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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

July 9, 2014

Mr. Richard D. Gaskalla
Division of Plant Industry
Florida Department of Agriculture and Consumer Services
P.O. Box 147100
Gainesville, Florida 32614-7100

**RE: Department of Agriculture and Consumer Services
Rule Chapter 5B-62, F.A.C.**

Dear Mr. Gaskalla:

According to our records, the above-referenced rule chapter was noticed in the Florida Administrative Register on **April 25, 2014**. On June 2, 2014, I sent you a letter outlining concerns with the rules.

Section 120.54(3)(e), F.S. requires rules to be filed for adoption not more than 90 days from the date of the original notice unless specified circumstances prevail. The 90-day period for filing the rules for adoption expires on **July 24, 2014**.

If you intend to adopt the rules, section 120.54(3)(d), F.S., states in part: "if the rule has not been changed from the rule as previously filed with the committee, or contains only technical changes, the adopting agency shall file a notice to that effect with the committee at least 7 days prior to filing the rule for adoption." If any change has been made to the rules, other than a technical change, you must publish a notice of change, and file a copy with the committee, at least 21 days prior to filing the rule for adoption.

If the rules are not filed within 90 days, and if an exception is not applicable, you must notice withdrawal of the rules. Any further action to adopt the rules must comply with the rulemaking procedures of section 120.54, F.S. Please advise me of any exceptions which apply to the rules so that I may keep our records current.

Mr. Richard D. Gaskalla

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Should you have any questions, please do not hesitate to contact me.

Sincerely,



Jamie L. Jackson
Senior Attorney

cc: Mr. Steven L. Hall, Senior Attorney

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