

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

BUREAU OF ENTOMOLOGY AND PEST CONTROL

RULE TITLE:

RULE NO.:

Responsibilities and Duties – Records, Reports,

Advertising, Applications

5E-14.142

PURPOSE AND EFFECT: The purpose of the rule amendment is to clarify expectations of a Wood-Destroying Organisms Inspection Report to consumers and address the need to better document conditions within a structure with respect to wood-destroying organisms for the purposes of a real estate transaction and when a fee is charged for the inspection or a written report requested by the consumer.

SUBJECT AREA TO BE ADDRESSED: Wood-Destroying Organisms Inspection Report Form 13645.

SPECIFIC AUTHORITY: 482.051, F.S.

LAW IMPLEMENTED: 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6), F.S.

WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: May 2, 2008; 9:00 A.M.

PLACE: Broward Extension Office, 3245 College Avenue, Davie, Florida, 33314

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael J. Page, Chief of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961, (850) 921-4177.

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) No change.

(2) Reports:

(a)- (b) No change.

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

Pursuant to Sections 482.226(1), (2), (4) and (5), F.S., each licensee having a certified operator certified in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, Rev. ~~02/04~~ 01/08, which is incorporated by reference. The licensee shall not place any disclaimers or additional language on the Wood-Destroying Organisms Inspection Report. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

(c)1 - (c)3 No change.

(3) – (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.071, 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6) FS. History–New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06, _____-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Michael J. Page

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Anderson H. “Andy” Rackley

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 08/07/07

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: 09/21/07