
**ORGANIZATIONAL AND PROCEDURAL
GUIDELINES FOR THE
FLORIDA PESTICIDE REVIEW COUNCIL**

PREPARED BY:

THE FLORIDA PESTICIDE REVIEW COUNCIL

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PESTICIDE REVIEW COUNCIL

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A. PURPOSE OF COUNCIL

The Pesticide Review Council (PRC) is authorized by Section 487.0615, Florida Statutes.

The purpose of the PRC is to advise the Commissioner of Agriculture regarding the sale, use, and registration of pesticides and to advise government agencies, including the State University System (SUS), with respect to those activities related to their responsibilities regarding pesticides. The PRC shall serve as the statewide forum for the coordination of pesticide-related activities to eliminate duplication of effort and maximize protection of the environment of the state and the health of the public.

The PRC shall have the following powers and duties:

- (1) Recommend, based upon review of state pesticide program needs, appropriate scientific studies on any pesticide when substantive preliminary data indicate that the pesticide could pose an unreasonably adverse effect on the environment or human health. Such recommendations may include using available services of state agencies or of the SUS to conduct such scientific studies, or that these agencies seed funding for this purpose. When the PRC recommends such studies, it must support legislative budget requests for funding needed to conduct the studies. The PRC may also conduct scientific studies if specific funding is provided to the Department or other governmental agency by the Legislature.
- (2) Make recommendations, subject to a majority vote, directly to the Commissioner of Agriculture for actions to be taken with respect to the sale or use of a pesticide, which the PRC has reviewed.
- (3) Provide advice or information to appropriate governmental agencies, including the SUS, with respect to those activities related to their responsibilities regarding pesticides. However, confidential data received from the United States Environmental Protection Agency or the registrant shall be treated as such; and it is unlawful for any member of the PRC to use the data for his/her own advantage or to reveal the data to the general public, the provisions of Chapter 119, Florida Statutes to the contrary notwithstanding.
- (4) Review biological and alternate controls to replace or reduce the use of pesticides.
- (5) Consider, at the request of any member, the development of appropriate advice or recommendations on a pesticide when substantive preliminary data indicated that the pesticide should pose an unreasonably adverse effect on the environment or human health.
- (6) Assist the Florida Department of Agriculture and Consumer Services (FDACS) in the review of pesticides that are selected for special review based upon potential environmental or human health effects. FDACS shall consult with the PRC in the

special review, providing periodic updates to the PRC on preliminary findings as a special review progresses, and formulating final recommendations on any pesticide on which a special review has been conducted.

B. GOALS OF COUNCIL

The goals of the PRC are to answer the following questions as effectively and as precisely as possible:

- (1) Does the current use of any pesticide in the state's environmental, agricultural commodities or processed products pose an unreasonable adverse effect on the environment or human health?
- (2) If there is a possibility of an unreasonable adverse effect on the environment and/or human health, how can this risk be diminished or eliminated?
- (3) How can we prevent or minimize the possibility of such risks involving pesticide usage?
- (4) How can the PRC best expedite an increased emphasis on biological control research, thereby decreasing overall pesticide usage in Florida?

It is appropriate that the PRC continue its efforts to determine where there are potential risks involved in current use of certain pesticide and recommend procedures for alleviating or eliminating the risk. The PRC's primary objective must always be to protect Florida's environment and the health of its citizens. If this objective is achieved through a reasonable benefit-risk evaluation, sufficient pesticides will remain available to maintain the state's diverse and productive agricultural industry.

C. ORGANIZATION

- (1) Membership

The PRC consist of 11 scientific members.

A representative of each of the following agencies shall be appointed by and serve at the pleasure of the Executive Officer of that agency:

Florida Department of Agriculture and Consumer Services (FDACS)
Florida Department of Environmental Protection (FDEP)
Florida Department of Health (FDOH)
Florida Fish and Wildlife Conservation Commission (FFWCC)

Membership of the Dean of Research of the Institute of Food and Agricultural Sciences (IFAS), University of Florida is required.

The Governor appoints six members. These include:

A representative of the pesticide industry,
a representative of an environmental group,
a hydrologist,
a toxicologist
a scientific representative from one of the five water management districts,
a grower representative

Appointments by the Governor shall be made for a term of four years, unless terms of two to three years are required to avoid expiration of more than two members in any given year.

(2) Officers

Officers shall serve a term of one year. Officers may not serve consecutive terms.

CHAIR

It is the duty of the chairman to conduct the meetings of the PRC, to appoint standing and special working group members, designate the group leader and assign tasks to the groups, determine the specific duties of the special working groups, to review and approve the agenda for each meeting, to sign the documents of the PRC designating official action, and to assure that the PRC stays within the intent of its powers and duties as specified by the Florida Statutes.

VICE CHAIR

Upon assuming responsibility of this office, the Vice Chair shall automatically become the Chair of the Executive Planning Working Group of the PRC. In the absence of the Chair, the Vice Chair shall conduct the PRC meeting.

SECRETARY

The Secretary, through the Bureau of Pesticides, FDACS, shall maintain a current list of the members of the PRC, their business addresses and telephone numbers for personal reference or distribution upon request. As soon as possible after the Chair has established the next PRC meeting, the Secretary, through the Bureau of Pesticides, FDACS, shall arrange for publication in the Florida Administrative Weekly (FAW) a notice of the time, date and location of the next meeting. Such notice shall be published at least 14 days prior to the meeting.

Minutes

The Bureau of Pesticides, FDACS, will record PRC meetings and prepare minutes. The PRC Secretary must ensure that these minutes are prepared in a

timely manner, review drafts for accuracy and completeness and advise the Bureau of Pesticides, FDACS of any changes or indicate approval of the draft minutes.

Preparation of Agenda

Approximately one month prior to the scheduled PRC meeting, the Secretary, through the Bureau of Pesticides, FDACS, shall remind members of the meeting date and location and shall request any items which members may wish to include on the agenda. Each agenda item requires the complete title of the topic to be presented and the individual's name who will introduce the subject topic to be presented and the individual's name who will introduce the subject to the PRC. The Secretary shall review the previous minutes to determine if any reports on PRC actions are due and will so inform the responsible individual. The Secretary, through the Bureau of Pesticides, FDACS, shall prepare a draft agenda and forward it to the Chair for review and approval. The Secretary, through the Bureau of Pesticides, FDACS, is responsible for initiating appropriate and timely actions that will assure that sufficient copies of the notice, agenda, and previous meeting's minutes are printed and sent to the Council members and other interested parties 14 days prior to the scheduled meeting date.

Files

During his/her term of office, the Secretary must keep a file of all PRC agenda, minutes, and handouts for all meetings. This file shall be transmitted to the new Secretary upon transfer of those duties on October 1st of each year. The Bureau of Pesticides, FDACS, shall permanently maintain all official records of the PRC. .

Audience Requests for Information

If sufficient copies of handouts are not available for all interested members of the audience at PRC meetings, the Secretary shall obtain the addresses of the parties and through the Bureau of Pesticides, FDACS, provide them with the requested copies as soon as possible after the meeting.

Conducting Council Meetings

Upon absence of both the Chair and Vice Chair, the Secretary shall chair the scheduled PRC meeting.

(3) Executive Planning Working Group

This three-member working group is composed as follows:

PRC Council Vice Chair, Chair*
PRC Council Chair
Past PRC Council Chair

*The Chair of the Executive Planning Working Group will rotate annually on October 1, when the PRC new officers assume their responsibilities. This working group will have oversight responsibilities for all PRC activities and will periodically review and evaluate the overall progress of the PRC, including the charges to the PRC working groups, and will track and report on the status of pending resolutions. It will evaluate the PRC progress in addressing its powers and duties as designated by the legislature. Critical needs of the PRC that require legislative attention in order to meet its assigned responsibilities will be identified by the working group and made available to the past chairman for inclusion in the annual report of the PRC. This working group will update, as required, the Organizational and Procedural Guidelines of the PRC. Modifications to the guidelines must be approved by a majority vote of the PRC.

(4) Special Working Groups

The council Chair, with a designated chair, to undertake a specific assignment for the PRC, establishes these working groups. Members shall consist of members and other experts as deemed appropriate by the chairman or at the request of the PRC Chair. When the assigned responsibility of the special working group is completed with a final report to the PRC, the PRC Chair will officially dissolve the group and this action will be duly recorded in the minutes of the meeting.

Any working group in addition to those specified duties has the responsibility of proposing that the PRC recommend studies on a pesticide when there is valid evidence that it may, as presently being used, pose a potential environmental or human health hazard within the state. The working group shall, if possible, identify the state agency or agencies, including those that are university-affiliated, which it feels are best equipped and staffed to perform the particular study. Any PRC member may also individually recommend to the PRC that a study be undertaken provided they can provide scientifically valid preliminary data that would substantiate the need for the study.

D. PROCEDURES

(1) PRC Meetings

The PRC shall meet at the call of its Chair, at the request of a majority of its members, at the request of the Department, or at such time as a public health or environmental emergency arises. To carry out the normal duties of the PRC, regular meetings will be held quarterly. Officers will be elected during the September meeting, the last meeting of the PRC's year (October 1- September 30).

(2) Voting

The PRC shall make formal recommendations and take actions at regularly scheduled and properly noticed meetings. Such formal recommendations or actions must be placed before the PRC in the form of a motion. The council must approve or deny such recommendations or actions by a majority vote of a quorum of the membership. The recommendations of the PRC shall be forwarded to the appropriate state agency or agencies under signature of the Chair unless otherwise directed by the PRC.

(3) Election of Officers

Election of a Vice Chair and a Secretary shall be made annually at the scheduled September meeting of the PRC. The incumbent Vice Chair shall automatically accede to the Chair. New PRC officers shall assume their duties as of October 1 each year. Prior to the September election, a nominating committee shall be formed and shall be composed of the previous PRC Chair who shall act as Committee Chair and two other members appointed by the incumbent PRC Chair. They shall meet, select a slate of candidates and present it to the PRC for its consideration at the September meeting. Additional nominations by PRC members may be made from the floor.

(4) Substitute for Absent Member

Any member of the (PRC) may authorize a substitute to attend its regular meeting, participate in discussions and record information. The substitute may not vote on motions, etc. brought before the PRC. However, the substitute may deliver to the PRC Chair, in writing at the opening of the meeting, an absentee vote of the member they represent.

(5) Annual Report

It is the responsibility of the outgoing Chair, through the Bureau of Pesticides, FDACS, to prepare the annual report covering the activities of the PRC from October 1 through September 30 and present it to the PRC members for comment

and any revision. It will be the responsibility of the outgoing Chair to incorporate any revisions and/or comments suggested by PRC members and to prepare the final version of the annual report. The annual report must be submitted no later than November 1 to the Commissioner of Agriculture, the Speaker of the House, the President of the Senate, as well as other interested parties.

(6) Supporting Staff

Since the membership of the PRC is composed entirely of professionals who have full-time responsibilities elsewhere, and since the PRC has no staff specifically assigned to it, there must be effective utilization of the staff and resources within the Bureau of Pesticides, FDACS (as specified in Section 570.44, F.S.) and with the Bureau of Drinking Water and Ground Water Resources of FDEP if the PRC is to be successful in achieving its goals. The PRC anticipates requesting that these staff members participate in its activities by inviting them to prepare appropriate reports and other documents and by consulting with them concerning scientific and technical matters. The PRC will have available to it the support and advice of FDACS's legal counsel.

E. INFORMATION AND REPORTING REQUIREMENTS

In order to accomplish its goals, the PRC requires large amounts of up-to-date information from FDACS, FDEP, the constituent member agencies of the PRC, other federal, state and local agencies involved in the use, monitoring or regulation of pesticides, and recognized experts in numerous areas related to pesticides.

(1) Agency Briefings

Constituent agencies of the PRC shall provide briefings whose frequency is relative to its involvement in pesticide activities. Staff of FDACS and FDEP shall provide briefings to the PRC at all regular meetings. IFAS and FDOH shall provide briefings at regular meetings held in Gainesville and Tallahassee, respectively. SFWMD and FFWCC shall provide annual briefings at the first and second meetings each PRC year, respectively. To adequately inform PRC members, all planned handouts for agency briefings shall be mailed to PRC members at least one week prior to regular meetings of the PRC.

(2) Required information

Agency staff shall provide a summary of all pesticide registrations and enforcement activities. Progress reports shall be made on all projects which the PRC has requested or expressed an interest in. Reports must be made on any monitoring which has found a pesticide in ground water and potable water. The PRC will formally respond to agency recommendations resulting from special

reviews as they are completed. The PRC shall be provided with agendas and minutes of the Pesticide Registration Evaluation Committee (PREC) meetings. The PRC shall be kept informed and used for conflict resolution in which the PREC is unable to reach a decision on a registration application.

Approved by unanimous vote of the Pesticide Review Council on:

(Date)

Richard Pfeuffer, Chair