same day of harvest unless the harvester is identified in the certified shellfish processing facility's HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(11) ~~5L-1.008(9)~~, F.A.C., or the certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(12) ~~5L-1.008(10)~~, F.A.C.

5. During the months of May, June, July, August, and September, all oysters harvested shall be tagged as "FOR SHUCKING ONLY BY A CERTIFIED FACILITY" or "FOR POST HARVEST PROCESSING ONLY" and delivered to a certified shellfish processing facility and placed under mechanical refrigeration by 4:00 p.m. of the same day of harvest unless the harvester is identified in the certified shellfish processing facility's HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(11) ~~5L-1.008(9)~~, F.A.C., or the certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(12) ~~5L-1.008(10)~~, F.A.C.

6. During the month of October, all oysters harvested shall be delivered to a certified shellfish processing facility and placed under mechanical refrigeration by 11:00 a.m. unless the harvester is identified in the certified shellfish processing facility's HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(11) ~~5L-1.008(9)~~, F.A.C., or the certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(12) ~~5L-1.008(10)~~, F.A.C.

(10) Once received by a certified shellfish processing facility, the shellstock lot shall be immediately processed and placed under temperature control and until sale to final consumer, the shellstock shall be maintained at an environmental temperature of 45°F ~~45°F~~ or less and not be permitted to remain outside of temperature control for more than two (2) hours cumulative at points of transfer within the certified shellfish processing facility such as loading docks or in the certified shellfish processing facility during processing except for the process described in subparagraph 5L-1.008(9)(a)4. ~~5L-1.008(7)(a)4.~~, F.A.C. All certified shellfish processing facilities handling oysters must have a cooling system capable of reducing the internal temperature of shellstock oysters to 55°F ~~55°F~~ or less within eight (8) hours.

(11) Onboard Cooling Option – Onboard cooling equipment includes systems using ice, mechanical refrigeration, or vacuum cooling. If a commercial oyster harvester is using onboard cooling ~~with ice slurry~~, the maximum time oysters can remain outside the cooling system is one hour from time of harvest and the onboard cooling system shall be capable of reducing the internal temperature of oysters

to 55°F ~~55°F~~ or less and maintaining at 55°F ~~55°F~~ or less until delivery to the certified shellfish processing facility. Commercial Harvesters must maintain an onboard time and temperature record documenting time of harvest, time oysters are placed under refrigeration, and time that oysters reach 55°F ~~55°F~~ or less.

(a) Commercial harvesters using onboard cooling systems must deliver the oysters to a certified shellfish processing facility and oysters must be placed under mechanical refrigeration by the certified shellfish processing facility processor no later than 3:00 p.m. of the harvest day. Oysters must be at 55°F or less at time of delivery.

(b) Certified shellfish processing facilities processors electing to purchase oysters from harvesters using onboard cooling systems must document in their HACCP plan that the cooling rates onboard a vessel and in the certified shellfish processing facility's cooling system provide a safety level equivalent to product meeting paragraph 5L-1.008(9)(b) ~~5L-1.008(7)(b)~~, F.A.C., in order to be labeled in compliance with subsection 5L-1.007(5) ~~5L-1.007(6)~~, F.A.C. Certified shellfish processing facilities processors electing to purchase oysters from harvesters using such onboard cooling systems must list the harvester name, harvester license number, the maximum time oysters can be unrefrigerated onboard a vessel, and the total number of hours required to reduce the internal temperature of oysters to 55°F ~~55°F~~ or less in their HACCP plan. Prior to implementing the HACCP plan, the certified shellfish processing facility processor must have written approval from the Department.

(c) Harvesters proposing an ~~alternative~~ onboard cooling option must contact and demonstrate to the Department that the system is capable of meeting time and temperature requirements of the State's Vibrio vulnificus ~~Vibrio vulnificus~~ Control Plan and must have written approval from the Department prior to implementation.

(d) Harvested oysters failing to meet the time and temperature requirements of this subsection shall be retagged by the certified shellfish processing facility processor as "FOR SHUCKING ONLY BY A CERTIFIED FACILITY" or "FOR POST HARVEST PROCESSING ONLY."

(12) Rapid Cooling Option – Rapid cooling equipment includes systems using ice, mechanical refrigeration, or vacuum cooling. If a certified shellfish processing facility processor elects to rapidly cool oysters:

(a) During the month of April certified shellfish processing facilities processors must place all harvested oysters under mechanical refrigeration no later than 1:00 p.m. and cooled down to 55°F ~~55°F~~ or less no later than 3:00 p.m. of the harvest day.

(b) During the months of May, June, July, August, and September certified shellfish processing facilities processors

must place all harvested oysters under mechanical refrigeration no later than 11:00 a.m. and cooled down to ~~55°F~~ 55°F or less no later than 1:00 p.m. of the harvest day.

(c) During the month of October certified shellfish processing facilities processors must place all harvested oysters under mechanical refrigeration no later than 1:00 p.m. and cooled down to ~~55°F~~ 55°F or less no later than 3:00 p.m. of the harvest day.

(d) Certified shellfish processing facilities processors must develop and demonstrate in their HACCP plan that the cooling rates in combination with extended harvest times assure a safety level equivalent to product meeting paragraph ~~5L-1.008(9)(b)~~ 5L-1.008(7)(b), F.A.C., in order to be labeled in compliance with subsection ~~5L-1.007(5)~~ 5L-1.007(6), F.A.C. Certified shellfish processing facilities processors electing this option, must list the maximum time oysters can be unrefrigerated onboard vessel and the total number of hours required to reduce the internal temperature of oysters to ~~55°F~~ 55°F or less in their HACCP plan. Prior to implementing the HACCP plan the certified shellfish processing facility processor must have written approval from the Department.

(e) Harvested oysters failing to meet the time and temperature requirements of this subsection shall be retagged by the certified shellfish processing facility processor as “FOR SHUCKING ONLY BY A CERTIFIED FACILITY” or “FOR POST HARVEST PROCESSING ONLY.” Certified shellfish processing facilities Processors failing to meet the rapid cool criteria more than two times during the Vibrio vibrio control months of April through October shall lose the rapid cool option for the remaining Vibrio vibrio control months of that year. The certified shellfish processing facility processor shall only process oysters for restricted use only (~~g~~Green tTag) during the remaining Vibrio vibrio control months.

(f) During the months of April through October all harvested oysters tagged as “FOR SHUCKING ONLY BY A CERTIFIED FACILITY” or “FOR POST HARVEST PROCESSING ONLY” shall be delivered to a certified shellfish processing facility by 4:00 p.m. of the harvest day.

(13) Handling Time/Temperature table summary:

		Oysters (Times are when oysters must be placed in cooler at a certified shellfish processing facility)		Clams	
	Traditional Cooling	Rapid Cooling	Onboard Cooling with Ice Slurry	Restricted Use Only (gGreen tTag)	Delivery to certified shellfish

					lfi sh pro ces sin g fac ilit y pro ces sor (sa me day of har ves t)
November	5:00 p.m.	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	10:00 p.m.
December	5:00 p.m.	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	10:00 p.m.
January	5:00 p.m.	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	10:00 p.m.
February	5:00 p.m.	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	10:00 p.m.
March	5:00 p.m.	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	Non-Vibrio Non-Vibrio Control Month	10:00 p.m.
April	11:00 a.m.	1:00 p.m.	3:00 p.m.	4:00 p.m.	12 Hours
May	Not permitted	11:00 a.m.	3:00 p.m.	4:00 p.m.	12 Hours
June	Not permitted	11:00 a.m.	3:00 p.m.	4:00 p.m.	10 Hours
July	Not permitted	11:00 a.m.	3:00 p.m.	4:00 p.m.	10 Hours
August	Not permitted	11:00 a.m.	3:00 p.m.	4:00 p.m.	10 Hours

t	mitted				urs
September	Not permitted	11:00 a.m.	3:00 p.m.	4:00 p.m.	10 Hours
October	11:00 a.m.	1:00 p.m.	3:00 p.m.	4:00 p.m.	12 Hours

(14) Shellfish leaving a certified shellfish processing facility must be transported in an enclosed, mechanically refrigerated conveyance with doors closed securely. The refrigeration unit must be capable of maintaining an ambient temperature of 45°F ~~45°F~~ or less at all times.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, Formerly 16R-7.011, Amended 7-3-95, 2-6-97, 3-18-99, 6-23-99, Formerly 62R-7.011, Amended 8-9-00, 5-29-02, 7-29-08, 4-26-10, 8-31-11, 5-26-15, 3-23-17, 4-2-19, 1-18-23, _____.

5L-1.009 Shellfish Relaying.

(1) through (2) No change.

(3) Any certified shellfish aquaculturist wishing to conduct aquacultured shellfish relaying operations shall submit to the Division a completed application form entitled “Application for a Special Activity License to Relay Aquaculture Shellfish to Aquaculture Lease or Certified Depuration Facility” (FDACS-15109, Revision 12/16), hereby incorporated by reference and is available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07000>, or may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399. ~~The following information shall be included:~~

(4) The Department, after reviewing the application and finding the plan in compliance with all applicable rules and regulations shall issue a Special Activity License to Relay Aquacultured Shellfish within the general conditions set forth below:

(a) The Department shall establish the effective date and expiration date of the “Special Activity License to Relay Aquacultured Shellfish.” In no case shall the expiration date be greater than one year from the effective date.

(b) Aquacultured sShellfish relaying shall be conducted only during daylight hours and under the direct supervision of the Department. All persons involved in harvest, transport, and relaying shall comply with these rules and license conditions. Harvesters shall remain within the immediate control and observation of a monitor at all times. A monitor shall be provided by the Department.

(c) No change.

(d) If aquacultured shellfish are relayed to a lease in ~~a~~Approved or ~~c~~Conditionally ~~a~~Approved harvesting ~~Harvest~~ areas, they shall not be harvested without written permission from the Department. Permission will be granted only after a minimum of fourteen (14) ~~15~~ days have elapsed to allow the aquacultured shellfish to cleanse themselves, and this cleansing is verified by laboratory ~~bio toxin~~ analysis. The 14 ~~fifteen~~ days will commence when Department staff verifies that all aquacultured shellfish in that particular day’s harvest have been relayed. The 14-day ~~fifteen-day~~ period does not include days that shellfish harvesting areas have been temporarily closed to harvest.

(e) through (f) No change.

(g) Special conditions shall apply to Aaquaculture Use Zones (AUZ), to relaying and transport operations, laboratory sampling, and harvesting when more than one person or licensee participates on a relay crew composed of other persons or licensees from the same AUZ.

1. The “Application for a Special Activity License to Relay Aquacultured Shellfish to Aquaculture Lease or Certified Depuration Facility” (FDACS-15109, Revision 12/16), pursuant to subsection 5L-1.009(3) ~~5L-1.009(4)~~, F.A.C., shall incorporate the following additional information:

a. No change.

b. The description of the aquaculture lease parcel in the Aaquaculture Use Zone.

2. The Department shall establish an expiration date which shall be the same for all applicants for who participate in relays to Aaquaculture Use Zones.

3. through 4. No change.

5. Aquacultured shellfish relayed to an AUZ in an ~~a~~Approved or ~~c~~Conditionally ~~a~~Approved harvesting ~~harvest~~ area shall not be harvested without written permission from the Department.

6. Laboratory analysis shall consist of a minimum of two samples (each sample to consist of a minimum of 20 individual shellfish) from each individual aquaculture lease parcel, collected by an employee of the Department or qualified designee.

7. Aquacultured shellfish relayed under the provisions of Rule 5L-1.009, F.A.C., shall not be harvested without written permission from the Department and permission to harvest by individual licensees shall be denied until all participating licensees receive written permission to harvest.

(5) Penalty for violation of Rule 5L-1.009, F.A.C.

(a) A “Special Activity License to Relay Aquacultured Shellfish” will be revoked for:

1. Any conviction or final order for violation of diverting aquacultured shellfish to any location other than specified on the license.

2. Any conviction or final order for violation of depuration periods specified by law for relayed aquacultured shellfish or sale of relayed aquacultured shellfish prior to written authorization by the Department.

3. Any conviction or final order for violation of harvesting aquacultured shellfish from any waters not approved by the license.

~~(b) Pursuant to Section 120.60(5), F.S., prior to the entry of a final order revoking a "Special Activity License to Relay Aquacultured Shellfish," the Department will serve an administrative complaint which affords reasonable notice to the licensee of facts or conduct which warrant the intended action and the licensee is given an adequate opportunity to request a proceeding pursuant to Section 120.57, F.S.~~

~~(b)(e)~~ Revocation of a "Special Activity License to Relay Aquacultured Shellfish" is permanent.

Rulemaking Authority 597.020 FS. Law Implemented 597.010(15), (18), 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 12-23-91, 4-21-93, 5-20-93, 6-9-94, Formerly 16R-7.012, Amended 1-1-98, Formerly 62R-7.012, Amended 8-9-00, 5-29-02, 3-23-17, 4-2-19,_____.

5L-1.010 Buildings and Facilities.

(1) Facility construction and design. Buildings and structures shall be suitable in size, construction, and design to facilitate sanitary operations for food processing purposes. For shellstock ~~shippers shipping facilities~~ and ~~onshore on-shore~~ wet storage operations, the structure shall have sealed flooring and a sealed roof. For shucker-packer, repacker and depuration operations, the structure shall have a sealed roof, solid walls, and sealed flooring. The certified shellfish processing facility shall:

(a) through (e) No change.

(f) Provide screening to ensure that pests are not present in the certified shellfish processing facility.

(2) Grounds about a certified shellfish processing facility under the control of the operator shall be kept in a condition that will protect against the contamination of food. The methods for maintenance of grounds include:

(a) through (c) No change.

(d) Operating systems for waste treatment and disposal in such a manner that they do not constitute a source of contamination in areas where food is exposed. If the certified shellfish processing facility grounds are bordered by grounds not under the operator's control and not maintained in the manner described in paragraphs (2)(a) through (c) of this section, care shall be exercised in the certified shellfish processing facility by inspection, extermination, or other means to exclude pests, dirt, and filth that may be a source of food contamination.

(3) The water supply shall be sufficient for the operations intended. Any water that contacts food or food contact surfaces

shall be safe and of sanitary quality. Running water at a suitable temperature of 100°F ~~100° F~~ or above, and under pressure as needed, shall be provided in all areas where required for the processing of food, for the cleaning of equipment, utensils, and food-packaging materials, or for employee sanitary facilities. Sanitary quality shall be maintained by the following steps:

(a) In certified shellfish processing facilities that are not on a public water system, routine microbiological monitoring shall be conducted on water, and ice used in the certified shellfish processing facility, at least once every six months by the operator of the certified shellfish processing facility. The sample collected shall be from a tap that provides water for use in processing shellfish. When treatment includes disinfection, a source water standard bacteriological bacterial sample must also be collected on the same day.

(b) Microbiological results from testing shall not equal or exceed two colony forming units (CFU ~~cfu~~) per 100 milliliters (ml) ~~mls~~ for total coliform bacteria on any consecutive samples, and shall not equal or exceed two CFU ~~cfu~~ per 100 ml ~~mls~~ for fecal coliform or E.coli ~~E. coli~~ bacteria on any samples.

(4) Plumbing shall be of size and design and installed and maintained to:

(a) Carry sufficient quantities of water to required locations throughout the certified shellfish processing facility.

(b) Convey sewage and liquid disposable waste from the certified shellfish processing facility.

(c) through (e) No change.

(5) Sewage and all in-facility wastewater shall be discharged into a public sewage treatment system or other approved sewage treatment system in accordance with provisions of ~~rule~~ Chapter 64E-6, F.A.C.

(6) Each certified shellfish processing facility shall provide its employees with readily accessible toilet facilities. Compliance with this requirement shall be accomplished by:

(a) through (f) No change.

(7) Handwashing facilities shall be furnished and easily accessible, where persons handle food, food packaging materials, or food contact surfaces, and include the following:

(a) Running water at a minimum temperature of 100°F ~~100° F~~.

(b) through (e) No change.

(8) through (9) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.013, Amended 7-3-95, 2-6-97, Formerly 62R-7.013, Amended 8-9-00, 5-29-02, 3-23-17, 4-2-19,_____.

5L-1.011 Equipment for Shellfish Processing.

(1) All certified shellfish processing facility equipment and utensils shall be so designed and of such material and workmanship as to be cleanable, and shall be properly maintained. The design, construction, and use of equipment and

utensils shall preclude the adulteration of food with contaminants. All equipment shall be so installed and maintained as to facilitate the cleaning of the equipment and of all adjacent spaces. Food-contact surfaces shall be corrosion-resistant, made of nontoxic materials, and designed to withstand the environment of their intended use and the action of food, and, if applicable, cleaning compounds and sanitizing agents. Food-contact surfaces shall be maintained to protect food from being contaminated by any source.

(2) through (9) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.014, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.014, Amended 8-9-00, 5-29-02, 3-23-17,_____.

5L-1.012 Sanitary Operations.

(1) General maintenance. Buildings, fixtures, and other physical facilities of the certified shellfish processing facility shall be maintained and kept in a sanitary condition and shall be kept in repair sufficient to prevent food from becoming adulterated within the meaning of this rule. Cleaning and sanitizing of utensils and equipment shall be conducted in a manner that protects against contamination of food, food-contact surfaces, or food-packaging materials.

(2) No change.

(3) Only sanitizing agents found in Title 21, C.F.R., Code of Federal Regulations, Section 178.1010, revised as of April 1, 2025 April 1, 2015, hereby incorporated by reference, online at <https://flrules.org/gateway/reference.asp?No=Ref-18506> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07009~~, will be used at recommended levels in certified shellfish processing facilities.

(4) No change.

(5) No pests shall be allowed in any area of a certified shellfish processing facility. Effective measures shall be taken to exclude pests from the processing areas and to protect against the contamination of food on the premises by pests. The use of insecticides or rodenticides is permitted only under precautions and restrictions of product labeling.

(6) No change.

(7) Non-food contact surfaces of equipment used in the operation of certified shellfish processing facilities shall be cleaned as frequently as necessary to protect against contamination of food.

(8) through (12) No change.

(13) The facility supervisor or designated representative shall monitor the conditions and practices during processing to ensure, conformance with those conditions and practices specified in subsection 5L-1.005(8), paragraphs 5L-1.010(1)(a) and (b), subsections 5L-1.010(6) and (7), 5L-1.011(1), 5L-1.012(1)-(12), 5L-1.013(10)-(13), 5L-1.013(6), (7), (8), and (9) and 5L-1.014(7) 5L-1.014(5), F.A.C.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.015, Amended 7-3-95, 2-6-97, 6-23-99, Formerly 62R-7.015, Amended 8-9-00, 5-29-02, 3-23-17,_____.

5L-1.013 Facility Operation.

(1) The certified shellfish processing facility shall operate in accordance with the HACCP plan designed and approved by the owner or corporate officers and shall be made available upon request. If facilities, equipment or methods change, the Department must be notified and a modified HACCP plan must be submitted within 14 days of change.

(2) Prior to acceptance of shellstock from a licensed harvester, certified shellfish processing facility processor or aquaculturist, the certified shellfish processing facility processor will verify that the lot contains the species and quantity stated on the receiving record, ensure that shellstock are properly identified as specified in subsection 5L-1.007(2) ~~5L-1.007(3)~~, F.A.C. and, are clean, wholesome, and alive.

(3) Upon acceptance of shellstock from a licensed harvester, certified the shellfish processing facility processor and/or aquaculturist, the receiving certified shellfish processing facility processor shall determine the appropriate use of the shellfish through examination of shellfish labeling as follows:

(a) Shellfish which fails to meet the requirements of subsection 5L-1.008(9) ~~5L-1.008(7)~~, F.A.C., or is labeled in compliance with paragraph 5L-1.007(5)(j) ~~5L-1.007(6)(h)~~, F.A.C., shall only be shucked by a certified shucker-packer at the certified shellfish processing facility, or post harvest post-harvest processed by a certified shellfish processing facility using a validated and approved method, or shall undergo an alternative post harvest processing method to assure a safety level equivalent to product meeting subsection 5L-1.008(9) ~~5L-1.008(7)~~, F.A.C.

(b) Post harvest Post-Harvest pProcessing shall consist of those methods which have demonstrated through validation studies meeting the requirements of Section II, Chapter XVI of the NSSP Model Ordinance National Shellfish Sanitation Program, Guide for the Control of Molluscan Shellfish, 2023 2015, as incorporated in Rule 5L-1.001, F.A.C. Prior to initiating post harvest processing, a certified shellfish processing facility processor shall provide validation and obtain written approval from the Department.

(4) Shellfish shall be segregated by the certified shellfish processing facility processor in accordance with its intended use as determined in subparagraph 5L-1.008(9)(b)5. ~~5L-1.008(7)(a)4~~. and paragraphs 5L-1.013(3)(a) and (b), and identified as per subsection 5L-1.007(5) or (6), F.A.C. The harvester tag must be removed from each container and replaced with a certified shellfish processing facility's processor's tag prior to being shipped.

(5) No change.

(6) Shucking of shellfish – Shellfish shall be shucked in a manner such that they are not subjected to possible contamination. Only live shellfish shall be shucked.

(a) No change.

(b) Shucked meats shall be thoroughly drained, cleaned as necessary, and packed promptly after delivery to the packing room. Packing operations shall be scheduled and conducted so as to chill all meats to an internal temperature of ~~45°F~~ 45°F or less within two hours of delivery to the packing room. Shucked meats which are packed into containers having a capacity of more than one gallon shall be pre-chilled to ~~45°F~~ 45°F or less prior to packing.

(7) Shucked shellfish shall be held and transported at temperatures of ~~45°F~~ 45°F or less.

(8) through (9) No change.

(10) Records – Complete, legible, and accurate dated records of purchase and sale of all shellfish shall be kept by all certified shellfish processing facilities operating in the state. Records shall remain on file for not less than one year for fresh product and not less than two years for frozen product. Records shall be made available for the inspection and copying by the Department personnel during certified shellfish processing facility inspections. Records shall indicate:

(a) No change.

(b) ~~Harvesting~~ ~~Harvest~~ area, and for Florida shellfish the four digit code or name of harvesting harvest area found in subsection 5L-1.003(11), F.A.C. If shellfish are from aquaculture leases, then records shall indicate the aquaculture lease or parcel number. Aquaculture product must also include the aquaculture lease number;

(c) No change.

(d) ~~Harvest~~ Harvesting date;

(e) The date of receipt by the certified shellfish processing facility processor;

(f) Species and quantity;

~~(g)(f)~~ No change;

~~(h)(g)~~ No change,

~~(i)(h)~~ Transaction record indicating:

a. No change.

b. Temperature of shellfish at loading, or verification of adequate icing of shellfish at loading conveyance.

(11) No change.

(12) Production records shall be maintained for shucked meats which provide the amount of shellstock used, the harvesting harvest area, harvest date of the shellstock, and the amount of shucked meats produced.

(13) Production records shall be maintained for shellstock which provides for the amount of shellstock used, the harvesting harvest area, harvest date, harvest state, and the units of shellstock produced.

(14) Certified shellfish processing facilities Processors shall submit to the Department a monthly report of the volume of shellfish received from Florida ~~sShellfish h~~Harvesting a~~Areas~~ for each shellfish species. The report for each month will be due on the 15th day of the subsequent month. Quantity data shall include utilization type (raw, shucked, Post Harvest Processing).

(15) No change.

(16) Monitoring records of HACCP plan critical control points shall be maintained and reviewed at least weekly as specified in the certified shellfish processing facility's HACCP plan. Records shall be reviewed to ensure that the records are complete and to verify that they document values that are within the critical limits. The review shall occur weekly. The reviewed records shall be signed and dated by the owner, facility supervisor, or designated representative of the facility who and is knowledgeable of HACCP.

(17) Sanitation monitoring records shall be maintained for those ~~items conditions~~ identified in Rule 5L-1.012, F.A.C., per the schedule of the activity, e.g. daily, weekly, monthly.

(18) Whenever a deviation from a critical limit occurs, a certified shellfish processing facility processor shall take corrective action either by following a corrective action that is appropriate for the particular deviation, or by segregating and holding the affected product until a review can determine the acceptability of the affected product for distribution. Corrective actions include, when necessary, reconditioning, seizure, or destruction of affected product to ensure that no product enters commerce that is either injurious to health or is otherwise adulterated as a result of the deviation. Corrective action also include, when necessary, correcting the cause of the deviation. All corrective actions shall be documented in writing.

(19) Responsibility – It shall be the duty and responsibility of the owner, facility supervisor, or designated representative of a certified shellfish processing facility to ensure that all regulations pertaining thereto are strictly adhered to and that only safe, wholesome, unadulterated shellfish shall be produced. It shall be his or her duty and responsibility to see that the certified shellfish processing facility is properly supervised at all times and all shellfish can be identified, whether shellstock or shucked shellfish, to ensure that they were harvested from approved or conditionally approved harvesting harvest area in the open status and that they have been handled and processed in a sanitary manner.

Rulemaking Authority 379.2522, 597.020 FS. Law Implemented 379.2522, 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.016, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.016, Amended 8-9-00, 5-29-02, 7-29-08, 4-26-10, 3-23-17, 4-2-19, 9-5-19,_____.

5L-1.014 Heat Shock Method.

(1) No change.

(2) Temperature and change of dip water – During the heat shock process the water shall be maintained at a temperature not less than 145°F ~~145° F~~ or more than 150°F ~~150° F~~. An accurate indicating or recording thermometer shall be used during the heat shock process for temperature measurements. The water shall be completely drained or removed from the heat shock tank when it becomes dirty or at the end of each working day. ~~An accurate indicating or recording thermometer shall be used during the heat shock process for temperature measurements.~~

(3) through (5) No change.

(6) Refrigeration of heat shocked shellfish – Shucked meat from all shellstock which has been subjected to the heat shock process shall be cooled to an internal temperature of 45°F ~~45° F~~ or less within 2 hours after the heat shocking process. Shucked meats shall be immediately cooled by placing ice in shucking containers prior to and during the shucking process.

(7) No change.

(8) Shucker-packers may submit, for department review and written approval, a written processing schedule together with all validation and supporting documents for their alternative heat shock operation. The written processing schedule must address these factors:

(a) Establish that n~~No~~ changes in the physical and organoleptic properties of the species shall occur;

(b) Establish that the p~~Process~~ shall not kill the shellfish;

(c) Ensure that n~~No~~ increase in microbial deterioration of the shucked shellfish shall occur;

(d) through (i) No change.

(9) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.017, Amended 7-3-95, 2-6-97, Formerly 62R-7.017, Amended 8-9-00, 3-23-17, ____.

5L-1.015 Depuration and Wet Storage Facility Operations.

(1) All plans for construction or remodeling of depuration or wet storage facilities shall be reviewed and approved by the Department. Approval is contingent ~~contigent~~ upon the plan meeting the criteria in Rules 5L-1.005 and 5L-1.010, F.A.C.

(2) Operating procedures for conducting depuration or wet storage shall be reviewed and approved by the Department. Approval is contingent ~~contigent~~ upon the plan meeting the criteria in Rules 5L-1.005 and 5L-1.010, F.A.C.

(3) No change.

(4) Source of shellfish – Shellfish shall be accepted for treatment at a depuration ~~or wet storage~~ facility only from areas specified by the Department pursuant to Rule 5L-1.009, F.A.C. Shellfish shall be accepted for treatment at a wet storage facility

only from areas specified by the Department pursuant to Rule 5L-1.003, F.A.C. The facility supervisor or designated representative shall inspect all containers of untreated shellfish upon arrival at the depuration or wet storage facility to verify that they contain the species and quantity stated on the receiving record.

(5) Shellfish containers – Shellfish shall be accepted for depuration or wet storage treatment and released after treatment in clean containers only. All containers shall be constructed of non-absorbent and rust-proof material, and kept clean and free from foreign matter. Burlap bags or similar absorbent material shall not be used in the treatment tanks, nor for the transportation of shellfish from the certified shellfish processing facility.

(6) Culling – All untreated shellfish, prior to, or upon arrival at the certified shellfish processing facility, shall be thoroughly inspected and culled by personnel under the supervision of the facility supervisor or designated representative. All dead shellfish or shellfish in broken or cracked shells shall be destroyed. The facility supervisor or designated representative shall be responsible for the culling and the removal and disposal of dead shellfish or shellfish with broken or cracked shells both before and after treatment.

(7) through (8) No change.

(9) Shellfish treatment – All shellfish, upon receipt at the certified shellfish processing facility, shall be promptly treated or placed in controlled storage. Shellfish from an approved or conditionally approved harvesting harvest area which are to undergo wet storage shall be segregated from shellfish destined for depuration from a restricted or conditional restricted harvesting harvest area. Shellfish for wet storage shall be treated by a Department approved scheduled wet storage process (SWSP). Shellfish from restricted or conditionally restricted waters shall undergo a Department approved scheduled depuration process (SDP).

(10) No change.

(11) Treatment tank design specifications – W~~w~~ater flow must be maintained at a minimum of one gallon per minute per bushel of shellfish or the flow rate recommended by the disinfection systems manufacturer to attain the flow and volume necessary for maximum disinfection. System piping shall include backflow and back siphonage protective devices and be constructed for easy cleaning either directly or through gasket or compression joints.

(12) Ultraviolet (UV) Unit:

(a) Any UV unit used for the purification of water to be used in the treatment process shall provide the required treatment to achieve non-detectable coliform bacteria level for the duration of storage. The unit shall be designed to deliver, at peak load the flow rate recommended by the disinfection

system's ~~manufacturer systems manufactures~~ to attain the flow and volume necessary for maximum disinfection.

(b) Cautions and maintenance.

1. UV tubes shall either be checked for intensity on a monthly basis or the hours the tubes are used shall be tracked. The bulbs shall be replaced when they reach a point of 60% efficiency or upon the manufacturer's recommended maintenance schedule, which ever occurs first. A log of intensity or hours shall be kept and an orderly numbering procedure for UV units and bulbs established. A record of UV tube replacement shall be maintained. All records for UV units and bulbs shall be maintained for at least 2 years.

2. UV tubes and reflectors shall be kept cleaned. Cleaning shall be done with a clean damp cloth or sponge. A cleaning schedule shall be maintained, and cleaning activities shall be recorded on the sanitation record.

3. through 4. No change.

5. In deputation facilities a tamper-proof hour meter shall be installed in line with all UV units to measure continuity of operation as well as to measure bulb life. A log which documents meter readings taken at the beginning and end of each deputation cycle shall be maintained for each UV unit for at least 2 years.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.021, Amended 7-3-95, Formerly 62R-7.021, Amended 8-9-00, 3-23-17, 4-2-19,___.

5L-1.016 Deputation Shellfish Sampling Procedures.

(1) Start-up phase sampling procedures – When shellfish are delivered to the certified shellfish processing facility, the following schedule shall be followed:

(a) One or more shellfish samples (12 or more shellfish per sample) shall be collected for bacteriological ~~bacterial~~ examination before the shellfish are submitted to the treatment process.

(b) Three or more shellfish samples (12 or more shellfish per sample), randomly selected from 3 or more locations in each tank, shall be collected for bacteriological ~~bacterial~~ examination after 24 hours of deputation.

(c) Three or more shellfish samples (12 or more shellfish per sample), randomly selected from 3 or more locations in each tank, shall be collected for bacteriological ~~bacterial~~ examination after the shellfish have completed the treatment process.

(2) Routine Sampling Procedures.

(a) Start-up phase sampling procedures shall be followed until such time as the Department and the facility supervisor, after review of start-up phase results, determine that the shellfish are responding properly to the treatment process, and that the treatment process is successfully reducing bacterial levels in the shellfish and providing process water quality

pursuant to subsection 5L-1.017(1), F.A.C. After such a determination, the routine sampling procedures shall be followed. Written permission from the Department shall be obtained before the initiation of the following routine monitoring procedures:

1. One or more shellfish samples (12 or more shellfish per sample) shall be collected for bacteriological ~~bacterial~~ examination before the shellfish are submitted to the treatment process.

2. Three or more shellfish samples (12 or more shellfish per sample), randomly selected from each lot, shall be collected for bacteriological ~~bacterial~~ examination after 24 hours of deputation.

3. Three or more shellfish samples (12 or more shellfish per sample), randomly selected from each lot, shall be collected for bacteriological ~~bacterial~~ examination after 48 hours of deputation.

(b) In the event of the installation of a new laboratory, new laboratory equipment, employment of new laboratory personnel, initiation of new laboratory procedures, or the alteration of treatment procedures, the Department may require reinitiation of start-up phase sampling procedures until such time as the Department and the facility supervisor, after reviewing ~~review of~~ the results, determine that the laboratory and treatment procedures are providing valid results. Written permission from the Department shall be obtained before routine monitoring procedures are again followed.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.022, Formerly 62R-7.022, Amended 3-23-17,___.

5L-1.017 Water Treatment Standards.

(1) Deputation Water Treatment Standards.

(a) All controlled processes require quality tests to determine if standards are being met and if controls are effective. The deputation treatment of shellfish is a controlled process designed to reduce bacterial contamination to an acceptable level, as defined in subsection 5L-1.004(5), F.A.C. Wet storage is designed to enhance the product quality without degradation of market standards as defined in Rule 5L-1.004, F.A.C. To ensure ~~insure~~ the continuing effectiveness of the shellfish deputation treatment process, the minimum sampling procedure as described below shall be followed.

(b) through (c) No change.

(d) Bacteriological – All water to be used in shellfish treatment tanks shall be subjected to UV light treatment. The water discharged from the UV unit shall have no detectable levels of the coliform group as measured by the recognized multi-tube MPN test per 100 milliliters (ml) for potable water and acceptable for use with marine water and follow the protocol of the Decision Tree (Section IV. Guidance

Documents Chapter III .05), as stated in Section II Chapter VII .04 C (1)(f), of the NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C.

(e) through (f) No change.

(g) Turbidity – Turbidity in the treatment process water shall not exceed 20 NTU N.T.U. (Nephelos Turbidity Units) and shall be measured daily.

(h) through (k) No change.

(l) ~~Marine toxins (Karenia brevis)~~ – Levels of *Karenia brevis* in the incoming seawater and in the source water shall not exceed 1,000 cells/liter. Only Department personnel, or personnel approved by the Department, shall determine levels of *Karenia brevis*.

(m) Pseudo-nitzschia spp. – Levels of Pseudo-nitzschia spp. in the incoming seawater and in the source water shall not exceed 100,000 cells/liter. Only Department personnel, or personnel approved by the Department, shall determine levels of Pseudo-nitzschia spp.

(n) Pyrodinium bahamense – Levels of Pyrodinium bahamense in the incoming seawater and in the source water shall not exceed 333 cells/liter. Only Department personnel, or personnel approved by the Department, shall determine levels of Pyrodinium bahamense.

The following table provides a summary of the depuration treatment process water standards:

Table 1. DEPURATION TREATMENT PROCESS WATER STANDARDS		
Parameter	Minimum	Maximum
Bacteriological	0	Less than 1
Dissolved Oxygen (Milligrams/liter)	5.0	Saturation
Temperature	Suitable	Suitable
Turbidity (NTU Nephelos Turbidity Units)	0	20 NTU units
Salinity	Suitable	Suitable
Parameter	Minimum	Maximum
pH	7.0	8.4
Metallic Ions and Compounds	Not exceeding levels found in approved shellfish harvesting areas.	
Pesticides, Detergents and Radionuclides	Not exceeding levels found in approved shellfish harvesting areas.	
Marine Toxins (Karenia brevis)	0 cells/liter	1,000 cells/liter
<u>Pseudo-nitzschia spp.</u>	<u>0 cells/liter</u>	<u>100,000 cells/liter</u>

<u>Pyrodinium bahamense</u>	<u>0 cells/liter</u>	<u>333 cells/liter</u>
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(2) Wet Storage Treatment Standards.

(a) Wet storage of shellfish is done to enhance product quality of shellfish that have been harvested from ~~a~~Approved or ~~c~~Conditionally ~~a~~Approved shellfish ~~harvesting~~ harvest areas in the open status. Inland wet storage systems are classified by the Department as continuous flow through or recirculating systems. Continuous flow through systems have ~~a~~continuous flow of new water continuously passing through and exiting the wet storage system before being permanently discharged. Recirculating systems ~~reuse~~ recirculate system water for wet storage cycle. All inland wet storage requires the minimum sampling procedure as described below.

(b) Incoming seawater must be from an ~~a~~Approved or ~~c~~Conditionally ~~a~~Approved shellfish harvesting area in the open status.

(c) Bacteriological Standards – Source water shall be from a shellfish ~~harvesting~~ harvest area classified as ~~a~~Approved or ~~c~~Conditionally ~~a~~Approved and in the open status and any well water used as source water shall meet the requirements of Chapter XI .02 of the NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C., with the exception of salt content for salt water wells. Any source water meeting above standards and used in continuous flow through systems ~~does~~ ~~do~~ not require the use of additional UV sterilization. Well water from salt water wells must be sampled ~~every 6 months~~ semi-annually at a minimum. Water used in shellfish treatment tanks for recirculating wet storage systems shall be subjected to disinfection as provided by Department approved disinfection treatment. Systems using one or more UV light units must be rated for both the volume and flow used by the recirculating system. The water discharged from the disinfection treatment system shall have no detectable levels of the coliform group as measured by the recognized multi-tube MPN test per 100 ml for potable water and acceptable for use with marine water and follow the protocol of the Decision Tree (Section IV. Guidance Documents Chapter III .05), as stated in Section II Chapter VII .04 C (1)(f), of the NSSP Model Ordinance, as incorporated in Rule 5L-1.001, F.A.C.

(d) Turbidity – Water that is disinfected by UV light shall not exceed 20 NTU N.T.U. (Nephelos Turbidity Units).

(e) Wet storage ~~water sampling procedures~~ must meet the minimum requirements as stated in Section II, Chapter VII .04 C (2) or (3) of the NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C. ~~using recirculating systems requires the effluent from the disinfection treatment unit to be tested for coliform while in operation but not to exceed once per week.~~

(f) No change.

(3) Wet Storage Corrective Actions.

(a) Upon notification of a failing wet storage water sample facility management shall:

1. Assess the wet storage system, sample collection process, and source of the wet stored product to determine and correct the cause of the failure.

2. Collect and submit daily water samples from the wet storage system to a certified shellfish laboratory until sample results meet wet storage water quality standards. If the wet storage system is partially or fully disassembled as part of the assessment or corrective action, the Division must be notified and daily sampling will resume once the system is operational.

3. Trace all affected shellfish products that were wet stored on or after the collection date of the failing water sample. Raw shellfish products will be placed on hold for appropriate processing or destruction to remove public health risk.

4. Any affected shellfish products that were sold raw will be subject to recall if a significant public health risk exists.

(b) Upon notification that a wet storage water sample has failed the Lactose Broth Gas step of the water analysis, indicating the presence of microbiological growth, and has been transferred into the Brilliant Green growth medium to detect the presence of total coliform, facility management shall:

1. Place all affected shellfish products that were wet stored on or after the date of the water sample collection on hold until water analysis results are received.

2. Assess the wet storage system for any failures in the disinfection process or sources of contamination

(c) While affected shellfish products are on hold as required by subparagraph 5L-1.017(3)(b)1., F.A.C., facility management may sell affected shellfish products after an approved cook process before water sample results are received.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.024, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.024, Amended 8-9-00, 3-23-17, 4-2-19,_____.

5L-1.019 Laboratory Procedures and Sample Testing.

(1) Samples of shellfish, processing water, or ice, may be taken at any reasonable time or place by the Department and examined for compliance with sections of this chapter. Samples of shellfish shall be furnished by certified shellfish processing facilities ~~processors of such shellfish~~ upon request of the Department.

(2) Bacteriological ~~Bacterial~~ examinations of shellfish and seawater shall be conducted in accordance with Recommended Procedures for the Examination of Sea Water and Shellfish Fourth Edition, 1970, published by the American Public Health Association which is hereby incorporated herein by reference. Bacteriological examinations of seawater employing the fecal coliform Membrane Filter (MF) colony forming unit (CFU) procedure referenced in paragraph 5L-1.003(2)(b) and

subsection 5L-1.003(4), F.A.C., shall be conducted in accordance with Enumeration of fecal coliforms and *E. coli* ~~*E. coli*~~ in marine and estuarine waters: an alternative to the APHA-MPN approach written by Scott R. Rippey, Willard N. Adams, and William D. Watkins and published in the Journal Water Pollution Control Federation Volume 59, Number 8, pages 795 – 798, August 1987, which is hereby incorporated herein by reference. This procedure is terminated at the fecal coliform stage. The urease step is not required. The ~~materials~~ material incorporated in this section ~~are~~ is copyrighted ~~materials~~. It is a violation of federal copyright law to post the materials incorporated in this rule on the internet for public viewing. Accordingly, the materials are ~~material~~ that is available for inspection and examination at the Department of State, Administrative Code and Register Unit, The Capitol, 400 South Monroe Street, Room 701, Tallahassee, Florida, 32399 and at the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399.

(3) No change.

(4) The laboratory must be certified by the Department in accordance with Section IV, Chapter II, .12 of the NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.030, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.030, Amended 8-9-00, 8-17-04, 3-23-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Michelle Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Wilton Simpson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 29, 2026

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-8.0248 Excellence in Home Health

PURPOSE AND EFFECT: Rule 59A-8.0248 establishes the Excellence in Home Health award application form and processing timeframe, standards related to patient and client care satisfaction, independent contract training and retention and enforcement history.

SUMMARY: The Agency proposes to amend this rule based on HB 1353, Ch. 2025-127 L.O.F., to update standards and criteria adaptable to all types of home health agencies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 400.52, F.S.

LAW IMPLEMENTED: 400.52, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 10, 2026, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room B. You may also participate by dialing the Open Voice conference line, 1(850)792-4898, then enter the conference room number followed by the pound sign, 898 840 044#. The agenda and related materials can be found on the web at: <https://ahca.myflorida.com/health-quality-assurance/bureau-of-health-facility-regulation/rulemaking>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: HQARuleComments@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Fillyaw at (850)412-4402, or by email at: HQARuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-8.0248 Excellence in Home Health.

(1) Excellence in Home Health Award.

(a) To be considered for an Excellence in Home Health Award, a home health agency licensee eligible under section 400.52(3), F.S., must apply using the Application for Excellence in Home Health Award Application, AHCA Form 3110-9002, April 2026 January 2023, incorporated by reference and available at <http://flrules.org/Gateway/reference.asp?No=Ref-19597> or at <https://ahca.myflorida.com/health-quality-assurance/bureau-of-health-facility-regulation/laboratory-and-in-home-services/home-health-agencies> or at http://www.ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Lab_HomeServ/HHA/index.shtml.

(b) No Change.

(2) Initial application. An applicant for initial Excellence in Home Health award may apply during the following review periods:

(a) through (b) No change.

(c) Renewal application. An applicant for renewal of an Excellence in Home Health award designation must submit a completed application in conjunction with the home health agency's license renewal application.

1. Pursuant to section 400.52(4), F.S., the Excellence in Home Health award designation expires on the same date as the home health agency's license.

2. No change.

(d) through (f) No change.

(3) Minimum Award Criteria. In addition to the requirements of section 400.52(3), F.S., and the application form required by paragraph section (1)(a) of this rule, applicants for the Excellence in Home Health award must submit documentation demonstrating they meet and maintain the criteria and standards set forth in subsections (4) through (7) below. ~~the following:~~

~~(a) Development, maintenance and implementation of a Continuous Quality Improvement (CQI) program consistent with national industry standards that includes, at minimum:~~

~~1. Evidence based practices that address reduction of preventable, unplanned patient or client emergency care for wound infections resulting from, related to, or identified during the provision of home health services.~~

~~2. Evidence based practices that address reduction of preventable, unplanned patient or client admission or readmission to an acute care hospital resulting from, related to, or identified during the provision of home health services.~~

~~3. Evidence based practices that address patient improvement in the activities of daily living resulting from, related to, or identified during the provision of home health services.~~

~~4. Evidence based practices that address reduction of preventable medication errors resulting from, related to, or identified during the provision of home health services.~~

~~5. Evidence of a survey process to assess patient or client willingness to recommend the home health agency to family and friends.~~

~~6. Evidence of a survey process to assess patient or client satisfaction with communication and interaction between the home health agency and the patient or client and/or their representative(s).~~

~~7. Development of Quantitative metric tools to capture and calculate data, and assess risk for 1. through 6. above.~~

~~(b) Quantitative metric tools required by subsection (a)7. must include, at a minimum, quality measures to calculate the required data for the most recent 12 month period ending on the last business day of the most recent calendar quarter prior to application for the award. Data must demonstrate the applicant ranks within the following ranges compared to the current state wide average:~~

~~1. Average quality score which is at or above the top 95th percentile state wide for prevention of, unplanned patient or client emergency care for wound infections resulting from, related to, or identified during the provision of home health services.~~

~~2. Average quality score which is at or above the top 95th percentile state wide for prevention of, unplanned patient or client admission or readmission to an acute care hospital resulting from, related to, or identified during the provision of home health services.~~

~~3. Average quality score which is at or above the top 95th percentile state wide for patient improvement in the activities of daily living resulting from, related to, or identified during the provision of home health services.~~

~~4. Average quality score which is at or above the top 98th percentile state wide for prevention of medication errors resulting from, related to, or identified during the provision of home health services.~~

~~5. Average quality score which is at or above the top 90th percentile state wide survey of patient or client willingness to recommend the home health agency to family and friends.~~

~~6. Average quality score which is at or above the top 95th percentile state wide for survey of patient or client satisfaction with the communication and interaction between the home~~

~~health agency and the patient or client and/or their representative(s).~~

~~(c) Evidence of targeted employee in-service training by the home health agency.~~

~~(d) Evidence of the employee satisfaction process which demonstrates that information is obtained from employees concerning satisfaction with the home health agency.~~

~~(e) Stable Workforce. For the purposes of this rule, the term "direct care worker" means a certified nursing assistant, a home health aide, a personal care assistant, a companion services or homemaker services provider, or another individual who provides personal care as defined in section 400.462, F.S., to individuals who are elderly, developmentally disabled, or chronically ill. An applicant for the Excellence in Home Health Award must demonstrate a stable workforce according to the following:~~

~~1. Have a turnover rate no greater than 50 percent for the most recent 12 month period ending on the last workday of the most recent calendar quarter prior to submission of an application. The turnover rate is the total number of terminations or resignations of direct care workers and licensed nurses during the quarter divided by the number of direct care workers and licensed nurses employed at the end of the quarter; or~~

~~2. Have a stability rate indicating that at least 50 percent of its staff have been employed at the home health agency for at least one year. The stability rate is the total number of direct care workers and licensed nurses that have been employed for more than 12 months, divided by the total number of direct care workers and licensed nurses employed at the end of the quarter.~~

~~3. An applicant must submit evidence of an effective recruitment and retention program.~~

~~(4) Service Excellence. An accredited home health agency applying for the award must submit with the application the most recent accreditation survey report, including any plan of correction and follow up survey reports as evidence of compliance history.~~

~~(a) Skilled Care Home Health Agencies. A home health agency that provides skilled care services must maintain a quality assurance program that includes, at a minimum:~~

~~1. Evidence-based practices that address reduction of preventable, unplanned patient or client emergency care resulting from, related to, or identified during the provision of home health services.~~

~~2. Evidence-based practices that address reduction of preventable, unplanned patient or client admission or readmission to an acute care hospital resulting from, related to, or identified during the provision of home health services.~~

~~3. Evidence-based practices that address reduction of preventable adverse events resulting from, related to, or identified during the provision of home health services. For the~~

purpose of this rule, an “adverse event” means death; brain or spinal damage; permanent disfigurement; fracture or dislocation of bones or joints; limitation of neurological, physical, or sensory function; or an event that is reported to law enforcement or its personnel for investigation.

4. The home health agency shall submit a written summary of adverse events for the past 12 months with evidence of a proactive, system-focused monitoring program which utilizes a clear investigation and action plan to decrease the number of adverse events and improve patient care. This summary shall include unplanned emergency department visits for care and unplanned hospitalizations.

(b) Nonskilled Care Home Health Agencies. A home health agency that provides only nonskilled care services must maintain a quality assurance program that includes, at a minimum:

1. Evidence-based practices that address patient improvement in the activities of daily living resulting from, related to, or identified during the provision of home health services.

2. Evidence-based practices that address improvement in the quality of personal care services provided by the home health agency.

3. Evidence-based practices that address caregiver participation in maintaining patient or client emotional wellness through active listening, stress management, and social engagement.

4. The home health agency shall submit evidence from the past 12 months of measures to demonstrate quality of care, daily living support, personal care quality, and overall client well-being. The home health agency shall provide documentation of a proactive, system-focused monitoring program that demonstrates data-driven monitoring and goals, internal audits of documentation and caregiver performance, and staff training on best practices.

(5) Workforce Stability and Development. Termination.

(a) Evidence of targeted employee in-service training by the home health agency. Termination of the Excellence in Home Health Designation. An awarded licensee that fails to maintain eligibility pursuant to section 400.52(3), F.S., will be terminated from participation in the Excellence in Home Health Program and their award designation will be revoked.

(b) Evidence of the employee satisfaction process, including a survey, which demonstrates that information is obtained from employees concerning satisfaction with the home health agency. A licensee that has been terminated from the Excellence in Home Health program may reapply within the timeframes specified in section (2) of this rule and must meet all conditions necessary to be reconsidered for an Excellence in Home Health award.

(c) Stable Workforce. For the purposes of this rule, the term “direct care worker” means a certified nursing assistant, a home health aide, a personal care assistant, a companion services or homemaker services provider, or another individual who provides personal care as defined in section 400.462, F.S., to individuals who are elderly, developmentally disabled, or chronically ill. An applicant for the Excellence in Home Health Award must demonstrate a stable workforce according to the following: Denial of Excellence in Home Health Applicants. Prior to issuance of the award, any occurrence of the following will disqualify the licensee from continuing as an Excellence in Home Health applicant from the award process and the application will be denied:

1. Have a turnover rate no greater than 50 percent for the most recent 12 month period ending on the last workday of the most recent calendar quarter prior to submission of an application. The turnover rate is the total number of terminations or resignations of direct care workers and licensed nurses during the quarter divided by the number of direct care workers and licensed nurses employed at the end of the quarter; or The applicant fails to maintain eligibility pursuant to section 400.52(3), F.S.;

2. Have a stability rate indicating that at least 50 percent of its staff have been employed at the home health agency for at least one year. The stability rate is the total number of direct care workers and licensed nurses that have been employed for more than 12 months, divided by the total number of direct care workers and licensed nurses employed at the end of the quarter. The applicant fails to maintain the minimum award criteria according to section (3) of this rule; and/or

3. An applicant must submit evidence of an effective recruitment and retention program. The applicant fails to apply within the timeframes specified in section (2) of this rule.

(d) If the applicant meets criteria for denial at any time during the review process outlined in section (2) of this rule, AHCA will offer the opportunity for the applicant to withdraw the application.

(6) Patient or Client Satisfaction

(a) Evidence of a survey process to assess and measure patient or client willingness to recommend the home health agency to family and friends.

(b) Evidence of a survey process to assess and measure patient or client satisfaction with communication and interaction between the home health agency and the patient or client and/or their representative(s).

(c) The home health agency shall demonstrate an average satisfaction rate at 80% or above for communication and willingness to recommend the agency.

(7) Innovation in Care Delivery.

The home health agency must submit evidence of innovative strategies such as telehealth, artificial intelligence

(AI), remote patient monitoring, robotics, proactive and preventative personalized care models, and/or caregiver training programs developed and implemented within the past 12 months designed to:

(a) Improve patient or client convenience and outcomes.

(b) Reduce preventable, unplanned emergency care or hospitalizations resulting from, related to, or identified during the provision of home health services.

(c) Tailor training and skills to improve services to the specific care needs of each patient or client.

(8) Service Excellence Inspection Score.

(a) The Agency shall determine how a licensee applying for the Excellence in Home Health award demonstrates service excellence through a review of the inspection history.

(b) The Agency shall compute a Service Excellence inspection score in accordance with the Excellence in Home Health Methodology, which is located on the web at <https://ahca.myflorida.com/HHA-ExcellenceMethodology>.

(c) To be considered for a Excellence in Home Health award, the home health agency must achieve a Service Excellence inspection score of 50 points or less based on the facility's total score divided by the number of inspections in a 40-month window.

(d) Service Excellence scoring information may be obtained by contacting the Laboratory and In-Home Services Unit at HQAHomeHealth@ahca.myflorida.com, or from the Agency website at <https://ahca.myflorida.com/HHA>.

(9) An accredited home health agency applying for the award must submit with the application the accreditation survey reports from the past 40 months, including those conducted for the purpose of licensure or any complaint inspection, and any plans of correction and follow up survey reports as evidence of compliance history.

(10) Termination of the Excellence in Home Health Designation.

(a) An awarded licensee that fails to maintain eligibility pursuant to section 400.52(3), F.S., will be terminated from participation in the Excellence in Home Health Program and their award designation will be revoked. The occurrence of any one of the following events shall disqualify the licensee from continuing as a designated Excellence in Home Health award recipient:

1. The issuance of a citation for a Class I or Class II deficiency, or

2. The reissuance of a citation for an uncorrected Class III, IV, or unclassified deficiency.

(b) The correction of a disqualifying event does not cause the Excellence in Home Health Program designation to be reinstated.

(c) A licensee that has been terminated from the Excellence in Home Health program may reapply within the timeframes

specified in subsection (2) of this rule and must meet all conditions necessary to be reconsidered for an Excellence in Home Health award.

(d) Termination of Excellence in Home Health Applicants. Prior to issuance of the award, the occurrence of any of the following events will disqualify the licensee from continuing as an Excellence in Home Health applicant from the award process and the application will be denied:

1. The applicant fails to maintain eligibility pursuant to section 400.52(3), F.S.;

2. The applicant fails to maintain the minimum award criteria according to subsection (3) of this rule;

3. The applicant fails to meet the minimum inspection score according to subsection (8) of this rule; or

4. The applicant fails to apply within the timeframes specified in subsection (2) of this rule.

(e) If the applicant meets criteria for denial at any time during the review process outlined in subsection (2) of this rule, AHCA will offer the opportunity for the applicant to withdraw the application.

Rulemaking Authority 400.52 FS. Law Implemented 400.52 FS. History—New 7-25-23, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kelli Fillyaw

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 31, 2025

DEPARTMENT OF MANAGEMENT SERVICES

State Retirement Commission

RULE NOS.: RULE TITLES:

60R-1.0047 Burden of Proof

60R-1.00481 Medical Evidence

PURPOSE AND EFFECT: The Commission proposes a rule amendment that clarifies the types of hearings for which the Division of Retirement has the burden of proof before the State Retirement Commission and the medical evidence for retirement eligibility.

SUMMARY: To update and clarify the rule regarding the burden of proof before the State Retirement Commission and the medical evidence for retirement eligibility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 121.024, 121.24 FS.

LAW IMPLEMENTED: 120.569, 120.57, 121.0515, 121.091, 121.23 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Morales, Commission Clerk, State Retirement Commission, 3189 Blair Stone Road, Tallahassee, FL 32301, (850)487-1082 or by email at Julie.Morales@dms.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

60R-1.0047 Burden of Proof.

In cases concerning applications for disability retirement benefits, or special risk membership, the burden of proof shall be on the member seeking to show entitlement to such benefits. In cases concerning reexamination of members receiving disability retirement benefits or reexamination of special risk members, or in cases where disability retirement benefits were terminated by the Division due to a member’s concurrent reemployment, the burden of proof shall be on the Division which is seeking to discontinue the benefit. In the case of hearings to review the Department’s denial of specification of a class for special risk membership, the burden of proof shall be on the employing agency. ~~This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.~~

Rulemaking Authority 121.24(5) FS. Law Implemented 120.569, 120.57(4), 121.0515, 121.091(4), 121.23 FS. History–New 8-19-87, Section 22J-1.0047 was formerly subsection (4) of 22J-1.005, Amended 8-12-91, Formerly 22J-1.0047, Amended 1-7-24,___.

60R-1.00481 Medical Evidence.

(1) through (6) No Change.

~~(7) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.~~

Rulemaking Authority 121.024(5) FS. Law Implemented 120.569, 120.57(4), 121.091, 121.23 FS. History–New 9-30-93, Amended 10-6-99, 4-20-04, 8-25-21, 1-7-24,___.

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Retirement Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Retirement Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 31, 2026

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.: RULE TITLE:

61B-22.005 Reserves

PURPOSE AND EFFECT: The proposed rulemaking amends Rule 61B-22.005 to implement changes based on the passage of Section 718.112(2)(f), F.S., particularly regarding the requirement of a Structural Integrity Reserve Study (“SIRS”). The amendments also outline requirements for proposed alternative funding methods to satisfy the association’s reserve funding allocations, pursuant to 718.103(1), F.S.

SUMMARY: Rule 61B-22.005, F.A.C. sets forth the requirements for reserves for expenditures and deferred maintenance, including calculating the required amount of reserve funds, timely funding, and restrictions on use.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the Agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 718.501(1)(g), F.S.

LAW IMPLEMENTED: 718.112(2)(f), 718.501, 718.618 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Madison Presley, Senior Paralegal, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1415. Madison.presley@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-22.005 Reserves.

(1) Reserves required by statute. Reserves required by ~~Sections~~ Section 718.112(2)(f) and (g), Florida Statutes, for capital expenditures and deferred maintenance must including roofing, painting, paving, and any other item for which the deferred maintenance expense or replacement cost exceeds \$10,000 shall be included in the association's budget. For the purpose of determining whether the deferred maintenance expense or replacement cost of an item exceeds \$10,000, the association may consider each asset of the association separately. Alternatively, the association may group similar or related assets together. For example, an association responsible for the maintenance of two swimming pools, each of which will separately require \$6,000 of total deferred maintenance, may establish a pool reserve, but is not required to do so.

(a) For a residential condominium that is not required to complete a structural integrity reserve study ("SIRS") pursuant to Section 718.112(2)(g), Florida Statutes, the association shall determine whether the deferred maintenance expense or replacement cost of an item exceeds the minimum reserve threshold published by the Division on its website for each respective calendar year. In accordance with Section 718.112(2)(f), Florida Statutes, the Department shall adjust the threshold yearly based on inflation. The association shall consider each line-item asset of the association separately.

(b) For a residential condominium required to perform a SIRS, the SIRS must identify the items that must be reserved for in accordance with Section 718.112(2)(g), Florida Statutes.

(2) Commingling operating and reserve funds. Associations that collect operating and reserve assessments as a single payment shall not be deemed considered to have commingled such the funds, provided the reserve portion of the payment is transferred to a separate reserve account, or accounts, within 30 calendar days from the date such funds

were deposited.

(3) Calculating reserves required by statute. ~~Reserves for deferred maintenance and capital expenditures required by Section 718.112(2)(f), Florida Statutes, shall be calculated using a formula that will provide funds equal to the total estimated deferred maintenance expense or total estimated replacement cost for an asset or group of assets over the remaining useful life of the asset or group of assets. Funding formulas for reserves required by Section 718.112(2)(f), Florida Statutes, shall be based on either a straight-line accounting method or a pooled reserve accounting method, containing an separate analysis of each of the required line item assets or a pooled analysis of two or more of the required assets.~~

(a) For a residential condominium that is not required to complete a SIRS, reserves for deferred maintenance and capital expenditures required under Section 718.112(2)(f), Florida Statutes, must be calculated using a formula that allocates the total estimated deferred maintenance expense or replacement cost of a line item asset evenly over the asset's remaining useful life on an annual basis. The association shall annually evaluate whether the total deferred maintenance expense or replacement cost of each line item requires adjustment for maintenance or replacement purposes. The association must maintain funding that keeps the reserve balance above zero, unless properly waived or reduced in accordance with Section 718.112(2) F.S and this rule.

(b) For a residential condominium required to complete a SIRS pursuant to Section 718.112(2)(g), Florida Statutes, the reserve amount for each item identified in the SIRS must align with the amount listed in the most recently completed SIRS as prescribed in this rule.

(c)(a) Straight-line Method: If the association maintains separate reserve accounts for each of the required assets, the amount of the current year contribution to each reserve account shall be the sum of the following two calculations:

1. No change

2. The total estimated deferred maintenance expense or estimated replacement cost of the reserve asset less the estimated balance of the reserve account as of the beginning of the period for which the budget will be in effect. The remainder, if greater than zero, shall be divided by the estimated remaining useful life of the asset. The required annual funding amount formula is the estimated total replacement cost or deferred maintenance expense of the asset, minus the current reserve balance, divided by the remaining useful life of the asset. The formula may be adjusted each year for changes in estimates and deferred maintenance performed during the year and may consider factors such as inflation and earnings on invested funds.

(d)(b) Pooled Method: If the association maintains a pooled account of two or more of the required reserve assets, the

amount of the contribution to the pooled reserve account as disclosed on the proposed budget shall be not less than that required to ensure that the balance on hand at the beginning of the period for which the budget will go into effect plus the projected annual cash inflows over the remaining estimated useful lives of all of the assets that make up the reserve pool are equal to or greater than the projected annual cash outflows over the remaining estimated useful lives of all of the assets that make up the reserve pool, based on the current reserve analysis. The projected annual cash inflows may include estimated earnings from investment of principal. The reserve funding formula shall not include any type of balloon payments or other financing arrangements that results in a one-time payment that exceeds the standard payment amounts found on the reserve schedule, at any point of the assessment replacement term or period. In addition, pooled reserve funding schedules may not be structured in a manner that defers reserve contributions for the purpose of reducing current assessments or in a way to increase current contributions to offset or reduce future assessments. Rates of change in funding over the course of the reserve schedule may be increased or decreased to account for inflation or deflation but shall not exceed the annual inflation or deflation amount according to the Consumer Price Index for Urban Consumers or final demand for individual commodities according to the Consumer Price Index. The association may deviate from these limits when changes in the market price of materials substantially impact projected costs, provided such changes are supported by objective data from a State of Florida, federal government entity, or the Federal Reserve System.

(e) An association may change the method of accounting for statutory reserves between straight-line and pooled accounting without a vote of the unit owners, provided that such change does not alter the original authorized purpose, the required level of funding, or the restricted use of reserve funds.

1. An association may change the reserve accounting method in a manner that requires the reclassification or redistribution of reserve balances between reserve components without a vote of the unit owners only if:

a. All transferred funds remain restricted for reserve purposes authorized under Sections 718.112(2)(f) and (g), Florida Statutes;

b. The total amount of reserve funding is not reduced;

c. No reserve funds are applied to a purpose other than the repair or replacement of reserve components;

d. The change and any resulting reserve balances are clearly disclosed in the association's financial reports and adopted budget; and

e. Immediately preceding the conversion from pooled reserve accounting to straight-line reserve accounting, any interest earned on reserve funds held in the pooled reserve account shall be allocated among the reserve components in

proportion to each component's share of the current pooled reserve principal balance, as reflected in the association's accounting records.

2. A vote of the unit owners is required if a change in the reserve accounting method results in any of the following:

a. The reduction or elimination of reserve funding for any reserve component;

b. The use of reserve funds for any purpose not originally approved by the unit owners; or

c. The transfer or reallocation of reserve funds in a manner that constitutes a waiver, reduction, or repurposing of reserves under Section 718.112(2)(f), Florida Statutes.

3. This rule is intended solely to clarify when a change between pooled and straight-line reserve accounting constitutes a change in accounting method, as opposed to a substantive change to reserve funding levels, purposes, or permitted uses. Nothing in this rule shall be construed to expand, restrict, or otherwise alter the statutory authority of the board of administration or the unit owners under Chapter 718, Florida Statutes.

(4) Estimating reserves that are not required by statute. Reserves that are not required by Sections Section 718.112(2)(f) or (g), Florida Statutes, or where a formula is not required by this rule, are not required to be based on any specific formula.

(5) Estimating non-converter reserves when the developer is funding converter reserves. For the purpose of estimating non-converter reserves, the estimated fund balance of the non-converter reserve account related to any asset for which the developer has established converter reserves pursuant to Section 718.618, Florida Statutes, shall be the sum of:

(a) and (b) No change

(c) For a residential condominium required to perform a SIRS and where the age of the building is at least ten years based on the original certificate of occupancy, the developer must reserve for items listed in Section 718.112(2)(g), Florida Statutes.

(6) ~~Timely funding. Reserves included in the adopted budget are common expenses and must be fully funded unless properly waived or reduced.~~ Reserves shall be funded in at least the same frequency that assessments are due from the unit owners (e.g., monthly or quarterly).

(7) ~~Restrictions on use and waiver. In a multicondominium association, no vote to allow an association to use reserve funds for purposes other than that for which the funds were originally reserved shall be effective as to a particular condominium unless conducted at a meeting at which the same percentage of voting interests in that condominium that would otherwise be required for a quorum of the association is present in person or by proxy, and a majority of those present in person or by limited proxy, vote to use reserve funds for another purpose.~~

~~Expenditure of unallocated interest income earned on reserve funds is restricted to any of the capital expenditures, deferred maintenance or other items for which reserve accounts have been established.~~

(a) Restrictions on use and waiver by residential associations.

1. A residential condominium that is not required to complete a SIRS pursuant to Section 718.112(2)(g), Florida Statutes, may waive or reduce reserves pursuant to Section 718.112(2)(f), Florida Statutes. Any vote to waive or reduce reserves components for any assets not included in Section 718.112(2)(g), Florida Statutes, shall not be effective for more than one annual budget. Pursuant to Section 718.112(2)(f), Florida Statutes, the members of a unit-owner controlled association may, by a majority vote of the total voting interests at a duly noticed and properly held meeting of the association, determine to provide no reserves or less than fully funded reserves for reserve components that are not listed in Section 718.112(2)(g), Florida Statutes.

2. Assessments for any period during which an association does not have an adopted budget in effect must include the full statutory reserve funding amounts, regardless of whether they were previously waived or reduced. The required reserve funding amount shall be the amount that was previously waived or reduced in the immediately preceding budget.

3. Expenditure of unallocated interest income earned on reserve funds is restricted to any of the capital expenditures, deferred maintenance or other items for which reserve accounts have been established.

(b) Restrictions on use and waiver by multicondominium associations.

1. In a multicondominium association, a vote to allow an association to use reserve funds for purposes other than that for which the funds were originally reserved shall not be effective as to a particular condominium unless conducted at a meeting at which the same percentage of voting interests in that condominium which would otherwise be required for a quorum of the association is present in person or by limited proxy, and a majority vote of all the total voting interests of the association, vote to use reserve funds for another purpose. Expenditure of unallocated interest income earned on reserve funds is restricted to any of the capital expenditures, deferred maintenance or other items for which reserve accounts have been established.

2. Regarding multicondominium associations, no association may waive or reduce reserve funding unless an alternative funding method has been approved by the Division, as provided herein. No waiver or reduction is effective as to a particular condominium unless conducted at a meeting at which the same percentage of voting interests in that condominium that would otherwise be required for a quorum of the association is present, in person or by limited proxy, and a

majority of all the total voting interests of the association casts a vote.

(c) Nothing in this subsection shall be construed to permit the waiver or reduction of reserves required under Section 718.112(2)(g), Florida Statutes.

(8) Alternative Funding Method (AFM). An alternative funding method can only be used by a multicondominium association. An AFM must be submitted to the Division at least one hundred twenty (120) days before the meeting at which the annual budget is to be adopted and must demonstrate that it reasonably ensures the association will fully satisfy its reserve funding obligations in accordance with Sections 718.112(2)(f) and (g), Florida Statutes. The proposed AFM must be submitted to the Division through the association's online account required by Section 718.501(3), Florida Statutes. Annual vote required to waive reserves. Any vote to waive or reduce reserves for capital expenditures and deferred maintenance required by Section 718.112(2)(f)2., Florida Statutes, shall be effective for only one annual budget. Additionally, in a multicondominium association, no waiver or reduction is effective as to a particular condominium unless conducted at a meeting at which the same percentage of voting interests in that condominium that would otherwise be required for a quorum of the association is present, in person or by proxy, and a majority of those present in person or by limited proxy vote to waive or reduce reserves. For multicondominium associations in which the developer is precluded from casting its votes to waive or reduce the funding of reserves, no waiver or reduction is effective as to a particular condominium unless conducted at a meeting at which the same percentage of non-developer voting interests in that condominium that would otherwise be required for a quorum of the association is present, in person or by proxy, and a majority of those present in person or by limited proxy vote to waive or reduce reserves.

(a) Prior to submitting an AFM, a multicondominium association must complete the following and provide proof of completion to the Division:

1. An accountant, certified financial planner, or a person certified as a reserve specialist or professional reserve analyst by the Community Associations Institute or the Association of Professional Reserve Analysts must certify that the proposed alternative funding method is reasonably expected to fully satisfy the association's reserve funding obligations, as required by Sections 718.112(2)(f) and (g), Florida Statutes, through the allocation of funds in the annual operating budget.

2. An attorney hired by the association must review and approve the proposed alternative funding method prior to submission to the Division.

(b) Within thirty (30) days of receiving a complete submission, the Division shall notify the association in writing of any deficiencies. The association has fifteen (15) days from

the Division's notification of deficiencies to correct such deficiencies and submit the updated AFM. Failure to submit corrections within fifteen (15) days renders the submission incomplete and the AFM must be resubmitted.

(c) Submission of an AFM to the Division and any notification of deficiencies are for purposes of determining compliance with Chapter 718, Florida Statutes, and this rule.

(d) Following submission to the Division, the proposed AFM must be approved by a majority of the members of the association's governing board. Such approval must be reflected in the official minutes of the meeting at which the vote was taken.

(9) Structural Integrity Reserve Study. A Structural Integrity Reserve Study includes a Full Structural Integrity Reserve Study, Update with Site Visit, Financial Update Without Site Visit. All SIRS, including any updates or amendments, must be properly completed using the current DBPR Form CO 6000-10, Structural Integrity Reserve Study (SIRS) Form, incorporated herein by reference <http://flrules.org/Gateway/reference.asp?No=Ref-19575> and effective May 2026 on the Division's website.

(a) The ten (10) year statutory requirement for the completion of a SIRS by a residential condominium association, as provided within Section 718.112(2)(g), Florida Statutes, shall only be satisfied by the completion of a Full Reserve Study encompassing all statutory items and requirements identified in that subsection. Residential condominium associations subject to Section 718.112(2)(g), Florida Statutes, must complete a Full Structural Integrity Reserve Study at least once every ten (10) years.

(b) Updates to SIRS and visual inspection requirements.

1. A residential condominium association may update the reserve schedule portion of a SIRS without conducting a new visual inspection if the SIRS with the most recent visual inspection was completed within the preceding 36 months and the update is limited to changes in reserve funding amounts, or the estimated replacement cost of reserve items. An update required under Section 718.112(2)(g)4.c., Florida Statutes, that solely relates to changes in the association's funding method, including special assessments, the securing of a line of credit, or loan, does not require a new visual inspection.

2. A visual inspection is required when updating a SIRS if, since the last visual inspection any incident or disaster at the condominium property that may reasonably be expected to affect the structural integrity or life-safety systems of the building has occurred.

3. If the estimated remaining useful life of a reserve item changes due to a repair or replacement of the reserve item, the association's next SIRS shall include a visual inspection of the reserve item.

4. SIRS that are updated due to a change in the remaining

useful life of a specific reserve item shall not alter the estimated remaining useful life of other items unless a visual inspection of the affected item is performed.

5. An association must obtain an updated SIRS if the projected year-end reserve balance for any fiscal year differs from the projected year-end reserve balance in the most recent SIRS by an amount equal to or exceeding one hundred percent of the association's most recent annual cash inflows to reserves.

6. An association must obtain an updated SIRS if the completion of a repair, replacement, or maintenance of an item included in the SIRS deviates from the schedule in the SIRS by more than two years, either earlier or after the anticipated date listed in the most recent SIRS.

(c) Completed SIRS and distribution requirements.

1. For purposes of this rule, a completed SIRS is the version of the study that has been signed, dated, and delivered to the association by the licensed professional or qualified company that performed the SIRS.

2. The association must distribute or otherwise make available the completed SIRS to unit owners, and must file notice with the Division pursuant to subparagraphs 718.112(2)(g)11. and 12., Florida Statutes. Preliminary drafts or revisions prepared for internal board review do not constitute a completed SIRS for purposes of this rule. The association must file notice of completion of SIRS and Affidavit of Acknowledgement using DBPR Form 6000-11, Affidavit of Acknowledgement, incorporated herein by reference <http://flrules.org/Gateway/reference.asp?No=Ref-19576> and effective May 2026, to the Division through the association's online account, as required pursuant to Section 718.501(3), Florida Statutes.

3. If, following an update made pursuant to this rule, a completed SIRS is subsequently amended, replaced, or the reserve schedule is modified, the association must again comply with subparagraphs 718.112(2)(g)11. and 12., Florida Statutes, if such amendment, replacement, or modification materially affects the estimated remaining useful life, estimated replacement cost or deferred maintenance expense of any reserve item, or alters the overall reserve funding schedule, reserve funding requirements of any item required to be included in the study, results in reserve items meeting or exceeding the statutory reserve threshold, or adds or removes items from the SIRS.

(d) An association is required to implement and fund reserves in accordance with the most recent SIRS, and shall not alter or otherwise manipulate the findings of the SIRS, including the estimated remaining useful life or cost of repair or replacement of reserve items, or any other determinations contained in the SIRS.

(10) Each association required to complete a SIRS shall complete and submit the Structural Integrity Reserve Study

(SIRS) Reporting form available on the association's online account with the Division for each study completed for the association.

(11) Statutory references in this rule are to the Florida Statutes, as amended, including any subsequent renumbering of statutory provisions.

Rulemaking Specific Authority 718.501(1)(g)(f) FS. Law Implemented 718.103(1), 718.112(2)(f), 718.112(2)(g), 718.501, 718.618 FS. History—New 7-11-93, Formerly 7D-22.005, Amended 12-20-95, 1-19-97, 12-18-01, 12-23-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Madison Presley, Senior Paralegal, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1415. Madison.presley@myfloridalicense.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melanie S. Griffin, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 12, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 18, 2025

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-31.003
RULE TITLE: Design of Structures Utilizing Prefabricated Wood Trusses

PURPOSE AND EFFECT: The Board proposed a rule amendment to update the incorporated reference for design of structures utilizing prefabricated wood trusses.

SUMMARY: The proposed rule amendment updates the incorporated reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit

opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 471.008, 471.033 FS.

LAW IMPLEMENTED: 471.033 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail, ZRaybon@fbpe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-31.003 Design of Structures Utilizing Prefabricated Wood Trusses.

(1) When a Structural Engineer of Record and a Delegated Engineer exist as may be determined by applicable Florida law, the apportionment of responsibilities between the Structural Engineer of Record and a Delegated Engineer shall be as set forth in Chapter 2 of ANSI/TPI 1-2022+2014, National Design Standard for Metal Plate Connected Wood Truss Construction, which standard is incorporated herein by reference, wherein the Structural Engineer of Record is the Building Designer and the Delegated Engineer is the Truss Designer as those terms are defined in said standard. The material incorporated is copyrighted material and may be ordered from the Truss Plate Institute, 2670 Crain Highway, Suite 203, Waldorf MD 20601; it is also available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2400 Mahan Drive, FL 32308.

(2) through (5) No Change.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033(1)(g) FS. History—New 1-26-93, Formerly 21H-31.003, Amended 6-16-99, 3-21-01, 4-30-03, 10-25-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2026
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 27, 2026

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.700 Compounding

PURPOSE AND EFFECT: The Board proposes a rule amendment to update outdated language in the text.

SUMMARY: To update outdated language in the text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003, 465.0155, 465.0265, 465.0276(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Traci Zeh, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee,

Florida 32399-3258; (850)488-0595 or by email at info@Floridaspharmacy.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.700 Compounding.

(1) through (2) No change.

(3) Veterinary office use compounding, “Office use” means the provision and administration of a compounded drug to a patient by a veterinarian, veterinarian assistant, or veterinarian technician in the practitioner’s office and the administration of a compounded medication by a veterinarian to a patient outside the office for veterinary use only. A pharmacist may dispense and deliver a quantity of a compounded drug to an aforementioned practitioner for veterinary office use by the practitioner in accordance with this section provided:

(a) through (d) No Change.

(e) The pharmacy shall maintain readily retrievable records of all compounded drugs ordered by practitioners for office use. The records must be maintained in accordance with Rule 64B16-28.140, F.A.C., be readily retrievable within 72 hours and shall include:

1. through 4. No Change.

5. The lot number and the expiration date of each component of the formulation beyond use date.

(f) No Change.

(4) No Change.

Rulemaking Authority 465.005 FS. Law Implemented 465.003, 465.0155, 465.0265, 465.0276(5) FS. History—New 10-1-92, Formerly 21S-27.700, 61F10-27.700, 59X-27.700, Amended 11-2-03, 10-7-08, 3-21-13, 6-22-14, 1-28-18, 4-9-25, 3-10-26,___

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 12, 2026

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.: RULE TITLES:

68D-23.104 Permits Required; Application for Permits

68D-23.106 Marker Placement Requirements

68D-23.112 Exemptions

PURPOSE AND EFFECT: The proposed rule amendments will replace the outdated permit application form with information about the Commission’s newly implemented FWC Online

Permitting System (FOPS) and update the waterway marker location coordinate format to conform to the requirements of that system.

SUMMARY: With the proposed rule amendments, the application will be updated and available online and waterway marker locations will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 327.04, 327.40, 327.41, 327.46, 379.2431, FS.

LAW IMPLEMENTED: 327.40, 327.41, 327.46, 379.2431, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lt. Colonel William Holcomb, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399, William.Holcomb@myfwc.com, and (850)488-6251.

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-23.104 Permits Required; Application for Permits.

(1) No change.

(2) Any person, municipality, county, or other governmental entity desiring to place a marker shall apply to the Boating and Waterways Section for a on the Florida Uniform Waterway Marker permit through the Fish and Wildlife Conservation Commission Online Permit System (FOPS) Application form, FWCDLE 153 (07/2010), which is adopted and incorporated herein by reference. A link to this system can be found on Application forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and

~~Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399 1600 or waterway.management@myfwc.com or by downloading the application from the Commission website at:~~ <https://myfwc.com/boating/waterway/markers/>

~~https://www.myfwc.com/boating/waterways/markers.~~ A document encompassing the content of the application, titled “Florida Uniform Waterway Marker Permit Application Transcript” (Form FWCDLE 153A (11/2025)), which is hereby incorporated by reference, is available to be viewed at <http://flrules.org/Gateway/reference.asp?No=Ref-19610>. Each application must include:

(a) through (b) No change.

(c) A statement of the specifications for the markers proposed, including:

1. through 4. No change.

5. The latitude and longitude of the location where each marker will be placed, expressed in decimal degrees and ~~decimal minutes~~ and referenced to the WGS-84 datum.

(d) through (f) No change.

Rulemaking Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History—New 12-23-01, Amended 10-5-06, 10-6-10, 7-16-24,_____.

68D-23.106 Marker Placement Requirements.

(1) All persons placing or maintaining in place any markers must comply with the following requirements:

(a) through (b) No change.

(c) Upon completion of the installation of markers, the permittee must notify the Boating and Waterways Section in writing within 30 days. If the latitude and longitude of each marker, as installed, is different from that listed in the application, this notification must include the correct latitude and longitude in decimal degrees ~~and decimal minutes~~ as referenced to the WGS-84-datum along with a request for the permit to be amended.

(d) through (i) No change.

(2) through (5) No change.

Rulemaking Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 327.70 FS. History—New 12-23-01, Amended 10-5-06, 10-6-10, 7-16-24,_____.

68D-23.112 Exemptions.

(1) through (2) No change.

(3) Every regulatory marker without a properly displayed permit number, in place in, on or over the waters of the state or shores thereof is declared a nuisance. The division and its officers and all other law enforcement officers charged with the enforcement of Chapter 327, F.S., have the authority to remove or cause the removal of any unpermitted regulatory marker. Markers authorized by the former Florida Department of Natural Resources prior to January 1, 1988, for which no permit

number was assigned shall be issued a permit number upon receipt by the Boating and Waterways Section of the following:

- (a) No change.
- (b) A statement of the specifications for the markers, including:
 - 1. through 2. No change.
 - 3. The latitude and longitude coordinates in decimal degrees and decimal minutes of the location of each marker and the datum in which those coordinates are expressed,
 - 4. No change.
 - (4) through (5) No change.

Rulemaking Authority 327.04, 327.40, 327.41, 327.71 FS. Law Implemented 327.40, 327.41, 327.46, 327.71, 379.2431 FS. History—New 12-23-01, Amended 10-5-06, 10-6-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lt. Colonel William Holcomb, Division of Law Enforcement, Boating and Waterways Section
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 6, 2025
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 25, 2025

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER26-30 Payment of Prizes

SUMMARY: This emergency rule sets forth the provisions for the Florida Lottery’s payment of Lottery prizes.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva A. Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER26-30 Payment of Prizes.

(1) GENERAL. To be eligible to receive a prize, all requirements established by the Florida Lottery to validate the

prize claim for a winning ticket must be met. Upon determination of such requirements being met, payment shall be made in accordance with the applicable provisions of this rule, the applicable Lottery game rule, and federal and state law.

(2) CLAIMING PRIZES. For purposes of this rule, the provisions for claiming a prize as set forth in Section 24.115(1), Fla. Stat., will be deemed satisfied upon the claimant meeting the following requirements:

(a) Draw Game Prizes.

1. For Draw game prizes, the claimant must submit the winning Draw game lottery ticket for validation at a Florida Lottery (or “Lottery”) office or retailer on or before the 180th calendar day after the winning draw date. Winning Draw game lottery tickets submitted to the Lottery by mail for validation must be addressed to any Lottery office in an envelope postmarked on or before the 180th calendar day after the winning drawing.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated winning Draw game lottery ticket, along with the documents specified in paragraph (9)(c), as applicable, for prize payment at a Lottery office on or before the 210th calendar day after the winning drawing. If the claimant chooses to submit the validated winning Draw game lottery ticket for prize payment by mail, the ticket and all required documents must be sent to any Lottery office, and received by the Lottery, on or before the 210th calendar day after the winning drawing. Failure of a claimant to submit all required documentation, and receipt by the Lottery thereof, on or before the 210th calendar day after the winning drawing shall result in forfeiture of the prize.

(b) Scratch-Off Game Prizes.

1. For Scratch-Off game prizes, the claimant must submit the winning Scratch-Off ticket for validation at a Lottery office or retailer on or before the 60th calendar day after the official end of the game. Winning Scratch-Off tickets submitted to the Lottery by mail for validation must be addressed to any Lottery office in an envelope postmarked on or before the 60th calendar day after the official end of the game.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated winning ticket, along with the documents specified in paragraph (9)(c), as applicable, for prize payment at any Lottery office on or before the 90th calendar day after the official end of the game. If the claimant chooses to submit the validated winning ticket for prize payment by mail, the ticket and all required documents must be sent to any Lottery office, and received by the Lottery, on or before the 90th calendar day after the official end of the game. Failure of a claimant to submit all required documentation, and receipt by the Lottery thereof, on or before the 90th calendar day after the official end of the game shall result in forfeiture of the prize.

(3) TICKET SUBMISSION AND PAYMENT.

(a) Winning tickets of any value, along with the documents specified in paragraph (9)(c), as applicable, may be submitted or mailed to any Lottery office. Should the player use a mailing service (U. S. Mail, FedEx, UPS, etc.), the risk of mailing remains with the winner. The Lottery is not responsible for delays in mailing or lost/stolen mail.

(b) A claimant must submit for validation an original winning ticket or an original winning continuation ticket, if issued, to the Lottery or to a retailer to claim a prize, except as provided below.

(c) No Original Winning Ticket or Original Winning Continuation Ticket - Actions Attributable to Retailer or Gaming System. If a claimant does not submit an original winning ticket or an original winning continuation ticket but makes a claim for prize payment based upon: (i) presentment of an original player claim instructions ticket produced from validation of an original winning ticket or an original continuation ticket and a letter from the retailer from which the ticket was validated; (Should a letter from a retailer not be presented, payment will be made to the claimant as set forth in subparagraphs (3)(e)1. and 2. The Lottery reserves the right to confirm the validity of any retailer letter presented.) or (ii) presentment of an original Advance Play winning ticket that has been recorded as "paid" in the Lottery's gaming system as the result of the issuance of a continuation ticket, an investigation will be conducted. If the investigation concludes that the absence of the original ticket or original continuation ticket, as applicable, is attributable to the actions of a retailer or the gaming system, payment will be made following conclusion of the investigation in accordance with the applicable payment provision herein, provided the original winning ticket or original continuation ticket is not submitted prior to conclusion of the investigation. If the original winning ticket or original continuation ticket is submitted prior to conclusion of the investigation, a subsequent investigation will be conducted to determine to whom payment should be made, if anyone.

(d) No Original Winning Ticket or Original Winning Continuation Ticket - Other Actions Not Attributable to Retailer or Gaming System. If a claimant does not submit an original winning ticket or an original winning continuation ticket but makes a claim for prize payment based upon: (i) presentment of an original player claim instructions ticket produced from validation of an original winning ticket or an original continuation ticket; or (ii) presentment of an original Advance Play winning ticket that has been recorded as "paid" in the Lottery's gaming system as the result of the issuance of a continuation ticket, but the continuation ticket is not submitted, an investigation will be conducted. If the investigation concludes that the absence of the original winning ticket or original winning continuation ticket, as applicable, is *not*

attributable to the actions of a retailer or the gaming system but is attributable to other actions (e.g., fault of player) and that the available evidence demonstrates the claimant's entitlement to the prize, payment will be made as set forth in subparagraphs (3)(e)1. and 2., and in accordance with any other applicable payment provision herein, provided the original winning ticket or original continuation ticket is not submitted prior to the expiration of the time periods set forth below. If the original winning ticket or original continuation ticket is submitted prior to expiration of the time periods set forth below, a subsequent investigation will be conducted to determine to whom payment should be made, if anyone.

(e) No Original Winning Ticket or Original Winning Continuation Ticket - Payment Timeframes for the circumstances of a claimant not being able to produce a letter from a retailer (reference paragraph (3)(c)) or as defined in paragraph (3)(d).

1. For winning Draw game tickets, payment will be made following expiration of 210 days after the winning draw date, provided that payment for the original winning ticket or original continuation ticket is not made sooner.

2. For winning Scratch-Off tickets, payment for prizes valued at \$600 through \$1,000 will be made following expiration of 180 days from the date the claim was filed or following expiration of 90 days after the official end of the game, whichever occurs first, provided that payment for the original winning ticket is not made sooner. Payment for tickets valued at greater than \$1,000 will be made following expiration of 90 days after the official end of the game, provided payment for the original winning ticket is not made sooner.

(f) Information on Ticket Back. Should the information placed on a ticket back by a claimant, in the location designated for the claimant's name, address, and phone number, or elsewhere, be determined to be indecipherable, at the sole determination of the Lottery, the ticket will be paid to the person who presented the ticket for payment and made as set forth in subparagraphs (3)(f)1. and 2. Should another person make a claim on the ticket, an investigation will be conducted to determine to whom payment should be made, if anyone.

1. For winning Draw game tickets, payment will be made following expiration of 210 days after the winning draw date.

2. For winning Scratch-Off tickets, payment for prizes valued at \$600 through \$1,000 will be made following expiration of 180 days from the date the claim was filed or following expiration of 90 days after the official end of the game, whichever occurs first. Payment for tickets valued at greater than \$1,000 will be made following expiration of 90 days after the official end of the game.

3. At the Lottery's sole discretion, and as circumstances may dictate, the payment timeframes set forth in subparagraphs (3)(f)1. and 2. may be shortened.

(g) No photographs, copies, facsimiles, or other images in any form or in any medium will be accepted under paragraph (3)(c) or (d) in lieu of an original player claim instructions ticket or an original Advance Play winning ticket that has been recorded as “paid” in the Lottery’s gaming system as the result of the issuance of a continuation ticket.

(4) TICKET VALIDATION. An original ticket or an original continuation ticket shall be the only proof of game play and the submission of an original winning ticket or original winning continuation ticket to the Florida Lottery shall be the sole method of claiming a prize, except as otherwise provided in paragraphs (3)(c) and (d). A purchase receipt, play slip (paper or digital), digital barcode, digital ticket checker data, or other digital data stored on a player’s mobile device shall not constitute evidence of game play, numbers selected, or evidence of a winning ticket and cannot be used to claim a prize. No photographs, copies, facsimiles, or other images in any form or in any medium will be accepted in lieu of an original ticket or an original continuation ticket. All online terminal game tickets must meet the validation requirements set forth in paragraph (4)(a), and where applicable, the additional validation requirements set forth in the current rules governing POWERBALL®, MEGA MILLIONS®, and CASH4LIFE®. A copy of the current Florida Lottery’s POWERBALL, MEGA MILLIONS, and CASH4LIFE rules can be obtained from the Florida Lottery’s website at floridalottery.com. All Scratch-Off game tickets must meet the validation requirements set forth in paragraph (4)(b).

(a) Online Terminal Game Ticket Validation. (“Online terminal games” are also known as Draw games.)

1. In order to be a valid winning online terminal game lottery ticket, the ticket must be identifiable as a Florida Lottery ticket and have either a complete, legible Transaction Serial Number (“TSN”) or human-readable bar code. To the extent that a ticket is not identifiable as a Florida Lottery ticket or does not have a TSN or bar code, the ticket will be invalid. The Lottery will not attempt to reconstruct any tickets received in multiple pieces.

2. The ticket must not be counterfeit in whole or in part.

3. The TSN of an apparent winning ticket must validate on the Lottery’s gaming system and must not have been previously paid.

4. The ticket must not have been stolen.

5. The ticket must have been issued by the Florida Lottery or an authorized Florida Lottery retailer or dispensed by a Lottery full-service vending machine on official paper stock of the Florida Lottery or must be an authentic QuickTicket™ sold by an authorized Florida Lottery retailer.

6. The ticket must pass any additional validation tests determined necessary by the Lottery.

7. Any ticket not meeting the criteria set forth in subparagraphs (4)(a)1. through 6. is ineligible for any prize and shall not be paid as a winning ticket. In the event a defective ticket is purchased, the only responsibility or liability of the Lottery shall be the replacement of the defective ticket with an un-played ticket or tickets of equivalent sales price from a current Lottery game, or refund of the retail sales price.

(b) Scratch-Off Game Ticket Validation.

1. In order to be a valid winning Scratch-Off lottery ticket, the ticket must be identifiable as a Florida Lottery ticket and have either a complete, legible validation number (sometimes referred to as “Void If Removed Number” or “VIRN”), or a readable bar code.

2. The ticket must not be counterfeit in whole or in part.

3. The validation elements must not be altered or tampered with in any manner.

4. The ticket must not appear on any list of omitted ticket stock on file at the Lottery.

5. The ticket must not have been stolen.

6. The ticket must have been issued to a retailer by the Lottery in an authorized manner.

7. The validation number of an apparent winning ticket must validate on the Lottery’s gaming system and must not have been previously paid.

8. The validation elements of a ticket must not be misprinted or illegible.

9. The ticket must pass any additional validation tests determined necessary by the Lottery.

10. Any ticket not meeting the criteria set forth in subparagraphs (4)(b)1. through 9. is ineligible for any prize and shall not be paid as a winning ticket. In the event a defective ticket is purchased, the only responsibility or liability of the Lottery shall be the replacement of the defective ticket with an un-played ticket or tickets of equivalent sales price from a current Lottery game, or refund of the retail sales price.

(5) DETERMINATION OF WINNER. The person to whom payment will be made for winning tickets submitted to the Lottery shall be determined as follows:

(a) If only one name appears on the back of the ticket, payment will be made to that person or entity.

(b) For tickets mailed to the Lottery for prize payment with a blank or incomplete player information section, data from the Winner Claim Form, if any, player correspondence, or the mailing envelope, in that order, shall be used to supplement the information.

(c) Scratch-Off tickets and QuickTickets. If more than one name appears on the back of a Scratch-Off ticket or QuickTicket, payment shall be made to the person whose name appears first on the line designated for the name.

(d) Online terminal game tickets printed on official Lottery paper stock.

1. If one player information section is completely filled out, payment shall be made to the person whose name appears first on the name line in the player information section that is completed.

2. If one player information section is partially filled out and another player information section is completely filled out, payment will be made to the person whose name appears on the name line in the completely filled out player information section.

3. If more than one player information section is completely filled out, payment shall be made to the person whose name appears first on the name line in the player information section nearest the top of the ticket.

4. If no player information section is completely filled out and more than one name appears on the back of the ticket, payment shall be made to the person whose name appears first on the name line in the player information section nearest the top of the ticket in which a name is present.

(e) If the name on the back of a ticket is that of a trust, corporation or other legal entity, payment shall be made to the trust, corporation, or other legal entity. For those tickets valued at \$600 or more, no payment shall be made to a legal entity until the Lottery has received a copy of the entity's organizational documents which set forth the names of all members, managers, shareholders, officers, directors, board members, partners, grantors, settlors, trustees, present trust beneficiaries, and all other persons ultimately entitled to receive Lottery winnings of the legal entity. The legal entity must also submit evidence, satisfactory to the Lottery, confirming the Social Security numbers of all members, managers, shareholders, officers, directors, board members, partners, grantors, settlors, trustees, present trust beneficiaries, and all other persons ultimately entitled to receive Lottery winnings of the legal entity.

(f) An individual claimant whose name appears on the back of a ticket when the ticket is presented to the Lottery may claim a prize on that ticket in a different name only if all of the following conditions are met:

1. The claimant would otherwise be determined a winner under paragraphs (5)(a) through (e);

2. The claimant desires for payment to be made to a non-individual entity instead of to himself/herself;

3. The claimant can provide evidence satisfactory to the Lottery that the claimant has the necessary authority to make a claim on behalf of the non-individual entity; and

4. The claimant adds the name of the non-individual entity, and the claimant's title within that entity, to the back of the ticket.

(g) For tickets valued at less than \$600, payment to the person determined in accordance with the applicable provisions in paragraphs (5)(a) through (e) shall be made in the winner's name as it appears on the back of the winning ticket. For tickets

valued at \$600 or more, payment shall be made in the winner's name as it appears on the Winner Claim Form as described in paragraph (9)(c).

(h) If the back of a ticket valued at \$600 or more is altered, defaced, or contains erasures, correction fluid, overwriting, or obliteration in the line designated for a name, an investigation will be conducted to determine to whom payment should be made, if anyone, in accordance with paragraphs (5)(c), (d) and (e). As a part of the investigation, the claimant shall be required to complete form DOL-419, Security Affidavit, Revised 3/2026, or form DOL-419S, Spanish Security Affidavit, Revised 3/2026, and provide an explanation of the circumstances surrounding his or her claim for the ticket. Forms DOL-419 and DOL-419S are incorporated herein by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Division of Security, 250 Marriott Drive, Tallahassee, Florida 32301. If the ticket is valued at less than \$600, payment will be made to the person submitting the ticket for payment.

(i) If the Lottery is presented with undisputed information that payment of a prize as provided in paragraphs (5)(a) through (e) would result in payment to a person or entity who has no claim to the ticket, the Lottery will make payment to the person or entity it determines to be the rightful claimant.

(j) If the Lottery receives notification of a dispute of ownership of a specific ticket prior to prize payment, an investigation will be conducted to determine to whom payment should be made, if anyone.

(k) Any claimant with a winning ticket valued at \$600 or more, and any person whose name appears on an Internal Revenue Service Form 5754, Statement by Person(s) Receiving Gambling Winnings, Revised 11/2024, and subsequent revisions issued by the IRS, filed by a claimant and whose portion of a prize is \$600 or more, will be analyzed for state-owed debt/child support owed. All members, managers, shareholders, officers, directors, board members, partners, grantors, settlors, trustees, present trust beneficiaries, and all other persons ultimately entitled to receive Lottery winnings from a claim valued at \$600 or more filed by a legal entity, other than a corporation whose shares are publicly traded, will be analyzed for state-owed debt/child support owed. If such claimant or other person is identified as owing an outstanding debt to a state agency or owing child support collected through a court or spousal support or alimony as provided in Section 24.115(4), Fla. Stat., following deduction of federal income tax withholding, the remaining prize amount will be allocated as follows:

1. If the debt is owed by the claimant and an Internal Revenue Service Form 5754 is not filed at the time the claim is submitted, an amount sufficient to cover the amount owed, up to the total remaining prize amount, will be transferred to the

state agency owed the debt. Any monies remaining after federal income tax withholding and after the debt is offset will be paid to the claimant.

2. If the debt is of a claimant who submits an Internal Revenue Service Form 5754 at the time of filing the claim, or of a person whose name appears on an Internal Revenue Service Form 5754 or who is entitled to receive Lottery winnings claimed by a legal entity, an amount sufficient to cover the claimant's or other person's debt, but not to exceed his or her percentage interest in the prize or entity, will be transferred to the state agency owed the debt. The remaining monies will be paid to the claimant.

3. Persons and entities that have completed an applicable claim form, as defined in paragraph (9)(c), are not required to complete Internal Revenue Service Form W-9, Request for Taxpayer Identification Number and Certification, Revised 3/2024, and subsequent revisions issued by the IRS. All other persons and entities listed on a Form 5754 shall complete Form W-9. IRS Form W-9 is incorporated by reference and may be obtained at any Lottery office, by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or from the Internal Revenue Service.

(6) PAYMENT TO ONE PERSON OR ENTITY. Regardless of how many persons or entities claim an ownership interest in a winning ticket; payment will be made to only one person or entity. For winning tickets valued at \$2,000 for year 2026, and future sums, as determined by the Internal Revenue Service due to inflation adjustments, or more, a winner may submit an Internal Revenue Service Form 5754, if more than one person or a person other than the claimant is entitled to the prize winnings. The completed form must be submitted to the Lottery together with the ticket and Winner Claim Form. Internal Revenue Service Form 5754 is incorporated by reference and may be obtained at any Lottery office, by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or from the Internal Revenue Service.

(7) WINNING TICKET VALUE DETERMINATION FOR PURPOSES OF PAYMENT AND CLAIMING.

The value of a winning ticket is determined by totaling all prizes won on a ticket and, as applicable, in accordance with the applicable provisions set forth in subsections (11), (12), (14) and (15).

(8) WINNING TICKETS VALUED AT LESS THAN \$600.

Payment of any winning ticket valued at less than \$600 that is submitted to a Lottery retailer, Lottery district office, or Lottery Headquarters shall be made to the claimant upon successful ticket validation. Upon request by the Lottery, the claimant shall file a Winner Claim Form in accordance with the provisions set forth in paragraph (9)(c) below.

(a) Payment by Retailers.

1. Winning tickets valued at \$50 or less that are submitted to a retailer shall be paid in cash by the retailer unless it is impossible or impracticable to do so due to a company or store policy which, for safety or security reasons, limits the amount of cash available to the clerk; or an applicable local government ordinance limits the amount of cash available to the clerk. In such case, the retailer will make payment by check or money order.

2. Winning tickets with a value greater than \$50 but less than \$600 that are submitted to a retailer shall be paid by cash, check, or money order.

3. No charge or fee shall be imposed by a retailer on a player for paying a winning ticket by cash or check. Additionally, no charge or fee shall be imposed by a retailer on a player for a money order when it is the sole method of payment made available by the retailer.

(b) Payment by the Lottery.

1. Winning tickets valued at \$200 or less that are presented to a Lottery district office will be paid by cash, check, or issued lottery tickets.

2. Winning tickets valued at more than \$200 that are submitted to a Lottery district office shall be paid by check and/or issued lottery tickets or, paid a maximum of \$200 in cash and the balance of the prize paid by check and/or issued lottery tickets at the winner's option.

3. Winning tickets valued at less than \$600 that are submitted to Lottery Headquarters for payment shall be paid by check.

4. A player who submits a winning ticket valued at less than \$600 in person to a Lottery district office for payment by check shall be required to present identification as set forth in paragraph (10)(d) or (e). The identification is required to ensure proper check distribution.

(9) WINNING TICKETS VALUED AT \$600 OR MORE.

(a) Payment of winning tickets valued at \$600 or more shall be made only by a Lottery office. Payment of winning tickets valued at \$600 or more cannot be made by a retailer.

(b) A player may submit a winning ticket valued at \$600 or more to any Lottery retailer or Lottery office for ticket validation. If a winning ticket valued at \$600 or more is validated at a retailer location, the player shall retain the original ticket and any player claim instructions ticket produced by the retailer terminal to submit with his or her claim to a Lottery office for prize payment processing. If the winning ticket produces a continuation ticket for future drawings, the player shall also retain the continuation ticket in addition to the original ticket and player claim instructions ticket.

(c) After successful validation of a winning ticket, the player shall file a claim by submitting to the Lottery a completed Winner Claim Form DOL 173-2, Revised 4/2026;

Spanish Winner Claim Form DOL 173-2S, Revised 4/2026; Winner Claim Form - Entity DOL 173-2E, Revised 4/2026; or Spanish Winner Claim Form - Entity, DOL 173-2SE, Revised 4/2026, along with the winning ticket(s) and the identification described in paragraph (10)(d) or (e). (Winner Claim Form DOL 173-2, Revised 2/2023; Spanish Winner Claim Form DOL 173-2S, Revised 2/2023; Winner Claim Form - Entity DOL 173-2E, Revised 2/2023; and Spanish Winner Claim Form - Entity, DOL 173-2SE, Revised 2/2023, will be used until the existing supply is exhausted. As each form type is exhausted, the new version will take its place.) All Winner Claim Forms are incorporated by reference and may be obtained at any Lottery office or retailer, from the Florida Lottery's website at floralottery.com, or by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016 (Lottery Headquarters). Claims may be submitted in person or by mail to any Lottery district office or to Lottery Headquarters. The addresses for Lottery district offices can be found at floralottery.com.

(d) For games that do not offer an annual payment option, winning tickets valued at \$600 up through \$1,000,000 may be processed and paid at any Lottery office. Payment shall be made by check and in accordance with the applicable payment provisions herein, except that winning tickets valued in excess of \$50,000 may be paid via an automatic clearing house (ACH) transfer.

(e) All winning tickets with an annual payment option and winning tickets valued at over \$1,000,000 must be processed through Lottery Headquarters. Such winning ticket claims may be submitted directly to Lottery Headquarters for processing and payment or may be submitted to a Lottery district office; the district office will forward the claim to Lottery Headquarters for processing and payment. Payment shall be made by check or electronic funds transfer at the winner's option and in accordance with the applicable payment provisions herein.

(f) Winning tickets valued at \$600 or more that are processed by Lottery Headquarters shall be paid as follows and in accordance with the applicable payment provisions herein:

1. If the ticket value is \$600 through \$50,000, payment shall be made by check.

2. If the ticket value is greater than \$50,000, payment shall be made by check or via an ACH transfer at the winner's option. In addition to the Winner Claim Form, winners for such prizes shall be required to complete form DOL-416, Revised 2/2023, (Method of Prize Payment) or DOL-416S, Revised 2/2023, (Method of Prize Payment, Spanish version) at the time the prize is claimed. Forms DOL-416 and DOL-416S are hereby incorporated by reference and may be obtained by contacting the Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-4027.

(10) PRESENTATION OF IDENTIFICATION.

(a) A claimant who presents a winning ticket valued at \$600 or more will be required to present acceptable identification as detailed in paragraphs (10)(d) and (e) in order to claim the prize. The Lottery shall be permitted to make a photocopy of such identification for its records. The Lottery reserves the right to require proof of authenticity for such photocopies. The name on the identification presented to the Lottery must match the name on the back of the winning ticket. If the name on the back of the ticket and the identification presented do not match, the Lottery may request another form of identification listed below or request additional information to use in making its payment determination. The Lottery reserves the right to require proof of authenticity for such photocopies.

(b) If the claimant is a non-individual legal entity, an authorized representative shall submit proof of the legal entity existence. Authorized representatives shall include, but not be limited to, shareholders, officers, board members or members of a closely held corporation; members or a manager of a limited liability company "LLC"; trustee of a trust; or partner of any legal form of partnership. Any authorized representative must show proof of his or her authority to act on behalf of the legal entity and present required identification as detailed in paragraphs (10)(d) and (e). Additionally, a legal entity claiming a prize must complete Form DOL-492, Legal Entity Disclosure Affidavit, Revised 2/2023, or DOL-492S Legal Entity Disclosure Affidavit, (Spanish version) Revised 2/2023, to identify all members, managers, shareholders, officers, directors, board members, partners, grantors, settlors, trustees, present trust beneficiaries, and all other persons ultimately entitled to receive Lottery winnings of the legal entity. Forms DOL-492 and DOL-492S are hereby incorporated by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-4027. This paragraph does not apply to corporate entities whose shares are publicly traded.

(c) An agent may present a Power of Attorney to claim a prize on behalf of a winner. If a prize is being claimed on behalf of a winner, pursuant to a Power of Attorney, the agent shall be required to execute an Affidavit, substantially in the form provided in Section 709.2119(2)(c), Fla. Stat., in support of claiming a winning ticket. No Power of Attorney is effective after the death of a winner.

(d) For winning tickets valued at \$600 or more, one form of identification is required that is current or was issued within the past five years and bears a serial or other identifying number. Acceptable forms of identification include:

1. A Florida identification card or driver's license issued by the public agency authorized to issue driver's licenses;

2. A driver's license or an identification card issued by a public agency authorized to issue driver's licenses in a state other than Florida, a territory of the United States, or Canada or Mexico;

3. A passport issued by the Department of State of the United States;

4. A passport issued by a foreign government;

5. A passport issued by a foreign government stamped by the United States Citizenship and Immigration Services;

6. An identification card issued by any branch of the armed forces of the United States;

7. A veteran health identification card issued by the United States Department of Veterans Affairs;

8. An identification card issued by the United States Citizenship and Immigration Services; or

9. Another form of identification authorized for use by notaries public in Section 117.05(5)(b)2., Fla. Stat.

(e) For winning tickets valued at \$600 or more that require a notarized affidavit, the forms of identification listed in paragraph (10)(d) are also acceptable, except that, if a passport issued by a foreign government is presented as identification, it must be stamped by the United States Citizenship and Immigration Services.

(f) If a claimant is unable to produce one of the acceptable forms of identification identified in paragraphs (10)(d) and (e), the Lottery will accept as satisfactory evidence of the claimant's identity a completed Affidavit to Establish Identity form, DOL-483, Revised 3/2026, or a completed Spanish Affidavit to Establish Identity form DOL-483S, Revised 3/2026. Forms DOL-483 and DOL-483S are incorporated herein by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(g) A photocopy of required identification shall accompany claims valued at \$600 or more that are submitted by mail. The Lottery reserves the right to require proof of authenticity for such photocopies.

(11) PAYMENT OF DRAW GAME MULTI-PANEL TICKETS. For purposes of this rule, a Draw game multi-panel ticket is defined as a ticket with more than one panel played for a single draw date and includes QuickTickets.

(a) A winning Draw game multi-panel ticket in which more than one prize is won and the total prize value is less than \$600 shall be paid as one amount by Lottery retailers or a Lottery office upon successful ticket validation.

(b) A winning Draw game multi-panel ticket that has more than one prize won, and the total prize value is \$600 or more shall be claimed at a Lottery office and paid as one amount upon successful ticket validation.

(c) Additional payment provisions applicable only to a winning Draw game multi-panel ticket that includes one or

more cash prizes and a prize of one or more free Quick Pick tickets are:

1. The value of each free Quick Pick ticket on a multi-panel ticket shall be included in the total prize value of the multi-panel ticket. The value of the free Quick Pick ticket is the selling price for a single play of the same type of Draw game in which the free ticket was won. For Example, a FLORIDA LOTTO® free ticket is valued at \$2.00, and a FANTASY 5® free ticket is valued at \$1.00.

2. A Draw game multi-panel ticket that has more than one prize won and a total prize value, including the value of each free Quick Pick ticket won, of less than \$600 shall be paid by Lottery retailers or a Lottery office upon successful ticket validation. The winner shall be paid the total cash amount of the prize or prizes won and given a ticket with one free Quick Pick play for the next available drawing for the same Draw game in which the prize was won, for each free Quick Pick ticket prize.

3. Draw game multi-panel tickets with a total prize value of \$600 or more that include one or more cash prizes and a prize of one or more free Quick Pick tickets shall be claimed at a Lottery office. Retailer locations are unable to print free Quick Pick tickets that are part of a claim with a total value of \$600 or more.

a. If the claim is submitted to a Lottery office in person and the Draw game multi-panel ticket is successfully validated, the Lottery will pay the winner the total cash amount of the prize or prizes won and give the claimant one free Quick Pick ticket for the next available drawing for the same Draw game in which the prize was won for each free Quick Pick ticket prize.

b. If the claim is submitted by mail to a Lottery office and the Draw game multi-panel ticket is successfully validated, the Lottery will pay the total cash amount of the prize or prizes won and, if the winner's address is in Florida, print one free Quick Pick ticket for the next available drawing of the same Draw game in which the prize was won for each free Quick Pick ticket prize. The payment and the free ticket(s) shall be mailed to the winner by the Lottery, except as set forth in paragraph (13)(b).

c. If the winner is identified as owing an outstanding debt as set forth in paragraph (5)(k), in an amount less than the total of the cash amount of the prize or prizes won net of any federal income tax withholding, the free ticket(s) and the amount owed to the winner after federal income tax has been withheld and his or her debt is satisfied shall be awarded. If the winner is identified as owing an outstanding debt in an amount greater than the total cash amount of the prize or prizes won net of any federal income tax withholding, the total cash amount of the prize remaining after federal income tax has been withheld will be applied toward the outstanding debt as provided in Section 24.115(4), Fla. Stat., and the claimant will receive the free ticket(s).

4. QuickTickets shall not be used to award free Quick Pick ticket prizes.

(12) PAYMENT FOR DRAW GAME FREE TICKET PRIZES.

(a) Florida Claimants. A person who submits by mail a lottery ticket that entitles the claimant to a prize of a “ticket” or “free ticket” and whose mailing address is inside the state of Florida will be mailed a prize of a ticket in accordance with the following provision. If the prize is a free Quick Pick ticket, the claimant will receive a free Quick Pick ticket for the same Draw game in which the prize was won, for the next drawing after the ticket is validated; or if the free ticket is part of a Draw game multi-panel ticket, the claimant will receive prize payment in accordance with the provisions of subsection (11).

(b) Claimants Outside Florida. A person who submits by mail a lottery ticket that entitles the claimant to a prize of a “ticket” or “free ticket” and whose mailing address is outside the state of Florida will receive a check in the amount of the retail sales price of the ticket in lieu of an actual ticket.

(13) PAYMENT FOR ADVANCE PLAY TICKET PRIZES.

(a) Florida Claimants. A claimant who claims a prize through a retailer or the Lottery on a winning Advance Play lottery ticket before all the drawings on the ticket have occurred will be paid the prize for the original ticket and issued a continuation ticket for the remaining drawings with the same play numbers as the original ticket. The original ticket will be recorded as “paid” in the gaming system and the continuation ticket automatically issued for the claimant shall be the instrument from which claims on remaining drawings are paid.

1. Payment of Multiple Prizes on Advance Play tickets.

a. A claimant who claims multiple prizes on a winning Advance Play lottery ticket for some or all the drawings that have occurred and the total prize value for all prizes won in all the drawings that have occurred is less than \$600 will be paid the prizes as one amount by a Lottery retailer or a Lottery office upon successful ticket validation and, if applicable, issued a continuation ticket in accordance with paragraph (13)(a).

b. A claimant who claims multiple prizes on a winning Advance Play lottery ticket for some or all of the drawings that have occurred and the total prize value for all prizes won in the drawings that have occurred is \$600 or more must be paid by a Lottery office. In such case, the prizes won will be paid as one amount upon successful ticket validation. However, applicable federal income tax will be withheld separately, if applicable, based on the individual value of the prize or prizes won in each drawing. Additionally, state-owed debt will be analyzed separately in accordance with the provisions in paragraph (5)(k) for each individual prize that is \$600 or more. If applicable, the claimant will be issued a continuation ticket in accordance with paragraph (13)(a).

(b) Claimants Outside of Florida. If a claimant whose mailing address is outside the state of Florida submits by mail an Advance Play lottery ticket that has drawings remaining that have not yet occurred, the Lottery will hold the claimant’s Advance Play lottery ticket until all the drawings have occurred. The Lottery will then validate the Advance Play lottery ticket and mail the claimant one payment for the total amount of any prizes won. If an out-of-state claimant requests prize payment prior to the date of the last Advance Play drawing, the Lottery will validate the ticket, mail the claimant payment for the total amount of any prizes won as of the date of ticket validation, and issue and maintain possession of a continuation ticket for the remaining drawings. In either case, applicable federal income tax will be withheld separately, if applicable, based on the value of the prize or prizes won in each drawing. Additionally, if applicable, a claimant may be analyzed for state-owed debt up to two times based on the value of the prize or prizes won in each drawing.

(14) PAYMENT FOR FLORIDA LOTTO WITH DOUBLE PLAY® TICKETS WITH MULTIPLE PRIZES. A claimant having a FLORIDA LOTTO with Double Play ticket that wins one or more prizes in both Base Game play and Double Play play for the same drawing date shall be paid one prize amount for the total of all cash prizes won on the ticket, one prize amount and free ticket(s), or free ticket(s), as applicable.

(15) PAYMENT FOR DRAW GAME TICKETS WITH EZMATCH™ AND ADDITIONAL PRIZE(S). For Draw games that offer the EZmatch instant-win option, any EZmatch prize(s) that are not claimed immediately, but rather after the first draw date on the ticket and prior to the 180-day expiration, and that is in addition to other winnings on the ticket shall be combined and paid as one prize amount, one prize amount and free ticket(s), or free ticket(s), as applicable.

(16) ANNUAL PAYMENT OR CASH OPTION PAYMENT ELECTION. Certain games offer prizes in which the winner may choose one of two payment options for receiving his or her prize. Payment options are “Cash Option” or “Annual Payment.” For Draw game prizes which offer a payment option, the winner has sixty (60) calendar days after the winning draw date to file a claim in order to choose the Cash Option. For Scratch-Off game prizes which offer a payment option, the winner has sixty (60) calendar days after the date the winning ticket is validated to file a claim in order to choose the Cash Option. If a winner does not choose the Cash Option within the applicable sixty (60) day timeframe, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner’s chosen option by execution of a notarized affidavit prepared by the Lottery, the election of that option shall be final. The Annual Payment method of payment

will also be final when it is applied due to a winner not making his or her payment election within the sixty (60) day timeframe.

(17) LIFE-CONTINGENT PRIZE PAYMENTS.

(a) Individual Claimed Life-Contingent Prize. Following a guaranteed period in a For-Life game, as dictated by the game's prize structure, and starting with the year immediately following the expiration of the guaranteed period, a Life-Contingent winner shall ensure that the Lottery receives an original notarized affidavit (or from the power of attorney, custodian or guardian, or medical provider for the winner) executed by the winner (or by the power of attorney, custodian or guardian, or medical provider for the winner) stating that he or she is still living and shall include a current address, telephone number, and email address for the winner. Except in the case of the winner, neither the maker and/or executor of the affidavit shall have a financial, pecuniary, or other interest in the winnings. The Lottery reserves the right to verify the authenticity and accuracy of the affidavit, including confirming the winner is alive. Such affidavit shall be executed and received by the Lottery within the 14-calendar day period, but no later than three (3) business days, prior to the issuance of payment to the winner. An affidavit showing proof of life shall be required for each and every year thereafter. In the case of the winner, and starting with the year immediately following the expiration of the guaranteed period, he/she shall complete DOL-477, Revised 3/2026, (Affidavit of Life-Contingent Prize Winner) and DOL-416 (Method of Prize Payment) or DOL-416S (Method of Prize Payment, Spanish version). Form DOL-477 is hereby incorporated by reference and may be obtained by contacting the Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-4027. Example: A For-Life game's prize structure sets a 20-year guaranteed period. The year immediately following the 20-year guaranteed period (i. e. year 21), and each year thereafter, a winner must provide proof of life, as set forth herein, and provide the completed forms (DOL-477 and DOL-416 or DOL-416S) to the Florida Lottery.

(b) Individual Claimed Life-Contingent Prize – Assignment. Should a life-contingent winner, who is receiving annual payments, assign any year or years beyond the guaranteed period, the Assignee shall ensure that the Lottery receives an original notarized affidavit (or from the power of attorney, custodian or guardian, or medical provider for the winner) executed by the winner (or by the power of attorney, custodian or guardian, or medical provider for the winner) stating that he or she is still living and shall include a current address, telephone number, and email address for the winner. Neither the maker and/or executor of the affidavit shall have a financial, pecuniary, or other interest in the assigned winnings. The Lottery reserves the right to verify the authenticity and accuracy of the affidavit, including confirming the winner is

alive. Such affidavit shall be executed and received by the Lottery within the 14-calendar day period prior to the issuance of payment to Assignee. An affidavit showing proof of life shall be required for each and every year of the time frame for which payments are assigned.

(c) Trust, Corporation, or Other Legal Entity Claimed Life-Contingent Prize. The prize payment period for a trust, corporation, or other legal entity that has claimed a life-contingent prize is fixed at the guaranteed period, as set forth in a game's prize structure. No payment beyond the guaranteed period will be issued to an Assignee of a life-contingent prize claimed by a legal entity.

(18) PAYMENT AFTER DEATH OF WINNER. If a winner dies during the scheduled payment of a prize, the Lottery will make payment to the estate of the deceased winner or other persons or entities upon its receipt of a certified copy of the winner's death certificate and a certified copy of the Letter of Administration, equivalent document establishing the personal representative or executor of the winner's estate, or other court order as to whom payment is to be made. Upon its receipt of a certified copy of the Letter of Administration/its equivalent or court order directing payment to identified persons or entities, the Lottery will make payment in accordance with the Letter of Administration/its equivalent or court order. Upon receipt by the Lottery of notification of the death of a winner, including a winner that signed his or her winning ticket but did not claim the prize or prizes prior to his or her death, no payment(s) will be made by the Lottery until it has received a certified copy of the winner's death certificate and either a certified copy of the Letter of Administration/its equivalent or a court order. Payment(s) withheld because appropriate documents have not been received will be subject to the provisions of Chapter 717, Fla. Stat., the "Florida Disposition of Unclaimed Property Act."

(19) FEDERAL INCOME TAX WITHHOLDING. Applicable federal income tax shall be withheld from prizes in accordance with the Internal Revenue Code and Code of Federal Regulations, where applicable.

(20) CANCELED TICKETS. No payment shall be made on a ticket submitted for payment that is reflected in the Lottery's records as having been canceled, except as provided in subsection (3).

(21) PLAYER PREVIOUSLY PAID ON A TICKET. No payment shall be made to a player on a ticket submitted for payment that is reflected in the Lottery's records as having been previously paid to that same player on that ticket.

(22) DISCLOSURE OF SOURCE OF TICKET. The Lottery reserves the right to require the claimant of any winning ticket to disclose the source of the ticket.

(23) DISPUTES REGARDING THE AMOUNT OR VALIDITY OF TICKET.

(a) Players shall be instructed by a retailer or the Lottery to file a claim when any dispute arises between a player and a retailer regarding the amount or validity of an apparent winning ticket or when an apparent winning ticket will not validate using the terminal.

(b) In the event a dispute between the Lottery and a ticket bearer occurs as to whether a ticket is a valid winning ticket, or as to the prize amount of a valid winning ticket, the decision of the Lottery shall be final. If the prize is not paid on a disputed ticket and the basis for the dispute is attributable to the Lottery or its ticket vendor, the Lottery will replace the disputed ticket with an un-played ticket from the same game or with a ticket from another game of equivalent sales price. This shall be the sole and exclusive remedy of the bearer of the ticket.

(c) Final Payment Decision. The Lottery's decision and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes shall be final and binding upon all participants in the lottery unless otherwise provided by law or these rules. In the event a question arises relative to a winning ticket, or the payment or awarding of any prize, the Lottery is authorized to:

1. Deposit the prize winnings into an escrow fund until the dispute is resolved; or

2. Petition a court of competent jurisdiction for instructions and a resolution of the controversy.

(24) FLORIDA LOTTERY HEADQUARTERS AND DISTRICT OFFICES PRIZE PAYMENT ADDRESSES. The prize payment address for Florida Lottery Headquarters is: Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-4027. Addresses for Lottery district offices can be found on the Florida Lottery's website at floralottery.com.

(25) RISK OF MAILING TICKETS. A person who mails a winning ticket shall bear the risk that the U.S. Postal Service or other carrier may fail to timely postmark or deliver the ticket to the Lottery, or both.

(26) TICKETS IN A PROMOTION – NOT TO BE SUBMITTED BY MAIL. Persons may not submit tickets by mail for a promotion unless pursuant to written instructions from the Lottery. Any tickets submitted by mail for entry into a promotion will not be entered into a drawing for that promotion, nor returned.

(27) UNCLAIMED DRAW GAME AND SCRATCH-OFF GAME PRIZES. If a winning ticket is not submitted for validation, along with required documentation, within the applicable time period, or if a validated ticket is not submitted to the Lottery, along with required documentation, for prize payment within the applicable time period, the prize shall constitute an unclaimed prize and shall be distributed as required by law. Unclaimed Draw game and Scratch-Off game prizes shall not be distributed to other winners within the same prize pool.

(28) PLAYER RESPONSIBILITY. It is a player's responsibility to verify the accuracy of his or her ticket selections before leaving the retailer, including verifying the number of tickets printed or requested. In the case of QuickTickets, the player shall ensure that a receipt confirming activation has been printed/issued and provided to him/her.

(29) OTHER PROVISIONS.

(a) All tickets and Winner Claim Forms presented to the Lottery shall become the property of the Lottery.

(b) Information for claiming a prize can be obtained by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or by calling (850)487-7777.

(c) Payment of winning tickets is subject to all other applicable statutes and rules.

Rulemaking Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(3), 24.105(9)(e), 24.115, 24.1153 FS. History—New 5-21-26, Replaces 53ER23-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 21, 2026

NOTE: The full text of Emergency Rules that are currently in effect can be viewed by going to <https://flrules.org/Notice/emergencyRules.asp>.

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On April 29, 2026 for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Miami Soccer Sportservice LLC, located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 52/83 on April 30, 2026. The Order for this Petition was signed and approved on May 18, 2026, After a complete review of the

variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 19, 2026, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Kelly’s Cake & Foods LLC located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services, Division of State Fire Marshal (Department) hereby gives notice: that the Department has filed an ORDER GRANTING PETITION FOR WAIVER in response to the February 12, 2026, Petition for Variance from City of Port Richey Fire Department, filed by Thomas J. Quinn Jr. The Order states that based upon the Petitioner having

established that application of paragraph 69A-37.502(13)(a) creates a substantial economic hardship for Petitioner, the Petition for Variance of subsection 69A-37.502(13), Florida Administrative Code, Firefighter Assistance Grant Program, is hereby granted.

A copy of the Order or additional information may be obtained by contacting: Sarah Marcos, Sarah.Marcos@myfloridacfo.com

DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on May 19, 2026, the Office of Financial Regulation, received a petition for Waiver from paragraph 69W-600.0024(6)(b), Florida Administrative Code from Ivan Feinseth. The petition seeks a Waiver of paragraph 69W-600.0024(6)(b) which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law Examination (Series 65); or
2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for registration, the Securities Industry Essentials (SIE) Examination. Comments on this petition should be filed with the Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

1S-2.025 Elections Fraud Complaints

The Florida Department of State announces a workshop to which all persons are invited.

DATE AND TIME: June 4, 2026, 3:00 p.m.

PLACE: IN PERSON: Heritage Hall, R.A. Gray Building, 500 S Bronough Street, Room 112, Tallahassee, FL 32399-0250.

Videoconference information will be made available at

<https://dos.fl.gov/elections/laws-rules/rules> prior to the workshop.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates to Rule 2.025 and Form DS-DE 34. Copies of preliminary drafts will be made available at <https://dos.fl.gov/elections/laws-rules/rules> prior to the workshop.

A copy of the agenda may be obtained by contacting: Bilal Faruqui, Bilal.Faruqui@dos.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Bilal Faruqui, Bilal.Faruqui@dos.fl.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bilal Faruqui, Bilal.Faruqui@dos.fl.gov

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Legacy Learning Center, Inc. Board of Trustees Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 28, 2026, 12:00 noon

PLACE: Volusia County UF / IFAS Extension Office, 3100 E New York Ave, DeLand, FL 32724

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick; O: (386)446-7630 C: (386)527-1467

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kara Hoblick; O: (386)446-7630 C: (386)527-1467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kara Hoblick; O: (386)446-7630 C: (386)527-1467

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 5, 2026, 11:00 a.m., ET.

PLACE: Zoom.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Aly Simons, aly@volunteerflorida.org, (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Aly Simons, aly@volunteerflorida.org, (850)414-7400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Aly Simons, aly@volunteerflorida.org, (850)414-7400.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2026, 7:00 p.m.

PLACE: Hybrid Meeting in-Person at Drury Inn and Suites, Orange Blossom Room/Sweetwater Room, 4000 Southwest 40th Boulevard, Gainesville, Florida, and via Communications Media Technology.

Meeting access via communications media technology in the following format:

To join the meeting from your computer, tablet or smartphone.

<https://meet.goto.com/709530645>

DIAL IN NUMBER: Toll Free: 1(877)309-2073

ACCESS CODE: 709 530 645

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2026, 6:00 p.m.

PLACE: Hybrid Meeting in-Person at Drury Inn and Suites, Mockingbird Room, 4000 Southwest 40th Boulevard, Gainesville, Florida, and via Communications Media Technology.

Meeting access via communications media technology in the following format:

DIAL IN NUMBER: Toll free 1(888)585-9008

CONFERENCE CODE: 568 124 316

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2026, 6:15 p.m.

PLACE: Hybrid Meeting in-Person at Drury Inn and Suites, Orange Blossom Room/Sweetwater Room, 4000 Southwest 40th Boulevard, Gainesville, Florida, and via Communications Media Technology.

Meeting access via communications media technology in the following format:

DIAL IN NUMBER: Toll free 1(888)585-9008

CONFERENCE CODE: 381 777 570

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission's Energy Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2026, 1:30 p.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar: Microsoft Teams meeting

Join the Meeting at:
<https://teams.microsoft.com/meet/220686272446710?p=3NuzxuLOWVPdQ48o2>

Meeting ID: 220 686 272 446 710

Passcode: Z3vs2Zb6

Dial in by phone: +1(213)458-8552

Phone conference ID: 696 796 152 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement: DS 2026-023 by Bryan Orr of Kalos Services Inc.

Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Norman Bellamy, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Norman Bellamy, Energy Technical Advisory Committee, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission's Product Approval Program Oversight Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2026, 10:00 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/271734548005446?p=K0Hs dnuAoEPRTOQWZ>

Meeting ID: 271 734 548 005 446

Passcode: 3kh3bs9f

Dial in by phone: +1(213)458-8552

Phone conference ID: 493 048 93#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review of product approval and entity applications.

Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Melissa Campos, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Melissa Campos, Product Approval POC, Building Codes and Standards Office, Division of Professions, Department of Business and

Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission's Education Program Oversight Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2026, 9:00 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

Join the Meeting Virtually at:

<https://teams.microsoft.com/meet/244369963881754?p=Tc8Q 1px5XqKlvX0BW7>

Meeting ID: 244 369 963 881 754

Passcode: dB9Sc7jK

Dial in by phone: +1(213)458-8552, 828044686#

Phone conference ID: 828 044 686#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review pending advanced accredited courses for recommendation to the Commission.

Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Alan Burke, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Alan Burke, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Building Commission

The Florida Building Commission's Accessibility Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2026, 2:00 p.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/256971123657153?p=KUJHmx3b8DKVeQS2TE>

Meeting ID: 256 971 123 657 153

Passcode: op7Ve6Yq

Dial in by phone:

+1(213)458-8552,96632197# United States, Los Angeles

Phone conference ID: 966 321 97#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review of applications for waivers from accessibility requirements.

Other Council business on the agenda.

A copy of the agenda may be obtained by contacting: Chip Sellers, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Chip Sellers, Accessibility Advisory Council, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Building Commission

The Florida Building Commission's Special Occupancy Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2026, 9:00 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

JOIN:

<https://teams.microsoft.com/meet/285510536369545?p=bFzZxW1uepLupDRmQP>

Meeting ID: 285 510 536 369 545

Passcode: ou654jj3

Dial in by phone: +1(213)458-8552

Phone conference ID: 407 738 890#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement: DS 2026-016 by Shane Kittendorf of the City of Cape Coral
Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Marlita Peters, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Marlita Peters, Special Occupancy Technical Advisory Committee, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Building Commission

The Florida Building Commission's Electrical Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2026, 10:30 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

JOIN:

[HTTPS://TEAMS.MICROSOFT.COM/MEET/241745795210854?P=VTAZPHEKD3DQO9S5IB](https://teams.microsoft.com/meet/241745795210854?P=VTAZPHEKD3DQO9S5IB)

Meeting ID: 241 745 795 210 854

Passcode: TY9YQ9VY

Dial in by phone: +1(213)458-8552, 947014835# UNITED STATES, LOS ANGELES

Phone conference ID: 947 014 835#

GENERAL SUBJECT MATTER TO BE CONSIDERED: -To Consider and discuss the following Declaratory Statement: DS 2026-022 by Shane Kittendorf of the City of Cape Coral

Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Joe Bigelow, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Joe Bigelow, Electrical Technical Advisory Committee, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Building Commission

The Florida Building Commission's Structural Technical Advisory Committee, concurrently with the Code Administration Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2026, 1:00 p.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/292791934482689?p=GS9ImAPCw09i9062KC>

Meeting ID: 292 791 934 482 689

Passcode: ad6py6S3

Dial in by phone: +1(213)458-8552, 148381237# United States, Los Angeles

Phone conference ID: 148 381 237#

GENERAL SUBJECT MATTER TO BE CONSIDERED: - To consider and discuss the following Declaratory Statements:

DS 2026-014 by Jeffrey Arneson of Jax Apex Technology, Inc.

DS 2026-016 by Shane Kittendorf of City of Cape Coral

DS 2026-024 by Paul Zillio of Bliss & Nyitray, Inc.

DS 2026-025 by Paul Zillio of Bliss & Nyitray, Inc.

DS 2026-026 by Eric Briggs of Steve's Windows & Doors

-To review and approve the proposed scope of work for the following research project:

Uniform Florida Commercial and Residential Permit Application Forms

Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Joe Bigelow, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Joe Bigelow, Structural Technical Advisory Committee, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission's Hurricane Research Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 1, 2026, 9:00 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar:

Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/239853084684965?p=DyN2YncxykdLwWZO2>

Meeting ID: 239 853 084 684 965

Passcode: hr782JU7

Dial in by phone: +1(213)458-8552, 631677502# United States, Los Angeles

Phone conference ID: 631 677 502#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and accept draft final reports for the following research projects:

-Best Practices for Hurricane Season Utilization of Tower Crane and Hoisting Equipment

-Assessment of Windborne Debris Risk in Florida

Other Committee business as stated on the agenda.

A copy of the agenda may be obtained by contacting: Mo Madani, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mo Madani, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/>.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 27, 2026, 10:00 a.m., EDT

PLACE: Online via Microsoft Teams Webinar. The registration link is available at <https://events.gcc.teams.microsoft.com/event/c1793ea5-7719-4cb9-bec4-30ee335b8242@679d4c83-aea2-4635-b4f1-9f5012551b6a>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating the public meeting notice that was previously published on May 19, 2026, Vol. 52/97, to include the registration link for the public meeting. The Florida Department of Environmental Protection is hosting a meeting of the Biscayne Bay Commission to discuss matters pertaining to the protection of the vital natural resources within Biscayne Bay. This meeting will also be broadcast by The Florida Channel at <https://TheFloridaChannel.org/>.

A copy of the agenda may be obtained by contacting:

<https://ProtectingFloridaTogether.gov/BiscayneBayCommission>

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Persons who require special accommodations under the American with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov at least 48 hours before the meeting. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: BBCommission@FloridaDEP.gov or call (786)798-4505.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel – Pain Management Clinic announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 24, 2026, 9:30 a.m., EDT, or soon thereafter.

PLACE: You may join the meeting from your computer, tablet,

or smartphone through the following link: <https://global.gotomeeting.com/join/783824717>. You may also join the meeting using your phone at the following number: (866)899-4679), or (571)317-3116. Access code: 783-824-717. To maximize your access to the meeting, the Department highly recommends that you download the GoToMeeting app on your computer, tablet, or smartphone prior to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The panel will conduct a meeting related to public disciplinary cases.

A copy of the agenda may be obtained by contacting: LaSonga Bennett at (850)558-9882 or emailing her at Lasonga.Bennett@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: LaSonga Bennett at (850)558-9882 or emailing her at Lasonga.Bennett@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: LaSonga Bennett at (850)558-9882 or emailing her at Lasonga.Bennett@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 8, 2026, 1:00 p.m. - 2:30 p.m.

PLACE: Microsoft Teams

Meeting ID: 290 524 388 228 616

Passcode: Lo7rU2A8

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for the Independent Living Services Advisory Council (ILSAC) to conduct general business.

A copy of the agenda may be obtained by contacting: A more detailed agenda with relevant presentation material will be posted on the department's website, Public Events & Meetings | Florida DCF

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 1 days before the workshop/meeting by contacting: Andrea Ziglar, Department of Children and Families, (850)661-4162 or andrea.ziglar@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 29, 2026, 1:00 p.m. -4:00 p.m., EDT

PLACE: Microsoft Teams

Meeting ID: 281 036 666 190 812

Passcode: un2Bs6TZ

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for the Independent Living Services Advisory Council (ILSAC) to conduct general business.

A copy of the agenda may be obtained by contacting: A more detailed agenda with relevant presentation material will be posted on the department's website, Public Events & Meetings | Florida DCF

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Andrea Ziglar, Department of Children and Families, (850)661-4162 or andrea.ziglar@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, July 23, 2026, 12:30 p.m. - 4:30 p.m., EDT; Friday, July 24, 2026, 9:00 a.m. - 12:30 p.m., EDT

PLACE: Department of Children and Families, C100, 2415 North Monroe Street, Tallahassee, FL 32303

Thursday

Microsoft Teams

Meeting ID: 231 689 244 778 47

Passcode: yX7mB2Vj

Friday

Microsoft Teams

Meeting ID: 265 511 136 424 380

Passcode: pm9DC9N5

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for the Independent Living Services

Advisory Council (ILSAC) to conduct general business and specifically to conduct the annual report writing session.

A copy of the agenda may be obtained by contacting: A more detailed agenda with relevant presentation material will be posted on the department's website, Public Events & Meetings | Florida DCF

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Andrea Ziglar, Department of Children and Families, (850)661-4162 or andrea.ziglar@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Southwest Florida (SWFL) Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 17, 2026; 1:00 p.m. - 3:00 p.m.

PLACE: Meeting will take place via the Microsoft Teams platform. Use the following link to connect to the meeting:

<https://teams.microsoft.com/meet/28855400011014?p=iRmCeGmv5gfMuWHxY>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Southwest Florida Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair at (813)545-1716 or David Draper at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Blair at (813)545-1716 or David Draper at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janet Blair at (813)545-1716 or David Draper at (407)317-7335.

AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC.

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 2, 2026, 8:30 a.m.

PLACE: 4400 N. Congress Avenue, West Palm Beach, Florida 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Council will discuss general business.

A copy of the agenda may be obtained by contacting: Lee Hardy, lhardy@aaapbtc.org; (561)684-5885; ext. 59237

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Lee Hardy, lhardy@aaapbtc.org; (561)684-5885; ext. 59237. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lee Hardy, lhardy@aaapbtc.org; (561)684-5885; ext. 59237

BROWARD COLLEGE

The District Board of Trustees of Broward College announces a workshop to which all persons are invited.

DATE AND TIME: May 27, 2026, 9:30 a.m.

PLACE: Willis Holcombe Center 111 East Las Olas Boulevard Room 1208 Fort Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Passage Rates

A copy of the agenda may be obtained by contacting:

<https://public.onboardmeetings.com/Organization/nRXYfuAkmbKiT4aBzQa%2F8%2F02PNh5QgTHuSSq1R%2FHKewA>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Associate Vice President, Institutional Accessibility & ADA Coordinator at (954)201-6527 or email adacoordinator@broward.edu. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Board Clerk, at (954)201-7639 or email legalservices@broward.edu

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Kalbas Inc. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

On May 18, 2026, the Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Kalbas Inc. The petition seeks a declaratory statement from the Office on (1) whether the virtual currency activities described herein fall within the scope of activities regulated under Petitioner’s Florida MSB Part II license, in light of Florida’s current position that cryptocurrency is not directly regulated as money transmission under Florida law; (2) whether transactions conducted at Petitioner’s Bitcoin ATMs (kiosks) are required to be reported as quarterly transmission volume under the Florida MSB Part II license; and (3) whether each of Petitioner’s kiosks must be registered as a branch location under the Florida MSB Part II license. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

**Section X
Announcements and Objection Reports of the Joint Administrative Procedures Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and Purchasing**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraphs 120.55(1)(b)7. – 8., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, May 13, 2026, and 3:00 p.m., Tuesday, May 19, 2026.

Rule No.	File Date	Effective Date
11B-14.002	5/15/2026	6/4/2026
11B-20.001	5/15/2026	6/4/2026
11B-21.005	5/15/2026	6/4/2026
11B-30.006	5/18/2026	6/7/2026
11B-35.001	5/15/2026	6/4/2026
11B-35.0024	5/15/2026	6/4/2026
11C-6.004	5/15/2026	6/4/2026
11C-10.003	5/15/2026	6/4/2026
11D-6.003	5/15/2026	6/4/2026
40E-22.061	5/18/2026	6/7/2026
40E-22.222	5/18/2026	6/7/2026
42A-1.001	5/15/2026	6/4/2026
42A-1.002	5/15/2026	6/4/2026
42A-1.003	5/15/2026	6/4/2026
42A-1.004	5/15/2026	6/4/2026

42L-1.001	5/15/2026	6/4/2026
42L-1.002	5/15/2026	6/4/2026
42L-1.003	5/15/2026	6/4/2026
42V-1.001	5/15/2026	6/4/2026
42V-1.002	5/15/2026	6/4/2026
42V-1.003	5/15/2026	6/4/2026
53ER26-30	5/19/2026	5/21/2026
62-550.825	5/15/2026	12/31/2026
62-815.001	5/19/2026	6/8/2026
62-815.002	5/19/2026	6/8/2026
62-815.0031	5/19/2026	6/8/2026
62-815.004	5/19/2026	6/8/2026
62-815.006	5/19/2026	6/8/2026
62-815.007	5/19/2026	6/8/2026
62-815.008	5/19/2026	6/8/2026
62-815.010	5/19/2026	6/8/2026
62-815.0105	5/19/2026	6/8/2026
62-815.011	5/19/2026	6/8/2026
62-815.012	5/19/2026	6/8/2026
62-816.001	5/19/2026	6/8/2026
62-816.002	5/19/2026	6/8/2026
62-816.003	5/19/2026	6/8/2026
62-816.004	5/19/2026	6/8/2026
62-816.005	5/19/2026	6/8/2026
62-816.006	5/19/2026	6/8/2026
62-816.007	5/19/2026	6/8/2026
62-816.008	5/19/2026	6/8/2026
62-816.009	5/19/2026	6/8/2026
62-816.010	5/19/2026	6/8/2026
62-816.011	5/19/2026	6/8/2026
62-816.012	5/19/2026	6/8/2026
62-816.013	5/19/2026	6/8/2026
62-816.014	5/19/2026	6/8/2026
64-4.315	5/13/2026	6/2/2026
68F-20.002	5/13/2026	6/2/2026
69K-6.001	5/14/2026	6/3/2026
69K-6.0015	5/14/2026	6/3/2026
69K-6.002	5/14/2026	6/3/2026
69K-23.001	5/14/2026	6/3/2026
69K-100.035	5/14/2026	6/3/2026

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
14-10.0043	4/11/2025	**/**/****
62-42.300	12/31/2025	**/**/****
65C-9.004	3/31/2022	**/**/****
69C-2.004	11/5/2025	**/**/****
69C-2.005	11/5/2025	**/**/****
69C-2.016	11/5/2025	**/**/****
69C-2.022	11/5/2025	**/**/****
69C-2.026	11/5/2025	**/**/****
69C-2.034	11/5/2025	**/**/****
69C-2.035	11/5/2025	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Botero and Khan Investments LLC line-make TEKO

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Teko EV Inc, intends to allow the establishment of Botero and Khan Investments LLC DBA Botero Carts, as a dealership for the sale and service of low-speed vehicles manufactured by Teko EV Inc., (line-make TEKO) at 3970 Dow Rd, Melbourne, (Brevard County), Florida 32934, on or after June 19, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Botero and Khan Investments, LLC are dealer operator(s): Jabran Khan, 5941 SW 18th St, Plantation, Florida 33317; principal investor(s): Jabran Khan, 5941 SW 18th St, Plantation, Florida 33317, Christopher Botero, 2500 Primm Rd, Denver, North Carolina 28037.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jiansong Huang, Teko EV Inc, 2799 Gateway Center Parkway Bldg. G, St Petersburg, Florida 33716.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Botero and Khan Investments, LLC. - TEKO Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Teko EV Inc, intends to allow the establishment of Botero and Khan Investments, LLC DBA Botero Carts, as a dealership for the sale and service of low-speed vehicles manufactured by Teko EV Inc., (line-make TEKO) at 5300 Ulmerton Rd, Suite A, Clearwater, (Pinellas County), Florida 33760, on or after June 19, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Botero And Khan Investments, LLC are dealer operator(s): Jabran Khan, 5941 SW 18th St, Plantation, Florida 33317; principal investor(s): Jabran Khan, 5941 SW 18th St, Plantation, Florida 33317, Christopher Botero, 2500 Primm Rd, Denver, North Carolina 28037.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jiansong Huang, Teko EV Inc, 2799 Gateway Center Parkway Bldg. G, St Petersburg, Florida 33716.

If no petitions or complaints are received within 30 days of the

date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Botero and Khan Investments LLC - TEKO

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Teko EV Inc, intends to allow the establishment of Botero and Khan Investments, LLC DBA Botero Carts, as a dealership for the sale and service of low-speed vehicles manufactured by Teko EV Inc (line-make TEKO) at 624 Beauty Rest Ave, Jacksonville, (Duval County), Florida 32205, on or after June 19, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Botero and Khan Investments, LLC are dealer operator(s): Jabran Khan, 5941 SW 18th St, Plantation, Florida 33317; principal investor(s): Jabran Khan, 5941 SW 18th St, Plantation, Florida 33317, Christopher Botero, 2500 Primm Rd, Denver, North Carolina 28037.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jiansong Huang, Teko EV Inc, 2799 Gateway Center Parkway Bldg. G, St Petersburg, Florida 33716.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Next Ride LLC - APRI

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Next Ride LLC DBA Next Ride, as a dealership for the sale and service of motorcycles manufactured by Piaggio Group Americas, Inc. (line-make APRI) at 7202 E Adamo Dr, Tampa, (Hillsborough County), Florida 33619, on or after June 19, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Next Ride LLC are dealer operator(s): Trever Varney, 7202 E Adamo Dr Ste A, Tampa, Florida 33619; principal investor(s): Trever Varney, 7202 E Adamo Dr Ste A, Tampa, Florida 33619.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Thierry Julliard, Piaggio Group Americas, Inc., 860 Washington Street 9th Floor, New York, New York 10014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Next Ride LLC, line-make MOGU

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Next Ride LLC DBA Next Ride, as a dealership for the sale and service of motorcycles manufactured by Piaggio Group Americas, Inc. (line-make MOGU) at 7202 E Adamo Dr, Tampa, (Hillsborough County), Florida 33619, on or after June 19, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Next Ride LLC are dealer operator(s): Trever Varney, 7202 E Adamo Dr Ste A, Tampa, Florida 33619-3411; principal investor(s): Trever Varney, 7202 E Adamo Dr Ste A, Tampa, Florida 33619-3411.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Thierry Julliard, Piaggio Group Americas, Inc., 860 Washington Street 9th Floor, New York, New York 10014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Next Ride LLC line-make PIAG

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Next Ride LLC DBA Next Ride, as a dealership for the sale and service of motorcycles manufactured by Piaggio Group Americas, Inc. (line-make PIAG) at 7202 E Adamo Dr, Tampa, (Hillsborough County), Florida 33619, on or after June 19, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Next Ride LLC are dealer operator(s): Trever Varney, 7202 E Adamo Dr Ste A, Tampa, Florida 33619-3411; principal investor(s): Trever Varney, 7202 E Adamo Dr Ste A, Tampa, Florida 33619-3411.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Thierry Julliard, Piaggio Group Americas, Inc., 860 Washington Street 9th Floor, New York, New York 10014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
