A bill to be entitled
An act relating to the Department of Agriculture and Consumer Services; amending s. 259.10521, F.S.; extending the scheduled repeal of the provisions governing the citizen support organizations operating to the benefit of the Babcock Ranch Preserve; amending s. 487.021, F.S.; providing a definition; amending s. 487.0435, F.S.; authorizing the Department of Agriculture and Consumer Services to consider the use of a fumigant as a pesticide for raw agricultural commodities; amending s. 500.03, F.S.; revising definitions; amending s. 500.033, F.S.; revising the membership of the Florida Food Safety and Food Defense Advisory Council; amending s. 500.12, F.S.; conforming provisions to changes made by the act; revising the date by which a late fee is imposed for nonpayment of a food permit fee; amending s. 500.121, F.S.; conforming provisions to changes made by the act; amending s. 500.147, F.S.; conforming provisions to changes made by the act; amending s. 502.012, F.S.; providing and revising definitions; amending s. 502.014, F.S.; revising the authority of the department to conduct onsite inspections of facilities used to produce and process milk and milk products and to collect samples of such for testing; amending s.
502.053, F.S.; requiring operation permits for wholesalers of frozen dessert products; providing an exemption from bulk milk hauler and sampler permit requirements; amending s. 502.181, F.S.; removing the prohibitions against certain testing for milkfat content and for repasteurizing milk; amending s. 570.441, F.S.; extending the expiration for the use of funds from the Pest Control Trust Fund; amending s. 570.691, F.S.; abrogating the scheduled repeal of provisions relating to direct-support organizations of the Department of Agriculture and Consumer Services; amending s. 570.83, F.S.; abrogating the scheduled repeal of provisions governing the Florida Beef Council, Inc., direct-support organization; amending s. 570.93, F.S.; revising requirements for the agricultural water conservation program; amending s. 590.02, F.S.; directing the Florida Forest Service to develop a training curriculum for wildland firefighting; amending s. 595.404, F.S.; authorizing the department to adopt and implement an exemption, variance, and waiver process for school food and other nutrition programs; amending s. 633.406, F.S.; conforming provisions to changes made by the act; amending s. 633.408, F.S.; providing wildland firefighter training and certification for certain
firefighters and volunteer firefighters; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 259.10521, Florida Statutes, is amended to read:

259.10521 Citizen support organization; use of property.—
(4) REPEAL.—This section is repealed October 1, 2019, unless reviewed and saved from repeal by the Legislature.

Section 2. Subsections (57) through (67) of section 487.021, Florida Statutes, are renumbered as subsections (58) through (68), respectively, and a new subsection (57) is added to that section, to read:

487.021 Definitions.—For the purpose of this part:
(57) "Raw agricultural commodities fumigation" means the use of a fumigant, in a lethal concentration to eliminate pests from fruits, vegetables, nuts, legumes, mushrooms, or other nonanimal matter customarily consumed by humans or animals, under a tarpaulin or in a structure such as a storage facility, barn, silo, or warehouse that is not inhabited by human beings, agricultural livestock, or domestic pets and that is not connected by construction elements such as voids, pipes, conduits, drains, or ducts to a structure that is inhabited by human beings, agricultural livestock, or domestic pets that
would allow the transfer of fumigant between the structures.

Section 3. Subsection (7) is added to section 487.0435, Florida Statutes, to read:

487.0435 License classification.—The department shall issue certified applicator licenses in the following classifications: certified public applicator; certified private applicator; and certified commercial applicator. In addition, separate classifications and subclassifications may be specified by the department in rule as deemed necessary to carry out the provisions of this part. Each classification shall be subject to requirements or testing procedures to be set forth by rule of the department and shall be restricted to the activities within the scope of the respective classification as established in statute or by rule. In specifying classifications, the department may consider, but is not limited to, the following:

(7) The use of a fumigant as a pesticide, solely in raw agricultural commodities fumigation as defined in s. 487.021.

Section 4. Subsection (1) of section 500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(a) "Advertisement" means any representation disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of food.
(b) "Approved laboratory" or "certified laboratory" means a laboratory of the department, a commercial laboratory certified by the Department of Health, or a competent commercial laboratory certified by an agency of another state or the United States Environmental Protection Agency to perform analyses of drinking water in accordance with the water quality testing procedures adopted by the United States Environmental Protection Agency.

(c) "Approved source" as it relates to water means a source of water, whether it is a spring, artesian well, drilled well, municipal water supply, or any other source, that complies with the Federal Safe Drinking Water Act, Pub. L. No. 93-523, as amended.


(e) "Bottled water plant" means a food establishment in which bottled water is prepared for sale.

(f) "Color" includes black, white, and intermediate grays.

(g)1. "Color additive" means a material which:
   a. Is a dye pigment, or other substance, made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity from a vegetable, animal, mineral, or other source, or
b. When added or applied to a food, is capable, alone or through reaction with another substance, of imparting color thereto;

except that such term does not include any material that is exempt under the federal act.

2. Nothing in Subparagraph 1. does not shall be construed to apply to any pesticide chemical, soil or plant nutrient, or other agricultural chemical solely because of its effect in aiding, retarding, or otherwise affecting, directly or indirectly, the growth or other natural physiological process of produce of the soil and thereby affecting its color, whether before or after harvest.

(h) "Contaminated with filth" applies to any food not securely protected from dust, dirt, and, as far as may be necessary by all reasonable means, all foreign or injurious contamination.

(i) "Convenience store" means a business that is engaged primarily in the retail sale of groceries or motor fuels or special fuels and may offer food services to the public. Businesses providing motor fuel or special fuel to the public which also offer groceries or food service are included in the definition of a convenience store.

(j) "Cottage food operation" means a natural person who produces or packages cottage food products at his or her
residence and sells such products in accordance with s. 500.80.

(j) "Cottage food product" means food that is not a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

(k) "Department" means the Department of Agriculture and Consumer Services.


(m) "Food" includes:

1. Articles used for food or drink for human consumption;
2. Chewing gum;
3. Articles used for components of any such article;
4. Articles for which health claims are made, which claims are approved by the Secretary of the United States Department of Health and Human Services and which claims are made in accordance with s. 343(r) of the federal act, and which are not considered drugs solely because their labels or labeling contain health claims; and
5. Dietary supplements as defined in 21 U.S.C. s. 321(ff)(1) and (2).

The term includes any raw, cooked, or processed edible substance; ice; any beverage; or any ingredient used, intended
for use, or sold for human consumption.

(n) "Food additive" means any substance, the intended use of which results or may be reasonably expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, transporting, or holding food and including any source of radiation intended for any such use), if such substance is not generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures (or, in the case of a substance used in a food before prior to January 1, 1958, through either scientific procedures or experience based on common use in food) to be safe under the conditions of its intended use; except that such term does not include:

1. A pesticide chemical in or on a raw agricultural commodity;

2. A pesticide chemical to the extent that it is intended for use or is used in the production, storage, or transportation of any raw agricultural commodity;

3. A color additive; or

4. Any substance used in accordance with a sanction or approval granted before prior to the enactment of the Food Additives Amendment of 1958, pursuant to the federal act; the

(o) "Food establishment" means a factory, food outlet, or other facility manufacturing, processing, packing, holding, or preparing food or selling food at wholesale or retail.

1. The term includes:
   a. Tomato packinghouses and repackers.
   b. Any establishment or section of an establishment at which food and food products are offered to the consumer and intended for off-premises consumption, and any delicatessen that offers prepared food in bulk quantities only.

2. The term does not include:
   a. A business or activity that is regulated under s. 413.051, s. 500.80, chapter 509, or chapter 601.
   b. The term includes tomato packinghouses and repackers but does not include any other establishments that pack fruits and vegetables in their raw or natural states, including those fruits or vegetables that are washed, colored, or otherwise treated in their unpeeled, natural form before they are marketed, including markets that offer only fresh fruits and fresh vegetables for sale.

(q) "Food outlet" means any grocery store; convenience store; minor food outlet; meat, poultry, or fish and related aquatic food market; fruit or vegetable market; food warehouse;
refrigerated storage facility; freezer locker; salvage food facility; or any other similar place storing or offering food for sale.

(r) "Food service establishment" means any place where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term includes delicatessens that offer prepared food in individual service portions. The term does not include schools, institutions, fraternal organizations, private homes where food is prepared or served for individual family consumption, retail food stores, the location of food vending machines, cottage food operations, and supply vehicles, nor does the term include a research and development test kitchen limited to the use of employees and which is not open to the general public.

(p) "Immediate container" does not include package liners.

(q) "Label" means a display of written, printed, or graphic matter upon the immediate container of any article. A requirement made by or under authority of this chapter that any word, statement, or other information appear on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside
container or wrapper, if there is any, of the retail package of
such article or is easily legible through the outside container
or wrapper.

(r)(u) "Labeling" means all labels and other written,
printed, or graphic matters:
1. Upon an article or any of its containers or wrappers;
or
2. Accompanying such article.

(s)(v) "Minor food outlet" means any food retail
establishment that sells food groceries and may offer food
service to the public, but neither business activity is a major
retail function based on allocated space or gross sales.

(t)(w) "Natural water" means bottled spring water,
artesian well water, or well water that has not been altered
with water from another source or that has not been modified by
mineral addition or deletion, except for alteration that is
necessary to treat the water through ozonation or an equivalent
disinfection and filtration process.

(u)(x) "Packaged ice" means ice that is enclosed in a
container and is offered for sale for human consumption or for
other use by the consumer. The term does not include ice that is
manufactured by any business licensed under chapter 381 or
chapter 509.

(v)(y) "Packaged ice plant" means a food establishment in
which packaged ice is manufactured or processed.
"Pesticide chemical" means any substance that which, alone, in chemical combination, or in formulation with one or more other substances is a pesticide as defined in s. 487.021 "pesticide" within the meaning of the Florida Pesticide Law, part I of chapter 487, and that which is used in the production, storage, or transportation of raw agricultural commodities.

"Raw agricultural commodity" means any food in its raw or natural state, including all fruits that are washed, colored, or otherwise treated in their unpeeled natural form before prior to marketing.

"Retail food store" means any establishment or section of an establishment where food and food products are offered to the consumer and intended for off-premises consumption. The term includes delicatessens that offer prepared food in bulk quantities only. The term does not include establishments which handle only prepackaged, nonpotentially hazardous foods; roadside markets that offer only fresh fruits and fresh vegetables for sale; food service establishments; or food and beverage vending machines.

"Vehicle" means a mode of transportation or mobile carrier used to transport food from one location to another, including, but not limited to, carts, cycles, vans, trucks, cars, trains and railway transport, and aircraft and watercraft transport.
Section 5. Subsection (1) of section 500.033, Florida Statutes, is amended to read:
500.033 Florida Food Safety and Food Defense Advisory Council.—

(1) There is created the Florida Food Safety and Food Defense Advisory Council for the purpose of serving as a forum for presenting, investigating, and evaluating issues of current importance to the assurance of a safe and secure food supply to the citizens of Florida. The Florida Food Safety and Food Defense Advisory Council shall consist of, but not be limited to: the Commissioner of Agriculture or his or her designee; the State Surgeon General or his or her designee; the Secretary of Business and Professional Regulation or his or her designee; the person responsible for domestic security with the Department of Law Enforcement; members representing the production, processing, distribution, and sale of foods; consumers or members of citizens groups; representatives of food industry groups; scientists or other experts in aspects of food safety from state universities; representatives from local, state, and federal agencies that are charged with responsibilities for food safety or food defense; and as ex officio members, the chairs of the Agriculture Committees of the Senate and the House of Representatives or their designees, and the chairs of the committees of the Senate and the House of Representatives with jurisdictional oversight of home defense issues or their...
designees, and the person responsible for domestic security with the Department of Law Enforcement or his or her designee. The Commissioner of Agriculture shall appoint the remaining members.

The council shall make periodic reports to the Department of Agriculture and Consumer Services concerning findings and recommendations in the area of food safety and food defense.

Section 6. Paragraphs (a), (b), and (e) of subsection (1) and subsection (2) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—
(1)(a) A food permit from the department is required of any person who operates a food establishment or retail food store, except:

1. Persons operating minor food outlets that sell food that is commercially prepackaged, not potentially hazardous, and not time or temperature controlled for safety, if the shelf space for those items does not exceed 12 total linear feet and no other food is sold by the minor food outlet.

2. Persons subject to continuous, onsite federal or state inspection.

3. Persons selling only legumes in the shell, either parched, roasted, or boiled.

4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within the state. Such bottles must contain a label listing the producer's name.
and street address, all added ingredients, the net weight or volume of the product, and a statement that reads, "This product has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services."

(b) Each food establishment and retail food store regulated under this chapter must apply for and receive a food permit before operation begins. An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule. The department shall adopt by rule a schedule of fees to be paid by each food establishment and retail food store as a condition of issuance or renewal of a food permit. Such fees may not exceed $650 and shall be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed $1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed $250. The fee for operating a bottled water plant or a packaged ice plant shall be set by rule of the department. Food permits are not transferable from one person or physical location to another. Food permits must be renewed annually on or before January 1. If an application for renewal of a food permit fee is not received in full by the department by January 1 within 30 days after its due date, a late fee not exceeding $100 must be paid in addition to the food permit fee before the department may issue the food permit.
permit. The moneys collected shall be deposited in the General Inspection Trust Fund.

(e) The department is the exclusive regulatory and permitting authority for all food outlets, retail food stores, food establishments, convenience stores, and minor food outlets in accordance with this section. Application for a food permit must be made on forms provided by the department, which forms must also contain provision for application for registrations and permits issued by other state agencies and for collection of the food permit fee and any other fees associated with registration, licensing, or applicable surcharges. The details of the application shall be prescribed by department rule.

(2) When any person applies for a building permit to construct, convert, or remodel any food establishment, food outlet, or retail food store, the authority issuing such permit shall make available to the applicant a printed statement, provided by the department, regarding the applicable sanitation requirements for such establishments. A building permitting authority, or municipality or county under whose jurisdiction a building permitting authority operates, may not be held liable for a food establishment, food outlet, or retail food store that does not comply with the applicable sanitation requirements due to failure of the building permitting authority to provide the information as provided in this subsection.

(a) The department shall furnish, for distribution, a
statement that includes the checklist to be used by the food
inspector in any preoperational inspections to assure that the
food establishment is constructed and equipped to meet the
applicable sanitary guidelines. Such preoperational inspection
shall be a prerequisite for obtaining a food permit in
accordance with this section.

(b) The department may provide assistance, when requested
by the applicant, in the review of any construction or
remodeling plans for food establishments. The department may
charge a fee for such assistance which covers the cost of
providing the assistance and which shall be deposited in the
General Inspection Trust Fund for use in funding the food safety
program.

(c) A building permitting authority or other subdivision
of local government may not require the department to approve
construction or remodeling plans for food establishments and
retail food stores as a condition of any permit or license at
the local level.

Section 7. Subsection (1) of section 500.121, Florida
Statutes, is amended to read:

500.121 Disciplinary procedures.—
(1) In addition to the suspension procedures provided in
s. 500.12, if applicable, the department may impose an
administrative fine in the Class II category pursuant to s.
570.971 against any retail food store, food establishment, or
cottage food operation that violates this chapter, which fine, when imposed and paid, shall be deposited by the department into the General Inspection Trust Fund. The department may revoke or suspend the permit of any such retail food store or food establishment if it is satisfied that the retail food store or food establishment has:

(a) Violated this chapter.

(b) Violated or aided or abetted in the violation of any law of this state governing or applicable to retail food stores or food establishments or any lawful rules of the department.

(c) Knowingly committed, or been a party to, any material fraud, misrepresentation, conspiracy, collusion, trick, scheme, or device whereby another person, lawfully relying upon the word, representation, or conduct of a retail food store or food establishment, acts to her or his injury or damage.

(d) Committed any act of conduct of the same or different character than that enumerated which constitutes fraudulent or dishonest dealing.

Section 8. Paragraph (a) of subsection (3) of section 500.147, Florida Statutes, is amended to read:

500.147 Inspection of food establishments, food records, and vehicles.—

(3) For bottled water plants:

(a) Bottled water must be from an approved source. Bottled water must be processed in conformance with 21 C.F.R. part 129
(2018)-(2006), and must conform to 21 C.F.R. part 165 (2018)-(2006). A person operating a bottled water plant shall be responsible for all water sampling and analyses required by this chapter.

Section 9. Section 502.012, Florida Statutes, is amended to read:

502.012 Definitions.—As used in this chapter, the term:

1. "Bulk milk hauler and sampler" means a person who collects official samples and may transport raw milk from a farm or raw milk products to or from a farm, milk plant, receiving station, or transfer station and has in his or her possession a permit to sample such products from any state regulatory agency charged in implementing the Grade "A" program.

2. "Bulk milk pickup tanker" means a vehicle, including the truck and tank, and necessary attachments for its use, used by a bulk milk hauler and sampler to transport bulk raw milk for pasteurization, ultra-pasteurization, aseptic processing and packaging, or retort processing after packaging from a dairy farm to a milk plant, receiving station, or transfer station.

3. "Dairy farm" means any place or premises where one or more lactating animals, such as cows, goats, sheep, water buffalo, camels, or other hooved mammals, are kept for milking purposes and from which a part or all of the milk is provided, sold, or offered for sale.
(4) "Department" means the Department of Agriculture and Consumer Services.

(5) "Frozen dessert" means a specific standardized frozen dessert described in 21 C.F.R. part 135 and any other food defined by rule of the department that resembles such standardized frozen dessert but does not conform to the specific description of such standardized frozen dessert in 21 C.F.R. part 135. The term includes, but is not limited to, a quiescently frozen confection, a quiescently frozen dairy confection, a frozen dietary dairy dessert, and a frozen dietary dessert.

(6) "Frozen desserts manufacturer" means a person who manufactures, processes, converts, partially freezes, or freezes any mix or frozen dessert for distribution or sale.

(7) "Frozen desserts plant" means any location or premises at which frozen desserts or mix are manufactured, processed, or frozen for distribution or sale at wholesale.

(8) "Frozen desserts retail establishment" means any location or premises, including a retail store, stand, hotel, boardinghouse, restaurant, vehicle, or mobile unit, at which frozen desserts are frozen, partially frozen, or dispensed for sale at retail.

(9) "Frozen dietary dairy dessert" or "frozen dietary dessert" means a food for any special dietary use, prepared by freezing, with or without agitation, and composed of a
pasteurized mix that may contain fat, protein, carbohydrates, natural or artificial sweeteners, flavoring, stabilizers, emulsifiers, vitamins, and minerals.

(10) "Grade 'A' pasteurized milk ordinance" means the document entitled "Grade 'A' Pasteurized Milk Ordinance, United States Department of Health and Human Services, Public Health Service, Food and Drug Administration," including all associated appendices, as adopted by department rule.

(11) "Imitation milk and imitation milk products" means those foods that have the physical characteristics, such as taste, flavor, body, texture, or appearance, of milk or milk products as defined in this chapter and the Grade "A" pasteurized milk ordinance but do not come within the definition of "milk" or "milk products" and are nutritionally inferior to the product imitated.

(12) "Milk" means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows, goats, sheep, water buffalo, camels, or other hooved mammals.

(13) "Milk distributor" means any person who offers for sale or sells to another person any milk or milk product.

(14) "Milk products" means products made with milk that is processed in some manner, including being whipped, acidified, cultured, concentrated, lactose-reduced, or sodium-reduced or aseptically processed, or having the addition or
subtraction of milkfat, the addition of safe and suitable microbial organisms, or the addition of safe and suitable optional ingredients for protein, vitamin, or mineral fortification. "Milk products" do not include products such as evaporated milk, condensed milk, eggnog in a rigid metal container, dietary products, infant formula, or ice cream and other desserts.

(15) "Milkfat" or "butterfat" means the fat contained in milk.

(16) "Milk hauler" means any person who transports raw milk or raw milk products to or from a milk plant, receiving station, or transfer station.

(17) "Milk plant" means any place, premises, or establishment where milk or milk products are collected, handled, processed, stored, pasteurized, ultra-pasteurized, aseptically processed and packaged, retort processed after packaging, condensed, dried, packaged, bottled, or prepared for distribution.

(18) "Milk plant operator" means any person responsible for receiving, processing, pasteurizing, or packaging milk and milk products, or performing any other related operation.

(19) "Milk producer" means any person who operates a dairy farm and provides, sells, or offers for sale milk to a milk plant, receiving station, or transfer station.
"Milk tank truck" means either a bulk milk pickup tanker or a milk transport tank.

"Milk transport tank" means a vehicle, including the truck and tank, used by a bulk milk hauler and sampler or a milk hauler to transport bulk shipments of milk from a milk plant, receiving station, or transfer station to another milk plant, receiving station, or transfer station.

"Quiescently frozen confection" means a clean and wholesome frozen, sweetened, flavored product that, while being frozen, was not stirred or agitated (generally known as quiescent freezing). The confection may be acidulated with food-grade acid, may contain milk solids or water, or may be made with or without added harmless pure or imitation flavoring and with or without harmless coloring. The finished product must not contain more than 0.5 percent by weight of stabilizer composed of wholesome, edible material and must not contain less than 17 percent by weight of total food solids. In the production of the confection, processing or mixing before quiescent freezing that develops in the finished confection mix any physical expansion in excess of 10 percent may not be used.

"Quiescently frozen dairy confection" means a clean and wholesome frozen product made from water, milk products, and sugar, with added harmless pure or imitation flavoring, with or without added harmless coloring, with or without added stabilizer, or with or without added emulsifier,
that, while being frozen, was not stirred or agitated (generally known as quiescent freezing). The confection must not contain less than 13 percent by weight of total milk solids, less than 33 percent by weight of total food solids, more than 0.5 percent by weight of stabilizer, or more than 0.2 percent by weight of emulsifier. Stabilizer and emulsifier must be composed of wholesome, edible material. In the production of a quiescently frozen dairy confection, processing or mixing before quiescently freezing that develops in the finished confection mix any physical expansion in excess of 10 percent may not be used.

(24)(23) "Raw milk" means unpasteurized, unprocessed milk. (25)(24) "Receiving station" means any place, premises, or establishment where raw milk is received, collected, handled, stored, or cooled and is prepared for further transporting.

(26) "Reconstituted milk or milk products" or "recombined milk or milk products" means milk or milk products that result from reconstituting or recombining of milk constituents with potable water.

(27) "Retail" means the sale of goods to the public for use or consumption rather than for resale.

(28)(25) "Substitute milk and substitute milk products" means those foods that have the physical characteristics, such as taste, flavor, body, texture, or appearance, of milk or milk products as defined in this chapter and the Grade "A" pasteurized milk ordinance but do not come within the definition...
of "milk" or "milk products" and are nutritionally equivalent to
the product for which they are substitutes.

(29) "Transfer station" means any place, premises, or
establishment where milk or milk products are transferred
directly from one milk tank truck to another.

(30) "Ultra-pasteurization" means a thermal process by
which milk or milk products are heated to 280 degrees Fahrenheit
or above for at least 2 seconds, before or after packaging, to
produce a milk or milk product that has an extended shelf-life
under refrigerated conditions.

(31) "Washing station" means any place, premises, or
establishment where milk tank trucks are cleaned and sanitized.

(32) "Wholesale" means the selling of goods in quantity to
be retailed by others.

Section 10. Paragraph (a) of subsection (2) of section
502.014, Florida Statutes, is amended to read:

502.014 Powers and duties.—

(2)(a) The department shall conduct onsite inspections of
any facility used in the production, processing, and
distribution of any milk or milk products under this chapter and
shall collect samples of such products from such facilities for
testing pursuant to dairy farms, milk plants, and frozen desert
plants and collect test samples of milk, milk products, and
frozen desserts as required by this chapter.

Section 11. Paragraph (b) of subsection (1), paragraph (d)
of subsection (3), and paragraph (a) of subsection (4) of section 502.053, Florida Statutes, are amended to read:

502.053  Permits and fees; requirements; exemptions; temporary permits.—

(1) PERMITS.—

(b) Each frozen dessert plant, whether located in the state or outside the state, that manufactures frozen desserts or other products defined in this chapter and offers these products for sale in this state must apply to the department for a permit to operate. The application must be submitted on forms prescribed by the department. All frozen dessert permits expire on June 30 of each year.

(3) REQUIREMENTS.—

(d) Each frozen dessert plant permitholder must report monthly, quarterly, semiannually, or annually, as required by the department, the number of gallons of frozen dessert or frozen dessert mix sold or manufactured by the permitholder in this state.

(4) EXEMPTIONS.—

(a) The following persons are exempt from bulk milk hauler and sampler permit requirements:

1. Milk producers who transport milk or milk products only from their own dairy farms.

2. Employees of a milk distributor or milk plant operator who possesses a valid permit.
3. Drivers of bulk milk tank trucks between locations who do not collect milk from farms.

Section 12. Subsection (5) of section 502.181, Florida Statutes, is renumbered as subsection (4), and subsections (1) and (4) of that section are amended to read:

502.181 Prohibited acts.—It is unlawful for any person in this state to:

(1) Engage in the business of producing, hauling, transferring, receiving, processing, packaging, or distributing milk, milk products, or frozen desserts or operating a washing station, manufacturing single-service containers, or manufacturing imitation or substitute milk or milk products, or testing for milkfat content, without first obtaining a permit or license from the department.

(4) Repasteurize milk.

Section 13. Subsection (4) of section 570.441, Florida Statutes, is amended to read:

570.441 Pest Control Trust Fund.—

(4) In addition to the uses authorized under subsection (2), moneys collected or received by the department under chapter 482 may be used to carry out the provisions of s. 570.44. This subsection expires June 30, 2024.

Section 14. Subsection (10) of section 570.691, Florida Statutes, is amended to read:

570.691 Direct-support organization.—
(10) This section is repealed October 1, 2019, unless reviewed and saved from repeal by the Legislature.

Section 15. Subsection (14) of section 570.83, Florida Statutes, is amended to read:

570.83 Beef Market Development Act; definitions; Florida Beef Council, Inc., creation, purposes, governing board, powers, and duties; referendum on assessments imposed on gross receipts from cattle sales; payments to organizations for services; collecting and refunding assessments; vote on continuing the act; council bylaws.—

(14) REPEAL. This section is repealed October 1, 2019, unless reviewed and saved from repeal by the Legislature.

Section 16. Subsection (1) of section 570.93, Florida Statutes, is amended to read:

570.93 Department of Agriculture and Consumer Services; agricultural water conservation and agricultural water supply planning.—

(1) The department shall establish an agricultural water conservation program that includes the following:

(a) A cost-share program, coordinated where appropriate with the United States Department of Agriculture and other federal, state, regional, and local agencies when appropriate, for irrigation system retrofit and application of mobile irrigation laboratory evaluations and for water conservation and as provided in this section and, where applicable, for water
quality improvement pursuant to s. 403.067(7)(c).

(b) The development and implementation of voluntary interim measures or best management practices, adopted by rule, which provide for increased efficiencies in the use and management of water for agricultural production. In the process of developing and adopting rules for interim measures or best management practices, the department shall consult with the Department of Environmental Protection and the water management districts. Such rules may also include a system to ensure the implementation of the practices, including recordkeeping requirements. As new information regarding efficient agricultural water use and management becomes available, the department shall reevaluate and revise, as needed, the interim measures or best management practices as needed. The interim measures or best management practices may include irrigation retrofit, implementation of mobile irrigation laboratory evaluations and recommendations, water resource augmentation, and integrated water management systems for drought management and flood control and should, to the maximum extent practicable, be designed to qualify for regulatory incentives and other incentives, as determined by the agency having applicable statutory authority.

(c) Provision of assistance to the water management districts in the development and implementation, to the extent practicable, of a consistent, to the extent practicable,
methodology for the efficient allocation of water for
agricultural irrigation.

Section 17. Paragraph (e) of subsection (1) of section
590.02, Florida Statutes, is amended to read:

590.02 Florida Forest Service; powers, authority, and
duties; liability; building structures; Withlacoochee Training
Center.—

(1) The Florida Forest Service has the following powers,
authority, and duties to:

(e) Develop a training curriculum for wildland forestry
firefighters which must contain at least 40 hours of structural
firefighter training, at least 40 hours of emergency medical
training, and at least 376 the basic volunteer structural fire
training course approved by the Florida State Fire College of
the Division of State Fire Marshal and a minimum of 250 hours of
wildfire training;

Section 18. Subsection (16) is added to section 595.404,
Florida Statutes, to read:

595.404 School food and other nutrition programs; powers
and duties of the department.—The department has the following
powers and duties:

(16) To adopt and implement an exemption, variance, and
waiver process by rule, as required by federal regulations, for
sponsors of the programs implemented pursuant to this chapter,
notwithstanding s. 120.542.
Section 19. Paragraph (d) of subsection (1) of section 633.406, Florida Statutes, is amended to read:

633.406 Classes of certification.—

(1) The division may award one or more of the following certificates:

(d) Wildland Forestry Certificate of Compliance.—A Wildland Forestry Certificate of Compliance may be awarded to a person who has satisfactorily complied with a training program and successfully passed an examination as prescribed by rule, and who possesses the qualifications established in s. 590.02(1)(e).

Section 20. Subsection (8) of section 633.408, Florida Statutes, is amended to read:

633.408 Firefighter and volunteer firefighter training and certification.—

(8)(a) Pursuant to s. 590.02(1)(e), the division shall establish a structural fire training program of at least 40 not less than 206 hours. The division shall issue to a person satisfactorily complying with this training program and who has successfully passed an examination as prescribed by the division and who has met the requirements of s. 590.02(1)(e), a Wildland Firefighter Forestry Certificate of Compliance.

(b) An individual who holds a current and valid Wildland Firefighter Forestry Certificate of Compliance is entitled to the same rights, privileges, and benefits provided for by law as
a firefighter.

Section 21. This act shall take effect July 1, 2019.