

Handbook of Florida Agricultural Laws: Index¹

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Preface

This handbook is designed to provide an accurate, current, and authoritative summary of the principal Florida laws that directly or indirectly relate to agriculture. It provides a basic overview of the many rights and responsibilities that farmers and farm land owners have under Florida laws. Many readers may value this handbook because it informs them about these rights and responsibilities, and it provides them with good contacts for more detailed information. However, the reader should be aware that because the laws, administrative rulings, and court decisions on which this handbook is based are subject to constant revision, portions of this handbook could become outdated at any time. Many details of cited laws are also left out due to space limitations.

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A Brief Note on Florida Laws and Rule Making

The Florida laws described in this handbook were passed by the state legislature and have become valid state laws. The appropriate state agency then wrote specific rules based on each law. These rules are what the state agencies use to enforce the law. For

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- This publication is designed to provide accurate, current and authoritative information on the subject. However, since the laws, administrative rulings, and court decisions on which it is based are subject to constant revision, portions of this publication could become outdated at any time. This publication is distributed with the understanding that the authors are not engaged in rendering legal or other professional advice, and the information contained herein should not be regarded, or relied upon, as a substitute for professional advice. For these reasons, the utilization of these materials by any person constitutes an agreement to hold harmless the authors, UF/IFAS, and the University of Florida for any liability, claims, damages, or expenses that may be incurred by any person as a result of reference to or reliance on the information contained in this document.
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most laws in this handbook, that agency is the Department of Agriculture and Consumer Services (DACS). Florida legislated laws, also called *statutes*, are organized into chapters. A chapter is divided even further into specific statutes. For example, Chapter 601 (Florida Citrus Code) contains dozens of sections covering topics ranging from marketing, inspection standards, and processing to prohibitions on the use of certain chemicals for citrus fruit. Other chapters may deal with a narrower subject and have far fewer sections. As noted above, the specific rules for each of these sections are written by a designated state agency, and generally go into greater detail. You can view the Florida Statutes online at <http://www.flsenate.gov/statutes>.

Introduction

This handbook can be used to learn which Florida laws apply to a particular agricultural project or subject, and to find the name, address, and telephone number of a state office that can provide more specific information or services. Created for readers with no prior experience in the law, the handbook is designed as a necessary first step in recognizing which agricultural activities merit special attention because of their implications to agriculture. The handbook also provides an introduction to the crucial agencies and statutes which govern agricultural law.

The online handbook is divided into a Table of Contents, Index, and six fact sheets. The Table of Contents gives general and specific areas of Florida laws related to agriculture and the number of the fact sheet where that topic can be found. The six fact sheets are as follows: FE114, General Agriculture-Related Laws; FE115, Animal Husbandry; FE116, Crops and Products; FE117, Related Non-Crop or Product Agricultural Topics; FE118, Environmental and Conservation Regulations; and FE119, Taxation and Property Rights Related to Agricultural Land. The user can find the specific laws by using either the Table of Contents (FE113) or the Index (FE122).

Below is an example of using the handbook if your area of interest is farming exotic animals such as ostriches.

To use the Table of Contents:

1. Find "Animal Husbandry" in the Table of Contents (FE113).
2. Within the Animal Husbandry area locate "Livestock—Exotic Animals". Follow the link to FE115: Animal Husbandry.
3. In FE115, read the "General Descriptions" and "Related References, Details, and Exceptions" columns for both laws under "Livestock—Exotic Animals". Determine if the information answers the questions or if more information is needed.
4. If the user wants more information regarding the general farming or inspection and slaughter of an exotic animal (e.g., ostriches), locate the appropriate state office telephone number and address. The primary contact agency information is listed at the end of the fact sheet, along with abbreviation information.

To use the Index:

Look up "ostriches" in the Index (FE122). The index leads the reader to the location for information about the culture and inspection/slaughter of ostriches. Follow steps 3 and 4 above to find the contact information.

Division of the Tables

The table in each fact sheet has five columns of information. The first column, "Statute / Law (description)," either provides the law's name or a general description when no name is available. The second column, "Florida Statute Number", lists either a chapter number when an entire chapter relates to a particular topic, a range of sections, or a single specific section. At times, a single chapter number may have many more laws than a range. For example, sections 593.101 to 593.117 cover a narrower field, the control of cotton boll weevil, than the larger Chapter 601 on citrus fruit. The chapter and section number in all columns are presented without the typical abbreviations or symbols.

Columns 3 and 4 provide brief descriptions and related references, details, and exceptions. This information is highly condensed. As such, not all information is provided. The authors have attempted to include the most relevant aspects of each listed law. Additional information can be obtained by contacting the offices noted in the final column, "Primary Contact Agencies." As noted above, the primary contact information is listed at the end of the fact sheet. The reader will find that the state and federal agencies are unquestionably the best targets for specific questions, as they are in close touch with both the formal and practical considerations of the areas that they regulate.

This publication can be improved with your ideas and suggestions. Comments regarding any areas which may have been omitted, but deserve inclusion, are particularly valuable. Reader feedback is a necessary ingredient to complete any successful future editions. Please send your comments or suggestions to:

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