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AFFECTING THE
Florida Citrus Industry

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Rulemaking Authority 601.10(1), 601.56 FS. Law Implemented 601.55, 601.56 FS. History--Formerly 105-1.05(1), Revised 1-1-75, Formerly 20-1.01, Repealed 8-31-15.

20-1.002 Posting of Bond.

Rulemaking Authority 601.10(1), FS. Law Implemented 601.11(1) FS. History--Formerly 105-1.05(2), Revised 1-1-75, Formerly 20-1.02, Repealed 8-31-15.

20-1.003 Determining Bond Amount.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.61 FS. History--Formerly 105-1.05(3), Revised 1-1-75, Formerly 20-1.03, Repealed 8-31-15.

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Rulemaking Authority 601.10(1), 601.61(5) FS. Law Implemented 601.61(5) FS. History--Formerly 105-1.05(3), Revised 1-1-75, Amended 8-16-75, Formerly 20-1.04, Repealed 8-31-15.

20-1.005 Complete Grove Management Services Defined.

Rulemaking Authority 601.10(1), 601.61(5) FS. Law Implemented 601.61(5)(a),(4) FS. History--Formerly 105-1.05(4), Revised 1-1-75, Formerly 20-1.05, Repealed 8-31-15.

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Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--Formerly 105-1.05(5), Revised 1-1-75, Formerly 20-1.06, Repealed 8-31-15.

20-1.007 Payments to Dealers and Agents.

Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--Formerly 105-1.05(6), Revised 1-1-75, Formerly 20-1.07, Repealed 8-31-15.

20-1.008 Application for Agent Registration.

Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--Formerly 105-1.05(7), Revised 1-1-75, Formerly 20-1.08, Repealed 8-31-15.

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Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--Formerly 105-1.05(8), Revised 1-1-75, Formerly 20-1.09, Repealed 8-31-15.

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Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--Formerly 105-1.05(9), Revised 1-1-75, Formerly 20-1.10, Repealed 8-31-15.

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Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601(2) FS. History--Formerly 105-1.05(10), Revised 1-1-75, Formerly 20-1.11, Repealed 8-31-15.

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Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--Formerly 105-1.05(11), Revised 1-1-75, Formerly 20-1.12, Repealed 8-31-15.

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20-2.001 Name, Dealer and Number Designation on Vehicles.

(1) Except as provided in subsection (3), any truck, tractor, trailer or other motor vehicle hauling citrus fruit in bulk or in unclosed containers for commercial purposes on the highways of this State shall be marked with the following information:

(a) Name of firm, corporation or person owning or operating same.

(b) If vehicle is owned by a licensed citrus fruit dealer, the words "Licensed Citrus Fruit Dealer" shall appear under the name of the owner except on the rear of a flatbed semitrailer or similar truck trailer.

(c) All hauling units must be assigned a number and this number be designated in immediate conjunction with the information required in paragraphs (a) and (b). Any number may be used, but no two units of a single owner or operator shall bear the same number.

(2) Such information shall be marked on vehicles in the following manner:

(a) The information required in subsection (1) must be permanently affixed on both sides of the vehicle, or the rear end and front end of each vehicle, except that when vehicles are leased for a period of not more than 30 days, it is sufficient if the designations are clearly legible but affixed by temporary means.

(b) When two or more units are used in the operation of hauling, each of said units must be marked in compliance with all requirements of this section.

(c) All letters and numbers must be in a bold typeface and not less than 3 inches in height except that lettering on flatbed semitrailers shall not be less than 1-1/2" inches in height on the rear end of the trailer. The type shall be in distinct contrast by color and design so as to be conspicuous and legible. An example of a 3"-inch bold typeface that would comply with the provisions of this rule is as follows:



(3) This section shall not apply to vehicles hauling fruit from the farm or grove by the producer of such fruit in his own vehicle to market or place of first commercial handling unless such producer is also a licensed citrus fruit dealer.

Rulemaking Authority 601.731(1) FS. Law Implemented 601.731(1) FS. History— Formerly 105-1.16(1), Revised 1-1-75, Formerly 20-2.01, Amended 1-3-89, 6-15-92.

20-2.002 Form of Required Trip Ticket.

The documentation required to be in possession of anyone operating a motor vehicle hauling citrus fruit in bulk or in unclosed containers for commercial purposes on the highways of this State shall be either:

(1) Numbered in sequence and in a form approved by the Division of Fruit and Vegetable Inspection; or

(2) For organic citrus fruit, numbered in sequence and in a form approved and issued by the Florida Department of Agriculture, Division of Fruit & Vegetables. Such form shall contain the following statement in bold type in a conspicuous place: “IN ADDITION TO THE PENALTIES PROVIDED FOR IN CHAPTER 601, F.S., ANY PERSON WHO MAKES A FALSE STATEMENT OR WHO KNOWINGLY SELLS OR LABELS A PRODUCT AS ORGANIC IN VIOLATION OF THE FEDERAL ORGANIC FOODS PRODUCTION ACT AND/OR USDA NATIONAL ORGANIC PROGRAM IS SUBJECT TO A FEDERAL PENALTY OF UP TO \$10,000 PER VIOLATION.”

Rulemaking Authority 601.731(2) FS. Law Implemented 601.731(2) FS. History—Formerly 105-1.16(2), Revised 1-1-75, Formerly 20-2.02, Amended 4-22-03.

20-2.003 Trip Ticket Required for Each Load of Citrus Fruit.

(1) Each trip ticket shall be made out in triplicate with one copy given to the grower, or dealer if acquired from a dealer, one copy retained by the harvester and one copy to be delivered to the scale operator or receiver at the load destination. If the harvester so elects, the trip ticket may be made out in quadruplicate and one copy shall be delivered to the State inspector at the receiving plant.

(2) The trip ticket portion of the form shall be completely filled in prior to the hauling of any citrus fruit for commercial purposes on the highways of this State. If a quadruplicate form is used, the harvester may omit the grower’s name from the copy delivered to the scale operator or receiver at the load destination and substitute a grower code designation; provided that the same code designation and the grower’s name shall appear on the other three copies.

(3) If fruit in a load is made up of lots from more than one grove, a separate trip ticket should be prepared for each grove from which the fruit was picked and a copy of each trip ticket shall accompany the load to its destination.

(4) If all the fruit in a load did not come from a single grove but was mixed at a packinghouse or at an intermediate handler's loading bin, then a single trip ticket may accompany the load from the packinghouse or intermediate handler's loading bin to its next point of destination. In this event, the top half of the ticket should reflect either:

- (a) The name of each individual grower, grove and grove location from which the fruit came, or
- (b) The words "mixed load" on the appropriate lines.

(5) For all "mixed loads, "the citrus fruit dealer doing the mixing shall be responsible for having in his records a completed trip ticket for each portion of the load so mixed showing all information required for transporting the fruit from the grove to the location where it was mixed.

(6) Prior to hauling any organic citrus fruit for commercial purposes on the highways of this State, an organic trip ticket shall be completed in quadruplicate.

(a) The trip ticket shall indicate the USDA accredited certifying agent name, organic certificate number, grove owner's name, name of the handler, trailer number, driver's name and such other information as deemed necessary.

(b) No organic fruit shall be commingled with non organic fruit in a mixed load.

(c) Each load made up of lots from more than one grove shall be accompanied by organic trip tickets from each respective grove.

(d) One copy of the trip ticket shall be given to the grower, one copy retained by harvester/handler, one copy delivered to the Florida Department of Agriculture, Division of Fruit & Vegetables and one copy delivered to the scale operator.

(e) The trip ticket shall be completed prior to the hauling of citrus fruit on the highways of this state.

Rulemaking Authority 601.10(1), (7), 601.69, 601.731(2) FS. Law Implemented 601.731(2) FS. History—Formerly 105-1.16(2), Revised 1-1-75, Formerly 20-2.03, Amended 4-22-03.

20-2.0031 Standardized Reporting of Fruit Quantity.

(1) All trip tickets shall indicate fruit quantity expressed in terms of standard field boxes as defined by Section 601.86, F.S.

(2) For purposes of trip ticket reporting the volume equivalent of field boxes of citrus fruit shall be as provided in Rule 20-2.0032, F.A.C.

(3) Fruit quantity as indicated on trip tickets may be used as a unit of trade in the sale of citrus fruit whenever buyer and seller mutually agree.

Rulemaking Authority 601.10(1), (7), 601.11, 601.69, 601.86 FS. Law Implemented 601.69, 601.86 FS. History—New 6-27-89, Amended 8-1-90.

20-2.0032 Containers to be Standardized and Marked With Capacity.

(1) Whenever fruit is bought and sold for use in the primary channel of trade in fresh form, and where such fruit is purchased using the standard packed field box as a unit of trade, containers used in the harvesting and handling of such fruit shall be standardized for sizes and limited to the following sizes: 11, 10, 9, 8, 7, 6 and 5 box equivalents.

(2)(a) Where a container is represented as having a capacity equivalent to 11 field boxes, the filled volumetric capacity of same shall not exceed 47,700 cubic inches plus either 1-1/2" inches of vertical headspace, or 2,610" cubic inches, whichever is less.

(b) Where a container is represented as having a capacity equivalent to 10 field boxes, the filled volumetric capacity of same shall not exceed 43,500" cubic inches plus either 1-1/2" inches of vertical headspace, or 2,610" cubic inches, whichever is less.

(c) Where a container is represented as having a capacity equivalent to 9 field boxes, the filled volumetric

capacity of same shall not exceed 39,300 plus either 1" inch of vertical head space or 1,950" cubic inches, whichever is less.

(d) Where a container is represented as having a capacity equivalent to 8 field boxes, the filled volumetric capacity shall not exceed 35,200" cubic inches plus either 1" inch of vertical headspace, or 1,950" cubic inches, whichever is less.

(e) Where a container is represented as having a capacity equivalent to 7 field boxes, the filled volumetric capacity of same shall not exceed 30,900" cubic inches plus either 1" inch of vertical headspace, or 1,950" cubic inches, whichever is less.

(f) Where a container is represented as having a capacity equivalent to 6 field boxes, the filled volumetric capacity of same shall not exceed 27,000" cubic inches plus either 1" inch of vertical headspace, or 1,950" cubic inches, whichever is less.

(g) Where a container is represented as having a capacity equivalent to 5 field boxes, the filled volumetric capacity of same shall not exceed 23,100" cubic inches plus either 3/4" inch of vertical headspace, or 1,300" cubic inches, whichever is less.

(3) All such containers shall be conspicuously and permanently marked with the applicable standard field box equivalent in numerals at least one inch in height and width:

Example: "11 Box", "10 Box", "9 Box", "8 Box", "7 Box", "6 Box", "5 Box"

(4) If any pallet box container is determined to contain more cubic inches than provided in paragraphs (2)(a) through (g) when the container volume plus the headspace volume have been added together for a specific container size, and which is less than the volume of the next larger container size without any headspace, such containers shall be conspicuously and permanently marked as the next size larger container in letters at least one inch in height and in width.

(5) Except as provided in subsection (6), for purposes of this section, in measuring all containers in order to determine the capacity in terms of cubic inches, the interior measurements shall be used. However, adjustment shall be made for any interior structures which diminish usable capacity.

(6) Containers which have excessive bulge when filled, or containers which are configured in ways that make geometric measurement difficult or impractical, may be measured for compliance purposes using either of the following methods:

(a) Volumetric capacity shall be computed by filling the container with water. The net weight of the water shall be converted to cubic inches of space according to the following formulae: 1 gallon of water = 8.33 pounds = 231 cubic inches, or cubic inches of space = $27.731 \times (\text{lbs. of water})$; or

(b) Compliance with subsection (2) may be determined through the use of official standard containers provided by the Florida Department of Agriculture and Consumer Services and a determination of equivalent volumetric capacity using a visual comparison between the filled official standard 11, 10, 9, 8, 7, 6 and 5 box containers and the container being measured. Such official standard containers shall be provided by FDACS and shall be made available to persons wishing to use same as measuring units under reasonable terms and conditions. Example: Fruit is filled evenly to the top of a 10 box FDACS standard container. The same fruit and volume of fruit must fit into the container being measured in the same manner, with similar packing technique and no crushing of fruit. If fruit dumped from the official 10 box standard container under fills the container being measured, the container being measured cannot be marked "10 box, "but must be marked to reflect a larger capacity.

1. Such official standard containers shall have a base with inside dimensions which measure 42" inches x 42" inches and shall contain four corner posts which shall each have a cross-sectional area containing 6.125" square inches and shall measure 3.50" inches for each of the two sides forming the right angle and an hypotenuse which measures 4.95" inches.

2. The inside height specifications, including headspace shall be as follows:

11 box 28.91
10 box 26.50
9 box 23.59
8 box 21.17
7 box 18.76
6 box 16.52
5 box 14.03

3. The dimensions provided in subparagraph 1. and 2. are for the purpose of providing for official standard container and are not mandatory dimensions for other containers.

(c) If a container complies with the provisions of this section by geometric measurement or by either of the methods described in this paragraph, such container shall be determined to be properly marked as to volumetric capacity.

(7) Fruit quantity reported on trip tickets as required in Rule 20-2.0031, F.A.C., shall be calculated using the number of field boxes represented by the marked container, unless the actual number of field boxes or weight of the fruit is known and can be established by competent proof.

(8) No citrus fruit dealer shall harvest or handle citrus fruit off the premises of a registered packing house, unless such fruit is handled in containers marked in accordance with this section.

(9) In the case of all standard containers, headspace may be filled in accordance with industry practice to permit settling of fruit in transit and to prevent damage during stacking.

(10) In any compliance determination a $\pm 1.5\%$ tolerance shall be applied to the standard volumetric capacity, thus allowing for the natural flexing and stretching of container materials.

(11)(a) Although every container described in this section is required to comply with the provisions contained herein, in the enforcement of these rules the Florida Department of Agriculture and Consumer Services shall be permitted to conduct a compliance inspection. An inspector may select containers at random in a sample lot designated by the inspector for testing. Sample lot shall not exceed 5% of the containers in question. In any event, the number of sample units tested shall be not less than 5% of the units contained in the sample lot, and at the discretion of the Department, this number may be increased. The sample lot may be deemed to fail if 15% of the containers tested are found to not meet the provisions of this section.

(b) Citrus fruit dealers must make all containers in active use accessible for sampling and testing upon reasonable request by the inspector. Failure to make containers accessible for inspection shall be sufficient cause to seize containers or postpone the inspection of fruit contained in such containers.

(12) Any person, including growers and container manufacturers, having reasonable cause, may request the FDACS to test and certify the volumetric capacity of any container for compliance under this section. The FDACS may charge a reasonable fee for this service based upon actual cost to the FDACS.

(13) Citrus fruit dealers purchasing new containers shall be required to obtain from the manufacturer a letter of certification as to their volumetric capacity.

Rulemaking Authority 601.10(1), (7), 601.11, 601.69 FS. Law Implemented 601.69 FS. History—New 8-1-90, Amended 12-13-92, 6-23-94, 10-23-94, 11-26-20.

20-2.004 Record of Drivers' Names, Etc.

Every licensed citrus fruit dealer transporting citrus fruit on the highways shall keep as a permanent part of his records a list of the names, addresses, and drivers' license numbers of all persons in his employ who drive vehicles used to transport fruit.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.69(9) FS. History—Formerly 105-1.15(3), Revised 1-1-75, Formerly 20-2.04.

20-2.005 Record of Fruit Received.

Every citrus fruit dealer receiving delivery of fruit shall keep, as a part of his records, for a period of not less than two years, that copy of the trip ticket designated in Rule 20-2.002, F.A.C., delivered with each load of citrus fruit received. The receiving dealer shall be responsible for completing the receiving plant information portion of the trip ticket delivered to him; or, as an alternative, such information may be shown on the scale ticket, provided that the number appearing in the top right hand corner of the trip ticket is copied onto the matching scale ticket and the trip ticket and scale ticket are firmly fastened together.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.69 FS. History—Formerly 105-1.16(4), Revised 1-1-75, Formerly 20-2.05, Amended 10-11-92.

20-2.006 Acceptance of Fruit without Trip Ticket Prohibited.

No citrus fruit dealer shall accept any citrus fruit unless a copy of the trip ticket designated in Rule 20-2.002, F.A.C., is delivered to him at the time he accepts delivery.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.69, 601.731(2) FS. History—Formerly 105-1.16(4), Revised 1-1-75, Formerly 20-2.06.

20-2.007 Bond Disclaimer on Producer Contracts.

All written contracts between citrus fruit dealers and producers shall bear the following statement in a prominent place on the contract: A BOND OR CERTIFICATE OF DEPOSIT POSTED WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DOES NOT NECESSARILY INSURE FULL PAYMENT OF CLAIMS FOR ANY NONPERFORMANCE UNDER THIS CONTRACT.

Rulemaking Authority 601.10(1), (7), 601.61 FS. Law Implemented 601.61 FS. History—New 8-2-88, Amended 3-10-21.

CHAPTER 20-3 REPORTS BY CITRUS FRUIT DEALERS

20-3.001	Quantity of Fruit Handled (Repealed)
20-3.002	Processed Citrus Product Report (Repealed)
20-3.003	Processing Statistics Reporting Advisory Committee – Membership
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20-3.001 Quantity of Fruit Handled.

Rulemaking Authority 601.10(1), (7), 601.69 FS. Law Implemented 601.61(1), 601.69(2), (9) FS. History—Formerly 105-1.33, Revised 1-1-75, Formerly 20-3.01, Amended 11-20-88, 6-19-00, Repealed 8-31-15.

20-3.002 Processed Citrus Product Report.

Rulemaking Authority 601.10(1), 601.15(4), (10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 6-19-00, Amended 9-17-07, 6-24-08, Repealed 8-31-15.

20-3.003 Processing Statistics Reporting Advisory Committee – Membership.

There is hereby created and established an advisory committee of the Florida Citrus Commission designated as the "Processing Statistics Reporting Advisory Committee." The purpose of the committee is to guide Department of Citrus efforts to collect and distribute statistics and data of importance to the Florida Citrus Industry. The committee shall consist of nine members appointed by the Florida Citrus Commission Chairman, subject to concurrence, as follows:

(1) The Florida Citrus Processors Association shall recommend four members who are experienced in and actively engaged in an executive capacity as an officer, employee, or owner of a cooperative, corporation, limited liability corporation, partnership or other business unit engaged in the business of producing processed citrus products in this state.

(2) Florida Citrus Mutual shall recommend two members who shall be grower members or staff of Florida Citrus Mutual.

(3) The Florida Citrus Commission Chairman shall appoint three members who shall be a representative for each of the following two categories:

(a) Two members representing grower/handlers for the processed juice market.

(b) One member to represent the Florida Citrus Commission.

(4) The Florida Citrus Commission Chairman shall appoint the Committee Chairman, subject to commission concurrence; the committee shall elect the vice-chairman.

(5) Each individual appointed to the committee shall serve for a term of two years, with the Chairmanship to rotate every year.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.04(3)(b), 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15.

20-3.004 Scope and Responsibility to the Florida Citrus Commission.

The Processing Statistics Reporting Advisory Committee shall focus on changes to processed products, pack, movement, and pricing reports and shall make recommendations to the Florida Citrus Commission related to additions, deletions, formatting of existing data, distribution and publication of data or changes to the procedures to be followed by Department of Citrus staff.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.04(3)(b), 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15, Repromulgated.

20-3.005 General Provisions.

(1) The following licensed citrus fruit dealers are exempt from the reporting requirements:

- (a) All gift fruit shippers;
- (b) Retail processors and dairies;
- (c) Processors engaged exclusively in the production of fresh squeezed unpasteurized juice and who utilize less than 200,000 boxes per year.

(2) For the purposes of this rule, terms shall have the meanings prescribed by Section 601.03, F.S. In addition, the term:

(a) “Bulk storage” is defined as storage, or storage capacities, of total quantities of processed citrus juice products in excess of fifty thousand (50,000) gallons stored in drums, bins, totes, barrels, or tank farms.

(b) “Contract, Long-Term (Multi-Season) priced fruit” is defined as:

- 1. Fruit purchased on a multi-season basis including:
 - a. Fruit with prices established prior to current fruit season;
 - b. Fruit for which a contract has been executed for current and future seasons; and,
 - c. Fruit contracted for multi-years and/or future seasons (Long Term Contract-basis).
- 2. Fruit contracted with no price specified at the time the contract is executed; however, the price must be calculable at time of fruit delivery.

(c) “Contract priced fruit” is defined as fruit purchased where a price is stated or is determinable on the basis of specified contract language and for which the price is available during the week of fruit processing (includes bulk contracts).

(d) “Current Fruit Season” is defined as October 1 through the end of fruit processing for that season.

(e) “Current Reporting Week” is defined as the seven (7) days prior to the “Week Ending” date.

(f) “Dairies” means milk plant operators, as that term is defined in Section 502.012, F.S.

(g) “Eliminations” are defined, for the purposes of the Post Estimate Report, as citrus fruit that has been graded out or eliminated from the fresh channel of trade by a packinghouse and delivered to a processor for the processed channel of trade.

(h) “FDOC Week Ending Date” is set as Sunday – Saturday with each week ending at midnight on Saturday; however, facilities may set their week ending day to align with their accounting processes provided the week ending day remains consistent throughout the current fruit season and the reporting week begins on Sunday.

(i) “Final Priced Fruit” is defined as a price (either stated in contract language or to be determined based upon contract language) that is known or will be determined before or during the week of fruit processing. This may include contracts with ‘floor’ and ‘rise’ language if the final price or pricing basis for the ‘rise’ is known during the week of delivery/processing.

(j) “Intermediate priced fruit” is defined as:

- 1. A price, either stated in contract language or to be determined based on contract language;
 - a. Before the final price is known; and,
 - b. For which the Final Price may be greater but not less than the Intermediate Price; and,
 - c. For which only the Intermediate Price is available during week of delivery/processing.
- 2. For which the Final Price or pricing basis for the ‘rise’ is not known during the week of delivery/processing due to ‘floor’ and ‘rise’ language in the executed contract.

(k) “Non-priced fruit without a final or intermediate price known” is defined as fruit processed for which the final price is not known during the week of delivery (floor/rise, participation, etc.).

(l) “Other Non-priced fruit” shall be defined as:

1. If the fruit was delivered/sold by a corporation to itself, or
2. If a subsidiary corporation delivered/sold its fruit to a parent corporation, or
3. If an owner, major stockholder, officer or employee of a processing corporation delivered/sold their fruit to the processing corporation, or
4. If the fruit is being toll processed and the price is not known to the processing facility.

(m) “Retail processors” means processors who exclusively engage in direct sales of packaged citrus juice to ultimate consumers under the processor’s own name, and do not place packaged citrus juice into the stream of commerce in wholesale form.

(n) “Spot priced fruit” is defined as fruit delivered to the processor without a pre-determined price or contract, for immediate delivery and sold for the daily price. (o) “Toll pack processing” is the act of processing fruit by a processing facility where ownership or title of such fruit never passes to the processor. The ownership of such fruit rests at all times during processing and packaging with the licensed citrus fruit dealer who has made delivery of fruit.

(3) Any data reported to the Florida Department of Citrus that a facility deems to be a trade secret (i) shall be clearly labeled as “Trade Secret” at the time it is submitted to the Department of Citrus, and (ii) shall be designated a trade secret on a Statement of Trade Secret Form under Rule 20-100.004, F.A.C. Individual facility information reported pursuant to this rule shall be held confidential as a designated trade secrets as defined in Section 688.002(4), F.S., and treated as exempt from the provisions of Section 119.07(1), F.S. Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this subsection (3), the data provided to the Department of Citrus will not be treated as a trade secret, as defined in Section 688.002(4), F.S.

(4) Reports as required under this rule chapter are subject to the inspection of records provision of Section 601.70, F.S.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 119.0715, 601.15(4), 601.69 FS. History—New 8-31-15, Amended 2-2-20, 11-26-20, 6-23-22.

20-3.006 Florida Processors’ Statistics Report.

(1) All licensed citrus fruit dealers engaged in the processing or toll pack processing shall provide to the Department of Citrus the following information:

(a) The quantity and variety of all raw citrus fruit received that was not produced in Florida. The geographic origin (by country or state if from the United States) of such product shall be indicated.

(b) The quantity and type of processed citrus fruit product manufactured by the dealer from raw citrus fruit from production areas outside the state of Florida. The geographic origin (by country or state if from the United States) of such product shall be indicated.

(c) The amount of raw citrus fruit processed, reported on both a box basis and on a pounds solids basis. These quantities shall be reported in a way to show the proportion of such juice that is manufactured into single strength or concentrated forms.

(d) The type and amount of finished juice and juice product for further manufacturing manufactured by the dealer during the reporting period.

(e) The amount of each type of processed citrus product actually shipped and/or received during the preceding reporting week to and/or from a customer or to and/or from another party.

(f) Summaries of the quantities and average purchase prices for raw fruit delivered to any dealer engaged in the processing or toll pack processing of processed citrus products during the reporting period, reported by type and pricing category (e.g., final priced, intermediate priced, non-priced).

(g) Reports of fruit held in cold storage and processed after the last field boxes have been reported shall:

1. Include the price and quantity of all raw citrus fruit intended for cold storage received during the week of purchase,
2. Be reported as pack into bulk using the reporting facility’s average juice yield for the season by variety, and treated as bulk goods on hand while in storage; and,

3. Be reported, during the week of processing, as reprocessed bulk for the reporting week in which the fruit is processed using the actual pounds solids.

(h) The amount and type of processed citrus product physically held or stored by the licensed citrus fruit dealer at the end of the weekly reporting period.

(i) The reported price shall be the delivered-in price less the following mandatory assessments:

1. Citrus Advertising Assessments; and,
2. Inspection Fees.

(j) Processor to Processor transactions shall be reported as unpriced fruit.

(2) The information shall be provided on a weekly basis and reports shall be filed by the licensed facility no later than 5:00 p.m. Wednesday of each week, with reports required regardless of information to report. The reporting period shall be year round beginning the first week of the shipping season of August 1 to July 31. In order to accurately report the total boxes and prices, boxes reported in August and September shall be included in the current fruit season (October 1) reports. Information shall be submitted on forms provided by the Department of Citrus and incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-05502>, into Rule 20-100.004, F.A.C., and shall be delivered by electronic transfer to the location designated on the aforementioned forms. The burden of proof of delivery of the requisite information rests with the licensed citrus fruit dealer.

(3) The Department shall review and compile submitted information weekly and publish the Florida Processors' Statistics Report electronically.

(4) The Department of Citrus reports prices on five categories of fruit throughout the season:

- (a) Category 1: Final spot and contracted prices; established for Current Fruit Season only;
- (b) Category 2: Final Pricing established prior to the Current Fruit Season, or for current and future seasons (Long Term Contract – Multi-season);
- (c) Category 3: With only a known intermediate (rise unknown at time of delivery);
- (d) Category 4: Without final or intermediate price known;
- (e) Category 5: Others (Co-ops, processor owned, toll processed).

Rulemaking Authority 601.10(1), 601.15(4), (10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15, Amended 6-22-17.

20-3.007 Post-Estimate Price Report.

(1) All licensed citrus fruit dealers engaged in the processing or toll pack processing of processed citrus products shall provide to the Department of Citrus the following information:

(a) Summaries of the quantities and average purchase prices for raw fruit delivered to any dealer during the reporting period, reported by type and pricing category (e.g., fixed final contract prices, intermediate pricing only, or with floor and a known rise, week of delivery).

(b) The varieties of raw citrus fruit to be reported:

1. Oranges: Hamlin, Parson Brown, Pineapple, Valencia and other sweet/round oranges. Does not include Navels, Ambersweets, Tangelos, Mandarins, Tangerines and Murcotts.

2. Grapefruit designated as Red/Pink or White.

(c) Processor to Processor transactions shall not be reported.

(d) Purchases of spot priced fruit for oranges and grapefruit shall not be reported.

(e) Eliminations for oranges shall not be reported.

(f) Eliminations for grapefruit shall be reported.

(2) The information shall be provided on a weekly basis by the licensed facility and reports shall be filed no later than 5:00 p.m. Wednesday of each week, with reports required regardless of volume to report. The reporting period shall begin on the first week following the release by USDA of its initial Crop Estimate for the current processing season (generally released in October of each year). Information shall be submitted on forms provided by the Department of Citrus and incorporated by reference into Rule 20-100.004, F.A.C., and shall be delivered by electronic transfer to the location designated on the aforementioned forms. The burden of proof of delivery of the requisite information rests with the licensed citrus fruit dealer.

(3) Data is reported only for fruit for which a contract has been executed after the release of the initial USDA Crop Estimate for the current fruit season (generally released in October of each year). Data shall be reported for all qualifying contract boxes processed by a facility and for boxes paid for by that facility and delivered for processing to a second facility during the 'current reporting week.' For delivered boxes, the data shall be reported during the week the facility paid for the boxes, not necessarily the week the boxes were processed by another facility. The Department of Citrus reports Post Estimate details in three pricing categories for early & mids, Valencia and Red/Pink and White grapefruit:

(a) Category 1: Final prices known week of delivery;

(b) Category 2: Intermediate prices week of delivery with a defined index for known rise and final payment is based accordingly; and,

(c) Category 3: Intermediate prices with final price not known week of delivery, only boxes are reported.

(4)(a) The Department of Citrus shall compile and publish, subsequent to the initial USDA Crop Estimate (generally released in October of each year), audited Post-Estimate Price Reports six times during the citrus season: upon the early/mid season varieties harvest being 50% complete, 75% complete and 100% complete; and upon the late season varieties harvest being 50% complete, 75% complete and 100% complete. Unaudited reports shall be posted to the website beginning four weeks after the Department of Citrus has received data from a licensed facility or facilities and additional reports shall be submitted every four weeks thereafter. Audited reports may be posted in place of unaudited reports when the harvest thresholds are met before the initial unaudited report is to be published. The number of facilities reporting activity shall not be disclosed within the facility data that is ultimately reported by the Department of Citrus. Calculations used in this report are on a weighted average basis.

(b) Any data reported to the Florida Department of Citrus that a reporting facility deems to be trade secret (i) shall be clearly labeled as "Trade Secret" at the time it is submitted to the Department of Citrus and (ii) shall be designated a trade secret on a Statement of Trade Secret Form under 20-100.004, F.A.C. Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this subsection, the data provided to the Department of Citrus will not be treated as a trade secret, as defined in Section 688.002, F.S.

(5) Each entity required to report shall have a representative attend reporting training to be held at the Florida Department of Citrus building, led by staff, on a date to be announced prior to the beginning of each fruit season.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69, 119.0715 FS. History—New 8-31-15, Amended 1-24-19, 2-2-20, 11-26-20, 6-23-22, 8-01-23.

20-3.008 Annual By-Product Report.

(1) Licensed citrus fruit dealers who operate registered citrus processing facilities and who engage in the manufacture of the citrus by-products listed below, shall file an annual by-product report for the Current Fruit Season to the Department of Citrus, with the following information for each category of by-product:

(a) Carry Over from the previous season;

(b) Pack (production);

(c) Movement;

(d) Goods on Hand.

The by-product report shall be submitted on forms provided by the Department of Citrus and incorporated by reference, into Rule 20-100.004, F.A.C., and shall be delivered by electronic transfer to the location designated on the aforementioned forms. The following by-products require annual reporting:

(a) Feed, both dried pulp and pellets bulk and bagged;

(b) Molasses; and,

(c) D-Limonene.

(2) The Department of Citrus shall review and compile submitted information annually and publish as a part of the final Florida Processors' Statistics Report electronically.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15, Amended 8-1-16.

20-3.009 Inventory Verification Report.

All licensed citrus fruit dealers engaged in the processing, toll pack processing, or bulk storage of processed citrus products shall file, twice a year, an inventory verification report with one such report being filed in April and the other report being filed in October. Inventory verification reports shall be submitted on forms provided by the Department of Citrus and incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-05503> into Rule 20-100.004, F.A.C., and shall be delivered by email to the location designated on the aforementioned forms. Reports are to be utilized by staff for the Florida Processors' Statistics Report.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15.

20-3.010 Post Estimate Fruit Pricing Verification Report.

All licensed citrus fruit dealers engaged in the processing of processed citrus products or delivery of fruit for toll pack processing, shall file a post estimate fruit pricing verification report three times a season, as follows: once after that facility has completed the processing of early season oranges, once after that facility has completed the processing of late season oranges, and once after that facility has completed the processing of red/white grapefruit. Fruit pricing verification reports shall be submitted on forms provided by the Department of Citrus and incorporated by reference into Rule 20-100.004, F.A.C., and shall be delivered by email to the location designated on the aforementioned forms. The reports are to be utilized by staff in preparing the Post-Estimate Price Report.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15, Amended 1-25-17.

CHAPTER 20-7
DUES COLLECTION ON BEHALF OF CERTAIN NOT-FOR-PROFIT CORPORATIONS

20-7.001	Purpose
20-7.002	Request Procedure and Conditions
20-7.003	Commission Consideration of Properly Submitted Requests
20-7.004	Licensed Citrus Fruit Dealer Collection and Remittance Responsibilities
20-7.005	Fees and Other Related Costs

20-7.001 Purpose.

Section 601.992, F.S., as amended by Chapter 2006-289, Laws of Florida, and signed by the governor on June 22, 2006, authorizes the Department to compel the entities regulated by the Department to collect dues, contributions, or any other financial payments on behalf of certain specified not-for-profit corporations which are involved in citrus market news and citrus grower education. The purpose of this rule (Chapter 20-7, F.A.C.) is to establish:

- (1) The guidelines and conditions upon which a specified not-for-profit corporation may request the Department to consider an order to require licensed citrus fruit dealers to collect such dues, contributions or other financial payments;
- (2) A procedure for the remittance of such collected funds to a specified not-for-profit corporation; and
- (3) A fee system to ensure that the Department recoups from any such not-for-profit corporation any direct costs incurred by the Department in implementing the dues collection contemplated hereunder.

Rulemaking Authority 601.10(1), 601.992 FS. Law Implemented 601.992 FS. History—New 1-15-07.

20-7.002 Request Procedure and Conditions.

(1) Any not-for-profit corporation meeting the requirements of Section 601.992, F.S., may request the Department to consider the issuance of an order to require licensed citrus fruit dealers to collect and remit dues, contributions, or other financial payments on behalf of that corporation pursuant to this Chapter 20-7, F.A.C. Such request shall be initiated by the requesting corporation submitting a written request, which request shall be executed by the president of the corporation under penalty of perjury as outlined in Section 837.06, F.S., and shall contain affirmations and, where applicable, proof or descriptions, as to each of the following:

(a) The requesting corporation is an active, not-for-profit corporation organized in, and whose principle office is located in, the State of Florida and which corporation is registered with the Florida Department of State, Division of Corporations;

(b) The specific dues structure of the requesting corporation, including, but not limited to, a detailed statement of how dues, contributions, or other financial payments are calculated and assessed to members of the corporation, and which such dues, contributions, or other financial payments are requested to be collected under this Chapter 20-7, F.A.C.;

(c) The specific mechanism/protocol for how licensed citrus fruit dealers are to collect and remit such dues, contributions, or other financial payments;

(d) A detailed description of the mechanism for the requesting corporation to process any refund requests from its members or licensed citrus fruit dealers;

(e) The specific reporting format requested of the licensed citrus fruit dealers and the specific mechanism for how adjustments by the corporation in such dues, contributions, or other financial payments are to be calculated, and how such adjustments shall be communicated to licensed citrus fruit dealers for collection, adjustment;

(f) A draft of a proposed order, as outlined in subsection 20-7.003(2), F.A.C.;

(g) A statement affirming that the requesting corporation is engaged, to the exclusion of agricultural commodities other than citrus, in market news and grower education solely for citrus growers;

(h) A statement affirming that the requesting corporation has at least 5,000 members who are engaged in growing citrus in Florida for commercial sale;

(i) A statement acknowledging that all activities undertaken by the Department pursuant to this Chapter 20-7, F.A.C., including, but not limited to, all submissions to the Department, are subject to Florida's Public Records and Government in the Sunshine Laws, as may be amended from time to time;

(j) A statement acknowledging that, if the corporation's request is granted by the Department, then the corporation agrees to execute a contract, the duration of which shall not exceed five years, including a continuing indemnity agreement;

(k) A statement acknowledging that the Department is in no way an agent, for any purposes, of the requesting corporation, and in no way endorses the activities of the corporation; and

(l) A statement acknowledging that, annually, the corporation shall pay to the Department a reasonable fee calculated by the Department to reimburse the Department for any and all direct costs (as defined in Rule 20-7.005, F.A.C.) attributable to such corporation's dues collection as implemented by this Chapter 20-7, F.A.C.

(2) Any such request must be accompanied by a non-refundable processing fee made payable to the Department in the amount to be determined pursuant to Rule 20-7.005, F.A.C., which fee is intended to pay for the direct administrative costs incurred by the Department associated with processing the requesting corporation's application.

Rulemaking Authority 601.10(1), 601.992, 837.06 FS. Law Implemented 601.992 FS. History—New 1-15-07.

20-7.003 Commission Consideration of Properly Submitted Requests.

(1) Upon the Department's receipt of any request pursuant to this Chapter 20-7, F.A.C., the Department shall determine whether any such request meets the requirements of this Chapter 20-7, F.A.C. Any request meeting Chapter 20-7, F.A.C., requirements shall be considered a properly submitted request and such properly submitted request, including all attachments thereto, shall be posted on the Department's website. Such properly submitted request shall be placed as an agenda item for consideration by the Florida Citrus Commission at a Commission meeting occurring no sooner than 15 days, but no later than 90 days, after such website posting. In deciding upon any such properly submitted request, the Commission may consider the following factors:

(a) The logistics and impacts of requiring licensed citrus fruit dealers to collect and remit the requested dues, contributions or other financial payments;

(b) Whether approval of the properly submitted request advances the purposes of The Florida Citrus Code, as may be amended from time to time;

(c) Public comments; and

(d) Recommendations by Department staff.

(2) If the Commission, by majority vote, approves the properly submitted request, then such approval shall be manifested in the form of a Department Order issued pursuant to Section 601.10(1), F.S. The Order shall contain sufficient information, logistical and otherwise, to allow licensed citrus fruit dealers to collect dues, contributions, or any other financial payments on behalf of the corporation identified in the Order, and to remit those collected funds to said corporation.

(3) After issuance of the Order, the Department shall cause a contract, the duration of which shall be not greater than five years, but which shall be terminable by the Department without cause upon providing the requesting corporation 60 days written notice, and a continuing indemnity agreement to be presented to the requesting corporation identified in the Order. Each such contract shall include a requirement that the requesting corporation pay to the Department a fee equal to, but not exceeding, the amount necessary to ensure that any direct costs incurred by the Department in administering the contract are paid by the requesting corporation as calculated pursuant to Rule 20-7.005, F.A.C. Each such contract shall also include provisions to ensure that the requesting corporation continues to meet the requirements outlined in Section 601.992, F.S., and this Chapter 20-7, F.A.C., throughout the term of said contract. If the requesting corporation and the Department have not mutually agreed to a contract and indemnification agreement, for submission to the Commission for approval, within 63 days of the date of the Department Order, then the Order shall be of no force and effect, except that the Department's Executive Director or Secretary of the Commission may expand this 63-day time limit if, in their sound discretion, more time is needed to effectuate a contract consistent with the Order.

Rulemaking Authority 601.10(1), 601.992 FS. Law Implemented 601.992 FS. History—New 1-15-07.

20-7.004 Licensed Citrus Fruit Dealer Collection and Remittance Responsibilities.

Upon the execution of a Commission-approved contract as contemplated by this Chapter 20-7, F.A.C., the Department shall cause a copy of the Order to be sent to each affected licensed citrus fruit dealer licensed by the Department. Pursuant to the terms of the Order, each affected licensed citrus fruit dealer shall collect the dues, contributions, or any other financial payments on behalf of the corporation named in the Order and shall remit such funds as outlined in the Order.

Rulemaking Authority 601.10(1), 601.992 FS. Law Implemented 601.992 FS. History—New 1-15-07.

20-7.005 Fees and Other Related Costs.

(1) Within 60 days of the effective date of this Chapter 20-7, F.A.C., and prior to August 1 of each year thereafter, the Department shall calculate the direct costs incurred by the Department for (i) processing request(s) for dues collection, and (ii) contract administration.

(2) For the purposes of calculating such fees, the term “direct costs” shall mean any actual costs incurred by the Department, including, but not limited to, the pro-rated value of any portion of any and all employees’ gross salary and benefits for any such employees’ time spent on administration of the services contemplated hereunder. Such “direct costs” shall also include any portion of other Department expenses and/or overhead which may be reasonably allocated to the services contemplated hereunder.

(3) In no event shall the Department’s calculation of fees hereunder result in the Department subsidizing any requesting corporation, nor shall any such calculation result in the Department levying a fee in gross excess of those direct costs incurred by the Department in administering the services contemplated hereunder.

(4) From the remittance payments outlined in subsection 20-7.003(2), F.A.C., a licensed citrus fruit dealer may withhold any actual costs reasonably incurred by the licensed citrus fruit dealer for the collection and remittance contemplated herein.

(5) The processing request fee established annually hereunder shall govern all processing requests for dues collection filed in the subsequent fee year (August 1 – July 31).

Rulemaking Authority 601.10(1), 601.992 FS. Law Implemented 601.992 FS. History—New 1-15-07.

**CHAPTER 20-8
PAYMENT OF INSPECTION FEES**

20-8.001 Fees Payable to Department of Agriculture. **(Repealed)**

20-8.001 Fees Payable to Department of Agriculture.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.28 FS. History--Formerly 105-1.10(1), Revised 1-1-75, Formerly 20-8.01, Repealed 8-20-95.

**CHAPTER 20-9
PAYMENT OF ASSESSMENTS**

20-9.001	Fresh Form
20-9.002	Processed Form
20-9.003	Fruit Shipped Out-of-State to Government Agencies, or to a Packinghouse or Processing Plant, or to a Fresh Fruit Juice Distributor
20-9.004	Fruit Handled by Express and Gift Package Shippers
20-9.005	Requirements to Guarantee Payment of Assessment
20-9.006	Late Filing of Returns and Inadequacy of Bond
20-9.007	Mixing of Oranges
20-9.008	Utilization of Certificate of Deposit in Lieu of Bond

20-9.001 Fresh Form.

(1) Filing assessment returns: All assessment returns required to be filed by handlers of citrus entering the primary channel of trade in fresh form shall be filed with the Department of Citrus each week with the first cumulative report due by November 10. Returns shall state the number of standard shipping boxes of 4/5 bushels, or equivalent, of each variety of citrus fruit handled during the preceding week. Assessments shall be filed on forms furnished by the Department of Citrus (incorporated by reference in rule 20-100.004, F.A.C.) and shall be due and payable or the amount guaranteed as hereinafter provided, when the citrus fruit is first handled in the primary channels of trade allowing a deferral for fruit handled prior to November until the November 10 deadline. Payment of assessments shall be remitted with the assessment return for a period reported unless other payment schedules are prescribed in chapter 20-9, F.A.C.

(2) Payment guaranteed by bond, deposit, or letter of credit: To guarantee payment of assessments, handlers shall post a surety bond, cash bond, certificate of deposit or letter of credit, as provided in either rule 20-9.005 or 20-9.008, F.A.C.

Rulemaking Authority 601.10(1), 601.15(1), (10)(a) FS. Law Implemented 601.15(5), (6) FS. History—Formerly 105-1.15(1), Revised 1-1-75, Amended 2-1-81, Formerly 20-9.01, Amended 7-21-92, 11-27-01, 10-21-08, 11-28-12.

20-9.002 Processed Form.

(1) Filing assessment returns: All assessment returns required by law to be filed by handlers of citrus fruit sold or delivered for processing in the State shall be filed on forms furnished by the Department of Citrus (incorporated by reference in rule 20-100.004, F.A.C.), and shall be filed with the Department of Citrus, each week with the first cumulative report due by November 10. Returns shall state the number of standard packed boxes of 1-3/5 bushels, or equivalent thereof in other containers or in bulk, received during the preceding week. Assessments shall be due and payable at the time of delivery of such fruit to the handler, allowing a deferral for fruit handled prior to November until the November 10 deadline.

(2) All persons or entities required to file assessment returns pursuant to section 601.155, F.S., shall file, each week, an assessment return on forms furnished by the Department of Citrus (incorporated by reference in rule 20-100.004, F.A.C.).

(a) All persons liable for the assessment imposed by this section shall file with the Department of Citrus, Form 4R – Equalization Assessment Return CIT/REV/04R, rule 20-100.004, F.A.C., as furnished by the Department. The return, certified as true and correct, shall report information as to the number of units of processed orange or grapefruit products subject to this section upon which any assessable privilege was exercised during the period of time covered by the return. Each handler shall maintain records and documentation supporting declarations made on the return filed with the Department of Citrus. The Equivalent Units Conversion Chart utilized below and provided for reference on Page 3 of Form 4R-Equalization Assessment Return CIT/REV/04R, shall be used in determining the equivalent number of boxes and shall be updated every three years based on a five-year weighted average of state test house yields. Unless the actual number of boxes is known

to the processor and can be substantiated and verified by the appropriate records in its possession.

<u>EQUIVALENT UNITS CONVERSION CHART</u>			
<u>Import Variety - Category</u>	<u>Unit</u>	<u>Units/Box</u>	<u>Equivalent Gallons Per Box</u>
<u>ORANGE – CONCENTRATE</u>	<u>LB./SOLID</u>	<u>5.26</u>	<u>0.73721</u>
<u>ORANGE – SINGLE STRENGTH</u>	<u>SS GALLONS</u>	<u>5.20</u>	<u>0.74994</u>
<u>GRAPEFRUIT – CONCENTRATE</u>	<u>LB./SOLID</u>	<u>4.31</u>	<u>0.69911</u>
<u>GRAPEFRUIT – SINGLE STRENGTH</u>	<u>SS GALLONS</u>	<u>5.06</u>	<u>0.70996</u>

(b) Equalizing assessments shall be due and payable within 61 days after the first of the assessable privileges is exercised in this state.

1. Assessable privileges exercised during August are due and payable by November 10, after the assessment rate has been established in October.

2. By June 1 of each citrus season the Department of Citrus shall send via email to all persons who during that citrus season paid equalization assessments to the Department, an Import Assessment Election (Opt-out form) CIT/REV10, rule 20-100.004, F.A.C., allowing the person liable for the payment of the equalization assessment to object to the assessment for the subsequent season and to not pay two-thirds of the applicable assessment otherwise due that citrus season, as contemplated in section 601.155(10), F.S. The address to be used by the Department shall be the last address shown on Form 4R – Equalization Assessment Return CIT/REV/04R, rule 20-100.004, F.A.C., or on the prior year Import Assessment Election (Opt-out form), whichever address is deemed most deliverable. The form must be completed and returned to the Department via certified mail, courier, facsimile or e-mail to the address stated on the election form by July 15th or no later than 60 days before payment would be due. The election shall apply to all assessable privilege activity on and after the date of receipt by the Department of the Import Assessment Election (Opt-out form) for the balance of the citrus season.

3. Persons who did not pay assessments the previous season or who did not receive the Import Assessment Election form by the Department under subparagraph 2. may, at any time during the citrus season, request an Import Assessment Election (Opt-out form) from the Department and the right to opt-out of paying two-thirds of the applicable assessment shall, pursuant to section 601.155(10), F.S., be granted by the Department immediately upon receipt of such completed and returned Import Assessment Election (Opt-out form) so long as the Opt-out form is delivered to the Department by certified mail, courier delivery, facsimile or e-mail to the address stated on the election form. The election shall apply to all assessable privilege activity on and after the date of receipt by the Department for the balance of the citrus season.

(c) The assessment levied by this section shall be at the same rate per box of oranges or grapefruit utilized in the initial production of the processed citrus products so handled as that imposed, at the time of exercise of the assessable privilege, by section 601.15, F.S.

(d) All credits and refunds will be provided by Department of Citrus in accordance with section 601.155, F.S.

(3) Payment of assessments shall be remitted with the return for the period reported unless other payment schedules are prescribed in chapter 20-9, F.A.C.

(4) Payment guaranteed by bond, deposit, or letter of credit: Every handler of citrus shall, prior to opening each season, deposit with the Department of Citrus a surety bond, cash bond, certificate of deposit, or letter of credit as provided in either rules 20-9.005 and 20-9.008, F.A.C., to guarantee payment of assessments.

Rulemaking Authority 601.10(1), 601.15(1), (10)(a), 601.155(3), (7) FS. Law Implemented 601.15(5), (6), 601.155 FS. History—Formerly 105-1.15(2), Revised 1-1-75, Amended 11-21-77, 8-01-80, 2-01-81, 8-01-83, Formerly 20-9.02, Amended 7-26-86, 8-30-89, 8-27-91, 7-13-94, 10-25-95, 8-01-97, 8-03-00, 11-27-01, 7-23-03, 7-25-06, 10-21-08, 6-19-12, 11-28-12, 1-28-13, 6-22-16, 8-1-17, 6-30-21, 12-6-21, 1-22-25..

20-9.003 Fruit Shipped Out-of-State to Government Agencies, or to a Packinghouse or Processing Plant, or to a Fresh Fruit Juice Distributor.

The assessments on citrus fruit to be shipped outside the State of Florida to government agencies, or to a packinghouse or processing plant, or to a fresh fruit juice distributor, shall be paid by the person shipping or causing such fruit to be shipped outside the state and payment shall be evidenced on the permit under which said fruit is shipped. Persons who qualify with the Department of Citrus under rule 20-9.005, F.A.C., may stamp on the permit the name of the shipper together with the words "Payment of assessments guaranteed to the Department of Citrus." Returns for such shipments shall be made as provided for in rule 20-9.001, F.A.C.

Rulemaking Authority 601.10(1), 601.15(1), (10)(a) FS. Law Implemented 601.15(5), (6), 601.152, 601.154 FS. History—Formerly 105-1.15(3), Revised 1-1-75, Formerly 20-9.03, Repromulgated 11-27-01, Amended 11-28-12.

20-9.004 Fruit Handled by Express and Gift Package Shippers.

(1) Filing assessment returns:

(a) Every shipper of express or gift packages shall file, as directed by the Department of Citrus, weekly returns of all fruit shipped in the preceding week with remittance attached for total assessments due, with the first cumulative report due by November 10.

(b) A gift shipper qualifying under the following criteria may make returns for longer periods by applying in writing to the Department of Citrus and receiving prior written approval:

1. Quarterly payments – if estimated annual assessment payment does not exceed \$6,900 maximum.

2. Monthly payments – if estimated annual assessment payment does not exceed \$30,000 maximum.

3. Weekly payments are required if estimated annual assessment is greater than \$30,000.

4. Calculation of estimated assessment payment is based upon a 7-month season using the total boxes estimated to be shipped and an average assessment rate established annually by the Department of Citrus based on assessment rates set by the Florida Citrus Commission.

(c) All returns shall be made in terms of standard packed boxes of 1-3/5 bushels or equivalent.

(d) The advertising assessments shall be due and payable at the time of offering such fruit for shipment allowing a deferral for fruit handled prior to November until the November 10 deadline.

(2) Fresh Squeezed Juice: Assessments on fresh squeezed citrus juice that is subject to the provisions of chapter 20-49, F.A.C., shall be due and payable as provided in rule 20-9.004, F.A.C. However, no assessment shall be due if subsection (3), below, is applicable.

(3) No assessment shall be due on:

(a) Fresh fruit used in store demonstrations or promotions; or

(b) Fresh squeezed juice that is offered without charge to store customers; or

(c) Fresh fruit or juice offered at no cost to nonprofit organizations for use exclusively by the organization and not for resale. Dealer shall maintain in his files a record of the donation and a signed statement from a representative of the organization that the fruit or juice will not be used for resale.

Rulemaking Authority 601.10(1), 601.15(1), (10)(a) FS. Law Implemented 601.15(3), (5), (6), 601.152, 601.154 FS. History—Formerly 105-1.15(4), Revised 1-1-75, Formerly 20-9.04, Amended 12-10-95, 4-14-96, 11-27-01, 10-21-08, 11-28-12.

20-9.005 Requirements to Guarantee Payment of Assessments.

To qualify to guarantee to the Department of Citrus payment of any assessment imposed by law:

(1) Each handler of citrus fruit shall deposit with the Department of Citrus a good and sufficient:

(a) Cash bond, or

(b) Surety bond executed by the handler as principal and by a surety company qualified and authorized to do business in this State as surety, to be approved by the Department of Citrus; or

(c) Certificate of deposit in accordance with the provisions of rule 20-9.008, F.A.C.; or

(d) Letter of credit from an issuing financial institution located in the United States.

(2) The total amount of cash bond, surety bond, certificate of deposit, or letter of credit shall be in an amount based upon the following formula:

(a) To determine the total estimated assessment liability of the handler, multiply the number of boxes or equivalent boxes utilized in the prior season, or estimated utilization during the current season, including the exercised privileges of imported products, whichever is greater, times the total average assessment rate from the prior season for fresh form and processed form.

(b) Divide the total estimated assessment (A) by the number of weeks for which assessment returns were required to be filed during the previous season (B) to determine the estimated weekly assessment due (C) [$A \div B = (C)$]. Department has the discretion to reduce the number of weeks used in this calculation due to late payments received during the prior season. If returns were filed late four (4) times or more during the previous season, the Department will recalculate the estimated weekly assessment due (C) by substituting the number of times payments were received the prior season for (B).

(c) Multiply by two the estimated weekly assessment due, as computed by such formula, to determine the amount of surety bond, cash bond, certificate of deposit, or letter of credit required.

Rulemaking Authority 601.10(1), 601.15(1), (5), (6), (10)(a) FS. Law Implemented 601.15(1), (5), (6), 601.152, 601.154, 601.155 FS. History—Formerly 105-1.15(5), Revised 1-1-75, Amended 11-21-77, 8-1-80, 2-1-81, 8-1-83, Formerly 20-9.05, Amended 11-27-01, 10-21-08, 11-28-12.

20-9.006 Late Filing of Returns and Inadequacy of Bond.

All assessments levied and imposed on citrus fruit or product shall be paid or the amount thereof guaranteed at the time the fruit is first handled in the primary channel of trade, allowing a deferral for fruit handled prior to November until the November 10 deadline. Payments not made the week following entry into the primary channel of trade become delinquent for payments due after November 10. Payment shall be made in accordance with rules 20-9.001, 20-9.002, 20-9.003 and 20-9.004, F.A.C.

(1)(a) When any citrus fruit handler becomes delinquent in filing returns or paying citrus assessments, the Department of Citrus shall demand payment of such assessments and give written notice of the delinquency to the handler including notice of the rights of affected parties under chapter 120, F.S. Such notice shall be mailed to the address supplied by the handler to the Department of Citrus in the application for citrus fruit dealer license.

(b) If the assessments are not paid within 28 days of delinquency by the citrus fruit handler and there is no request for a hearing under chapter 120, F.S., the Department of Citrus shall notify the Department of Agriculture to immediately suspend inspection service to the reported handler. This suspension will remain in force until returns have been filed and assessments plus any penalties are paid to the Department of Citrus. The Department of Citrus shall notify the Department of Agriculture when such payment has been made and inspection services may resume. If payment is not made after suspension of inspection services, the Department of Citrus shall impose a 5% late penalty pursuant to Section 601.15(9)(a), F.S., demand immediate payment from the surety of such assessments and penalty, and provide the handler with a copy of such demand. Where the handler has deposited with the Department of Citrus a cash bond, certificate of deposit, or letter of credit the Department shall immediately proceed against such bond, certificate of deposit, or letter of credit for the amount of indebtedness.

(2)(a) When the Department of Citrus determines that the handler's surety bond, cash bond, certificate of deposit, or letter of credit is inadequate to guarantee assessment payment for any 28-day period, the Department of Citrus shall provide written notice to the handler that the amount of guarantee is inadequate, and shall request the handler to furnish an increase in accordance with the provisions of subsection 20-9.005(2), F.A.C., and give notice of the handler's rights under chapter 120, F.S.

(b) If the requested increase is not furnished within 14 days of mailing such written notice to the handler or no request for a hearing under chapter 120, F.S., is received, the Department of Citrus shall notify the Department of Agriculture to immediately suspend inspection service to the reported handler. This suspension shall remain in force until an adequate guarantee is furnished and the Department of Citrus notifies the Department of Agriculture to that effect.

Rulemaking Authority 601.10(1), (7), 601.15(1), (5), (6), (10)(a) FS. Law Implemented 601.15(5), (6), (9), 601.152, 601.154, 601.155(6), (7), (9), 601.27 FS. History—Formerly 105-1.15(6), Revised 1-1-75, Formerly 20-9.06, Amended 12-13-92, 10-17-93, 11-27-01, 10-21-08, 11-28-12.

20-9.007 Mixing of Oranges.

Because of the differences in assessment rates for round oranges (*Citrus sinensis*, Osbeck) and other types of oranges, such as tangelos, round oranges shall not be delivered to processing plants mixed with other varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.15 FS. History—Formerly 105-1.15(7), Revised 1-1-75, Formerly 20-9.07, Amended 7-21-92, 11-28-12, 1-24-19.

20-9.008 Utilization of Certificate of Deposit or Letter of Credit in Lieu of Bond.

(1) A handler wishing to post a certificate of deposit in lieu of a cash or surety bond to guarantee the payment of citrus assessments to the Department of Citrus, shall purchase such certificate in an amount to be determined according to the criteria as set forth in subsection 20-9.005(2), F.A.C. The certificate of deposit shall have the same face principal value as if a surety bond had been posted.

(2) Any certificate of deposit offered under this provision shall be issued either by a national or Florida chartered bank or savings and loan association and the face amount of such certificate shall be fully insured by the appropriate federal insurance corporation.

(3) The certificate of deposit shall be issued in the name of the licensed handler accompanied by an executed assignment of such handler's interest in the certificate in favor of the State of Florida, Department of Citrus on the Assignment form – CIT/REV/07 7-11-07, incorporated by reference in subsection 20-100.004(38), F.A.C., <http://www.flrules.org/Gateway/reference.asp?No=Ref-01953>, and a letter from the issuing bank acknowledging the assignment of the certificate of deposit to the State of Florida, Department of Citrus. Such assignment shall be irrevocable for the period from the beginning of the citrus shipping season for which the certificate is submitted or from the date of submission of the certificate of deposit if occurring after commencement of the season, through September 1 of the following citrus season. The certificate of deposit may be reassigned by the Department of Citrus to such handler providing that all citrus assessments due and payable to the Department of Citrus by such handler during the term covered by the certificate shall have been paid to the Department in full. The conditions of the assignment from the handler to the Department of Citrus shall be that if the handler shall well and truly comply with the provisions of Florida law and Department of Citrus rules regarding the payment of citrus assessments, then the certificate of deposit subject to such assignment shall be reassigned by the Department of Citrus to the handler, otherwise said assignment to remain in full force and effect.

(4) All interest accruing on such certificate of deposit shall be paid directly to the handler and the handler shall register his federal employer tax number or other federal tax identification number with the financial institution issuing such certificate.

(5) A handler may reassign existing certificates of deposit to the Department of Citrus for subsequent years, provided all assessment liabilities for the current season have been satisfied. A separate certificate of deposit for the required amount of the bond otherwise called for must be assigned to the Department of Citrus for each citrus shipping season for which the handler desires to utilize this alternate procedure.

(6) A handler wishing to post a Letter of Credit in lieu of a cash or surety bond to guarantee the payment of citrus assessments to the Department of Citrus shall provide a good and sufficient letter of credit from a United States financial institution and in an amount to be determined according the criteria set forth in subsection 20-9.005(2), F.A.C. The letter of credit shall have the same face principal value as if a surety bond had been posted and a new letter of credit shall be posted for each current season.

Rulemaking Authority 601.10(1), 601.15(1) FS. Law Implemented 601.15(6)(b) FS. History—New 2-1-81, Formerly 20-9.08, Amended 11-27-01, 11-28-12, 11-26-20.

20-9.009 Trade Secret Exemption.

(1) Any data reported to the Florida Department of Citrus that a facility deems to be a trade secret (i) shall be clearly labeled as "Trade Secret" at the time it is submitted to the Department of Citrus, and (ii) shall be designated a trade secret on a Statement of Trade Secret Form under 20-100.004, F.A.C.

(2) Individual facility information reported pursuant to this rule shall be held confidential as a designated trade secret and defined in Section 688.002(4), F.S., and treated as exempt from the provisions of Section

119.07(1), F.S.

(3) Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this rule, the data provided to the Department of Citrus will not be treated as a trade secret, as defined in Section 688.002(4), F.S.

Rulemaking Authority 601.10(1), 601.15(1) FS. Law Implemented: 601.15, 601.152(8)(c), 119.0715 FS. History—New 11-26-20, Amended 6-23-22.

**CHAPTER 20-10
ISSUANCE AND USE OF PERMITS**

- 20-10.001 Charitable and Unemployment Relief Shipments
- 20-10.002 Interstate Shipments for Commercial Processing
- 20-10.003 Gift Fruit Shipments
- 20-10.004 Shipment and Sales of Florida Experimental Packs of High or Low Brix Frozen Concentrated Orange Juice **(Repealed)**
- 20-10.005 Shipment and Sale of Florida Experimental Packs of Concentrated Orange Juice Other Than Frozen or Canned
- 20-10.006 Shipment and Sale of Florida Packs of Frozen Concentrate Orange Juice for manufacturing with Sweeteners Added **(Repealed)**

20-10.001 Charitable and Unemployment Relief Shipments.

(1) Fresh fruit or processed products thereof to be used for charitable or unemployment relief purposes may be sold or shipped without the issuance and filing of inspection certificates and without the grade being shown on the container.

(2) All persons who desire to make such sales or shipments shall first secure a Permit for Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes (permit), incorporated by reference in subsection 20-100.004(9), F.A.C., <http://www.flrules.org/Gateway/reference.asp?No=Ref-01950>, for each such shipment by submitting an Application for Permit for Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes (application), incorporated by reference in subsection 20-100.004(8), F.A.C., <http://www.flrules.org/Gateway/reference.asp?No=Ref-01951>. Each applicant for such permit shall guarantee payment of assessments as provided in Department of Citrus Chapter 20-9, F.A.C., or pay these assessments at the time such permit is issued; however, shipments for charitable purposes are exempt from all advertising assessments by Section 601.501, F.S. In addition, the permit applicant must assume the responsibility of having the receiver of each shipment under such a permit mail to the Department of Citrus within ten days of receipt of shipment, a Statement Relating to Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes, incorporated by reference in subsection 20-100.004(10), F.A.C., <http://www.flrules.org/Gateway/reference.asp?No=Ref-01952>, attesting that the fruit was received and used exclusively for the purposes stated in the permit application.

Rulemaking Authority 601.10(1), 601.50 FS. Law Implemented 601.50, 601.501 FS. History—Formerly 105-1.11(1), Revised 1-1-75, Formerly 20-10.01, Amended 11-28-12.

20-10.002 Interstate Shipments for Commercial Processing.

(1) Fresh citrus fruit may be shipped interstate to any packing house, or processing plant for commercial processing, as herein defined, without the issuance and filing of inspection certificates and without the grade being shown on the container.

(2) All persons who desire to make such shipments shall first secure a special permit for such shipments by application on forms to be furnished by the Department of Citrus. A single application for permits may cover a full shipping season, however a separate permit must be used for each shipment. The permit application shall affirmatively show that the fresh citrus fruit so shipped will be converted into a product which comes within the definition of “commercial processing” as defined herein. A maturity inspection certificate shall be obtained for each shipment and a copy of this certificate shall accompany the special permit as evidence of maturity compliance.

(3) Prior to the issuance of such permit, an investigation shall be conducted by the Department of Citrus to determine that the packing house or processing plant for which each shipment is intended is actually engaged in the business of making such product or products as stated in the application and that these products come within the definition of “commercial processing” as herein defined. In addition, the permit applicant must assume the responsibility of having the receiver of each shipment under such a permit mail to the Department of Citrus within

ten days of receipt of shipment an affidavit attesting that the fruit was received and used exclusively for the purposes stated in the application for permit.

(4) Assessments and inspection fees due on such fruit shall be paid in accordance with applicable rules of the Department of Citrus.

(5) "Commercial processing" is defined as conversion of fresh citrus fruit into a processed or manufactured product, including but not limited to marmalade, beverage base, concentrated juices, canned or bottled fruit or fruit juices wherein the keeping qualities of the end product are preserved and the characteristics are retained for a substantial period of time without the need of further treatment, such as refrigeration, after processing. "Commercial processing" does not include (1) the conversion of fresh citrus into and for sale as fresh fruit juices, or (2) the packing of fresh citrus fruit in containers outside the State of Florida.

Rulemaking Authority 601.10(1), 601.50 FS. Law Implemented 601.50 FS. History—Formerly 105-1.11(2), Revised 1-1-75, Formerly 20-10.02, Amended 11-28-12.

20-10.003 Gift Fruit Shipments.

(1) Except as provided in Department of Citrus Chapter 20-44, F.A.C., shipments of fresh citrus fruit or the processed products thereof by any method of transportation by "express or gift fruit shippers," as hereinafter defined, may be made without the issuance and filing of inspection certificates and without the grade being shown on the container. Such shipments shall not be for the purpose of resale by the consignee.

(2) Persons who desire to make such shipments by any means of transportation other than by a licensed express company, parcel post or by a person, firm or organization approved by the Department of Citrus for use of Special Transportation Permits, shall first obtain a permit for each shipment by filing an application on forms to be furnished by the Department of Citrus. A single application for permits may cover a full shipping season, however a separate permit must be used for each shipment. Special Transportation Permits may be issued to persons, firms or organizations approved by the Department of Citrus, and engaged in the business of transporting gift fruit shipments for a number of individual express or gift fruit shippers.

(3) Advertising assessments due on such fruit or products shall be paid in accordance with Rule 20-9.004, F.A.C.

(4) "Express or gift fruit shipper" is defined as any person having an established place of business who ships or delivers for transportation in any manner, citrus fruit to a consumer and not for the purpose of resale, including an "organic gift fruit shipper," defined in subsection 20-10.003(5), F.A.C.

(5) An "Organic gift fruit shipper," when approved by the Department of Citrus, is defined as an "express or gift fruit shipper" who, on forms supplied by the Department of Citrus:

(a) Under oath, certified that during the shipping season for which his citrus fruit dealer's license was issued, he will deal only with citrus fruit which he knows of his own personal knowledge is produced on trees on which only compost, purely organic and nonacidulated fertilizer such as rock phosphate, colomite or ground limestone is used and to which no chemical insecticide or fungicide has been applied.

(b) Certified a complete list of all groves on which fruit he intends to handle will be produced and such list shall show the approximate number of boxes of each variety of citrus fruit expected to be handled therefrom.

Rulemaking Authority 601.10(1), 601.50 FS. Law Implemented 601.50 FS. History—Formerly 105-1.11(3), Revised 1-1-75, Formerly 20-10.03, Amended 11-28-12.

20-10.004 Shipment and Sales of Florida Experimental Packs of High or Low Brix Frozen Concentrated Orange Juice.

Rulemaking Authority 601.10(1), (7), 601.50(10)(a), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.13(2)(d). History—Formerly 105-1.11(5), Revised 1-1-75, Repealed 11-21-77.

20-10.005 Shipment and Sale of Florida Experimental Packs of Concentrated Orange Juice Other Than Frozen or Canned.

(1) Persons who desire to ship and sell experimental packs of the product in retail or institutional containers shall first obtain a permit by application on forms to be furnished by the Department of Citrus.

(2) The permit holder shall maintain adequate production, shipment and sales records for the product, and shall make these records available for examination by a representative of the Department of Citrus upon request at any time during regular business hours. As a further condition for permit issuance, the applicant shall agree to furnish full reports relating to the results of the shipment and sale of the product. These reports, in written form, shall contain, but not be limited to, the following matters:

- (a) Date of production,
- (b) Actual volume shipped,
- (c) Channel of distribution (type and number of outlets by city and state),
- (d) Reaction of distributor to product,
- (e) Reaction of retailer to product,
- (f) Reaction of consumer to product,
- (g) Whether trouble of any nature was encountered in distribution and sale of the product,
- (h) Any confusion in reconstitution of the product.

(3) The permit applicant shall agree to accept responsibility for the foregoing reporting requirements as prerequisite for the issuance of this permit.

Rulemaking Authority 601.10(1), (7), 601.15(10)(a), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.13(2)(d). History—Formerly 105-1.11(5), Revised 1-1-75, Formerly 20-10.05, Amended 8-22-95.

20-10.006 Shipment and Sale of Florida Packs of Frozen Concentrate Orange Juice for Manufacturing with Sweetener Added.

Rulemaking Authority 601.10(1), (7), 601.50(10)(a), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.13(2)(d). History—Formerly 105-1.11(5), Revised 1-1-75, Repealed 11-21-77.

CHAPTER 20-11
POINTS AT WHICH MATURITY INSPECTION MAY BE MADE AND PROCEDURE FOR
REGRADING OF FRUIT

- 20-11.001 Point of Inspection
- 20-11.002 Regrading and Reinspection
- 20-11.003 These Provisions in Addition to Other Requirements

20-11.001 Point of Inspection.

Inspection for maturity may be made at any point after severance of citrus fruit from the tree. Representative sample and tested in accordance with Department of Citrus Chapter 20-34 or 20-61, F.A.C.

Rulemaking Authority 601.10(1), (7), 601.43, 601.44 FS. Law Implemented 601.38, 601.43, 601.44, 601.9910 FS. History—Formerly 105-1.28(1), Revised 1-1-75, Formerly 20-11.01.

20-11.002 Regrading and Reinspection.

In the event the composite test fails to pass the maturity standards as prescribed by law and Department of Citrus Rules, the inspector may require that the lot be regraded or separated at the place where such fruit is found, and that portion which is graded out for reasons of immaturity shall be condemned and destroyed. Additional tests may be made by the inspector to determine adequacy of regrading. If the owner or persons in charge fails to grade or separate a lot which has been found to contain immature fruit, the entire lot may be condemned and destroyed.

Rulemaking Authority 601.10(1), (7), 601.44 FS. Law Implemented 601.44 FS. History—Formerly 105-1.28(1), Revised 1-1-75, Formerly 20-11.02.

20-11.003 These Provisions in Addition to Other Requirements.

The provisions of this rule may be applied by inspectors of the Department of Agriculture at any time as a further means to prevent the utilization of immature fruit, and are in addition to the inspection procedures outlined in Department of Citrus Chapters 20-34 and 20-61, F.A.C.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.9910 FS. History—Formerly 105-1.28(2), Revised 1-1-75, Formerly 20-11.03.

CHAPTER 20-12
PROCEDURES FOR SAMPLING AND TESTING FRUIT DAMAGED BY FREEZING

- 20-12.001 Testing by Authorized Inspector
- 20-12.002 Freeze Damaged Fruit to Be Separated

20-12.001 Testing by Authorized Inspector.

Tests to determine fruit damaged by freezing shall be made by the Division of Fruit and Vegetable Inspection, or its duly authorized inspectors or agents. Inspectors shall use the same manner and method of drawing samples and conducting tests that are used in determining the grade of citrus fruit.

Rulemaking Authority 601.10(1), (7), 601.91(3) FS. Law Implemented 601.91 FS. History—Formerly 105-1.14(1), Revised 1-1-75, Formerly 20-12.01.

20-12.002 Freeze Damaged Fruit to Be Separated.

All citrus fruit which is seriously damaged by freezing, as defined in Section 601.89, F.S., shall be set aside in a place designated by the inspector and may be placed under the seal of the Commissioner of Agriculture.

Rulemaking Authority 601.10(1), (7), 601.91(3) FS. Law Implemented 601.89, 601.901, 601.91 FS. History—Formerly 105-1.14(2), Revised 1-1-75, Formerly 20-12.02.

CHAPTER 20-13
MARKET CLASSIFICATION, MATURITY STANDARDS
AND PROCESSING OR PACKING RESTRICTIONS FOR HYBRIDS

20-13.001	Establishment of Classification and Standards
20-13.0011	Oranges: 2004-2005 Anhydrous Acid Maturity Standards (Repealed)
20-13.002	Non-Classified Fruits
20-13.003	Fruit Classification and Standards Committee – Membership
20-13.004	Classification of Newly Developed Varieties and Hybrids
20-13.0041	Definition: Seedless and Low-Seeded
20-13.0042	Mandarin: Classification and Standards
20-13.005	Maturity Standards for Newly Developed Varieties and Hybrids
20-13.006	Murcott Honey Tangerines; Classification and Standards
20-13.0061	Sunburst Tangerines; Classification and Standards
20-13.007	Robinson Tangerines: Classification and Standards (Repealed)
20-13.008	K-Early Citrus Fruit: Classification and Standards (Repealed)
20-13.009	Tangelos; Classification and Standards
20-13.010	Temple; Classification and Standards
20-13.011	Ambersweet: Classification and Standards
20-13.012	Fallglo: Classification and Standards
20-13.013	Tango: Classification and Standards
20-13.014	Orri: Classification and Standards
20-13.015	U.S. Early Pride: Classification and Standards
20-13.016	W. Murcott: Classification and Standards
20-13.017	Osceola: Classification and Standards
20-13.018	Lee: Classification and Standards
20-13.019	Nova; Classification and Standards
20-13.020	Roe: Classification and Standards
20-13.021	Autumn Honey: Classification and Standards
20-13.022	WG-2: Classification and Standards
20-13.023	C37: Classification and Standards
20-13.024	Bingo: Classification and Standards
20-13.025	UFGlow: Classification and Standards
20-13.026	950: Classification and Standards
20-13.027	Marathon: Classification and Standards
20-13.028	Nectar: Classification and Standards
20-13.029	LB8-9: Classification and Standards

20-13.001 Establishment of Classification and Standards.

The market classification or name, and minimum maturity standard for all citrus varieties or hybrids marketed in the primary channel of trade shall be established as herein provided, unless such market classification or name, and maturity standard are set by law. The “Fruit Classification and Standards Committee” shall recommend to the Department of Citrus appropriate market classification or name, and minimum maturity standard for all citrus varieties or hybrids which have not previously been so established and may also make recommendations for any changes in existing classification or standard.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—Formerly 105-1.34(1), Revised 1-1-75, Formerly 20-13.01.

20-13.0011 Oranges: 2004-2005 Anhydrous Acid Maturity Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.19 FS. Law Implemented 601.11, 601.19 FS. History—New 3-14-93,

Amended 2-12-95, 1-17-96, 5-1-02, 2-19-03, 2-24-04, 3-22-05, Repealed 2-19-14.

20-13.002 Non-Classified Fruits.

Citrus varieties or hybrids for which a market classification or minimum maturity standard has not been set either by state law or Department of Citrus rule shall not be identified by any classification or name established for another variety or hybrid nor shall they be subject to any minimum maturity requirements.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—Formerly 105-1.34(1), Revised 1-1-75, Formerly 20-13.02, Amended 8-22-95.

20-13.003 Fruit Classification and Standards Committee – Membership.

There is hereby created and established an advisory committee of the Florida Citrus Commission designated as the “Fruit Classification and Standards Committee,” consisting of nine members appointed by the chair, subject to commission concurrence as follows:

(1) Three members shall be experienced in and actively engaged in an executive capacity as an officer, employee, or owner of a cooperative, firm, partnership or other business unit engaged in the business of packing or otherwise preparing citrus fruit for market or shipment in fresh form in this state.

(2) Two members shall be experienced in and actively engaged in an executive capacity as an officer, employee, or owner of a corporation, firm, partnership or other business unit engaged in the business of producing processed citrus products in this state.

(3) One member of the Florida Citrus Commission, who shall be one of the six designated grower-only members and not one of the three designated grower-handler members.

(4) One member who shall be an employee of the U.S. Department of Agriculture, whose professional qualifications and work experience are compatible with the assigned responsibility of this Committee.

(5) One member who shall be an employee of the Florida Department of Agriculture, whose professional qualifications and work experience are compatible with the assigned responsibility of this Committee.

(6) One member who shall be an employee of the University of Florida Agricultural Research and Education Center, whose professional qualifications and work experience are compatible with the assigned responsibility of this Committee.

Rulemaking Authority 601.05, 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.9910(3)(b) FS. History—Formerly 105-1.34(2), Revised 1-1-75, Formerly 20-13.03, Amended 11-28-12.

20-13.004 Classification of Newly Developed Varieties and Hybrids.

The Fruit Classification and Standards Committee shall recommend to the Department of Citrus the appropriate market classification or name for all newly developed citrus varieties or hybrids. In making such recommendations, the Committee shall take into account the following rules:

(1) There shall be five major market classes of citrus fruits as follows:

(a) Orange.

(b) Grapefruit.

(c) Tangerine.

(d) Tangelo.

(e) Other citrus varieties or hybrid which may be given a separate identity from those listed above.

(2) A citrus variety or hybrid may not be classified as an orange unless it has the general appearance of established orange varieties and can be acceptably processed and marketed alone.

(3) A citrus variety or hybrid may not be classified as a grapefruit unless it has the general appearance of established grapefruit varieties and can be acceptably processed and marketed alone.

(4) A citrus variety or hybrid shall be classified as orange, grapefruit, tangerine or tangelo if it resembles one or more established varieties of orange, grapefruit, tangerine, or tangelo and can be acceptably marketed as such.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.11 FS. History—Formerly 105-1.34(3), Revised 1-1-75, Formerly 20-13.04, Amended 1-24-19.

20-13.0041 Definition: Seedless and Low-Seeded.

The following standards shall apply to tangerine and mandarin varieties only.

(1) Seedless: In order to be marketed as a seedless tangerine or mandarin, the fruit shall have five (5) seeds or less in a random sample of not less than twenty-five (25) pieces of fruit sampled. Up to three (3) twenty-five (25) piece samples of fruit may be averaged in order to meet the required seed count.

(2) Low-Seeded: In order to be marketed as a low-seeded tangerine or mandarin, the citrus fruit shall have an average of two (2) seeds or less per fruit in a random sample of not less than twenty-five (25) pieces of fruit and no one piece of fruit in the twenty-five (25) fruit sampled shall contain more than four (4) seeds. Up to three (3) twenty-five (25) piece samples of fruit may be averaged in order to meet the required seed average.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.0042 Mandarin: Classification and Standards.

The market classification of “Mandarin” shall be interchangeable with “Tangerine” provided:

(1) The “Mandarin” shall meet either the “seedless” or “low-seeded” definitions of Rule 20-13.0041, F.A.C.

(2) Standards: The standards as set forth in Chapters 20-55, and 20-56, F.A.C., shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.005 Maturity Standards for Newly Developed Varieties and Hybrids.

The Fruit Classification and Standards Committee shall recommend to the Department of Citrus appropriate minimum maturity standards for all newly developed citrus varieties or hybrids. Initially such minimum standard shall be based upon available information and the minimum maturity standard for the established variety or hybrid that the new variety or hybrid most closely resembles. Recommendation for changes in such initial standard shall be made by the Committee as soon as sufficient official statistical information becomes available and substantial marketing experience has been gained.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.9910 FS. History—Formerly 105-1.34(4), Amended 1-1-75, Formerly 20-13.05.

20-13.006 Murcott Honey Tangerines; Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Murcott” shall be “tangerine.” Probably tangor hybrid (*Citrus reticulata* x *Citrus sinensis*).

(2) Identification: The proper identification of this citrus fruit shall be “Tangerine” or “honey tangerine,” and one such name shall be used whenever this fruit is identified.

(3) Standards: All grades, sampling and testing procedures and all state laws and rules not inconsistent with this rule shall be applicable to this fruit, in addition to the following specific standards:

(a) Minimum maturity for fresh fruit:

1. Color break: Fruit shall be deemed to be mature only when each fruit, after having been severed from the tree, shows a break in color, with yellow color predominating on not less than 50% of the fruit’s surface in the aggregate.

2. Coloring unlawful: Use of any coloring matter on Murcott Honey Tangerines is prohibited.

3. Solids-acid ratio: Fruit shall be deemed to be mature when the acid, expressed as anhydrous citric acid, does not exceed 1%; or if the acid exceeds 1%, when the ratio of total soluble solids thereof to the anhydrous citric acid is twelve to one or higher.

(b) Minimum maturity for processing: Fruit shall be deemed to be mature for processing purposes when the ratio of total soluble solids of the juice of a sample thereof to the anhydrous citric acid is ten to one or higher. There shall be no minimum requirements as to juice content, acid or color break.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.21, 601.9910(3) FS. History—Formerly 105-1.34(5), Revised 1-1-75, Formerly 20-13.06, Amended 10-13-96.

20-13.0061 Sunburst Tangerines; Classification and Standards.

- (1) Classification: The market classification of the citrus hybrid “Sunburst,” shall be “tangerine.”
- (2) Identification: The proper identification shall be either “Sunburst Tangerine,” or “Tangerine” and one such name shall be used whenever this fruit is identified.
- (3) Standards: All State laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.21, 601.9910(3) FS. History—New 8-30-89.

20-13.007 Robinson Tangerines; Classification and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.21, 601.9910(3) FS. History—Formerly 105-1.43(6), Revised 1-1-75, Formerly 20-13.07, Repealed 12-5-02.

20-13.008 K-Early Citrus Fruit; Classification and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910 FS. History—Formerly 105-1.34(7), Revised 1-1-75, Formerly 20-13.08, Amended 10-13-96, Repealed 12-05-02.

20-13.009 Tangelos; Classification and Standards.

(1) Classification: The market classification of the citrus hybrid generally known as “tangelo.” A hybrid between tangerine or mandarin orange (*C. reticulata*) with either the grapefruit or pummelo (*C. paradisi* and *C. grandis*).

(2) Identification: The proper identification of this citrus fruit shall be “tangelo” or “tangelo citrus fruit” and one such name shall be used whenever this fruit is identified. The term “tangelo” may be preceded by a variety designation such as “Orlando,” “Minneola,” etc.

(3) Standards: All grades, sampling and testing procedures and all state laws and rules not inconsistent with this rule shall be applicable to this fruit, in addition to the following specific standards:

(a) Minimum maturity:

1. Color break: Fruit shall be deemed to be mature only when each fruit, after having been severed from the tree, shows a break in color, with yellow color predominating on not less than 50% of the fruit’s surface in the aggregate. There shall be no color break requirements for processing for the period December 1 of each year to July 31 of the following year, both dates inclusive.

2. Solids-acid ratio: Fruit shall be deemed to be mature when:

a. The juice contains not less than four-tenths of one percent of anhydrous citric acid, except, there shall be no minimum acid requirement for processing during the period December 1 through July 31 each season; and,

b. The total soluble solids and the ratio of total soluble solids to the anhydrous citric acid is in accordance with the requirements set forth in the following table:

<u>Minimum Total</u> <u>Solids %</u>	<u>Solids to Acid</u> <u>Minimum Ratio</u>	<u>Minimum Total</u> <u>Solids %</u>	<u>Solids to Acid</u> <u>Minimum Ratio</u>
*8.0 to 8.1	10.50 to 1	9.9 to 10.0	9.55 to 1
8.1 to 8.2	10.45 to 1	10.0 to 10.1	9.50 to 1
8.2 to 8.3	10.40 to 1	10.1 to 10.2	9.45 to 1
8.3 to 8.4	10.35 to 1	10.2 to 10.3	9.40 to 1
8.4 to 8.5	10.30 to 1	10.3 to 10.4	9.35 to 1
**8.5 to 8.6	10.25 to 1	10.4 to 10.5	9.30 to 1
8.6 to 8.7	10.20 to 1	10.5 to 10.6	9.25 to 1
8.7 to 8.8	10.15 to 1	10.6 to 10.7	9.20 to 1
8.7 to 8.9	10.10 to 1	10.7 to 10.8	9.15 to 1
8.9 to 9.0	10.05 to 1	10.8 to 10.9	9.10 to 1
***9.0 to 9.1	10.00 to 1	10.9 to 11.0	9.05 to 1

9.1 to 9.2	9.95 to 1	11.0 to 11.1	9.00 to 1
9.2 to 9.3	9.90 to 1	11.1 to 11.2	8.95 to 1
9.3 to 9.4	9.85 to 1	11.2 to 11.3	8.90 to 1
9.4 to 9.5	9.80 to 1	11.3 to 11.4	8.85 to 1
***9.5 to 9.6	9.75 to 1	11.4 to 11.5	8.80 to 1
9.6 to 9.7	9.70 to 1	11.5 to 11.6	8.75 to 1
9.7 to 9.8	9.65 to 1	11.6 to 11.7	8.70 to 1
9.8 to 9.9	9.60 to 1	11.7 to 11.8	8.65 to 1
		11.8 to 11.9	8.60 to 1
		*****11.9 and above	8.55 to 1
			*****8.00 to 1

- * Processing: Minimum solids November 16 through November 30.
- ** Processing: Minimum solids November 1 through November 15.
Fresh: Minimum solids November 16 through November 30.
- *** Processing: Minimum solids August 1 through October 31.
Fresh: Minimum solids November 1 through November 15.
- **** Fresh: Minimum solids August 1 through October 31.
- ***** Fresh: Flat 8.55 to 1 ratio for shipments December 1 through January 31 with no minimum solids.
- ***** Processing: Flat 8 to 1 ratio for December 1 through July 31 with no minimum solids.
Fresh: Flat 8 to 1 ratio for shipments February 1 through July 31 with no minimum solids.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910 FS. History—Formerly 105-1.34(8), Revised 1-1-75, Formerly 20-13.09, Amended 10-13-96, 11-29-15.

20-13.010 Temple; Classification and Standards.

- (1) Classification: The market classification of the citrus hybrid “Temple,” shall be “Tangerine,” or “Mandarin.”
- (2) Identification:
 - (a) The proper identification shall be either “Temple,” “Temple Tangerine,” “Tangerine,” “Royal Tangerine,” “Temple Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.
 - (b) In order to be marketed as “Temple Mandarin” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.
 - (c) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.
- (3) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C., shall be applicable to this fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910 FS. History—Formerly 105-1.34(9), Revised 1-1-75, Formerly 20-13.10, Amended 11-1-88, 10-13-96, 11-29-15.

20-13.011 Ambersweet; Classification and Standards.

- (1) Classification: The market classification of the citrus hybrid generally known as “Ambersweet” shall be “Orange”, a hybrid between orange (*C. sinensis*), mandarin (*C. reticulata*), and grapefruit (*C. paradisi*).
- (2) Identification: The proper identification of this citrus fruit shall be “Ambersweet Orange” or “Orange” whenever this fruit is identified.
- (3) Standards: All state laws and rules applicable to the maturity of oranges shall be applicable to this fruit, except as provided below:

Orange Standards

<u>Minimum Total Solids %</u>	<u>Solids to Acid Min. Ratio</u>
8.4 to (not including) 8.5	10.20 to 1
*8.5 to (not including) 8.6	10.25 to 1
8.6 to (not including) 8.7	10.20 to 1
**8.7 to (not including) 8.8	10.15 to 1

8.8 to (not including) 8.9	10.10 to 1
8.9 to (not including) 9.0	10.05 to 1
***9.0 to (not including) 9.1	10.00 to 1
9.1 to (not including) 9.2	9.95 to 1
9.2 to (not including) 9.3	9.90 to 1

*Ambersweet oranges Oct. 16 thru July 31

**Ambersweet oranges Oct. 1 thru Oct. 15

***Ambersweet oranges Aug. 1 thru Sept. 30

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910 FS. History—New 8-16-90, Amended 8-22-95, 7-6-09.

20-13.012 Fallglo: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Fallglo” shall be “Tangerine.”

(2) Identification: The proper identification shall be either “Fallglo Tangerine” or “Tangerine” and one such name shall be used whenever this fruit is identified.

(3) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.21, 601.9910(3) FS. History—New 5-16-93.

20-13.013 Tango: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Tango,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Tango,” “Tango Tangerine,” “Tangerine,” “Tango Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Tango Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(4) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.014 Orri: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Orri” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Orri,” “Orri Tangerine,” “Tangerine,” “Orri Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Orri Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(4) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.015 U.S. Early Pride: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “U.S. Early Pride,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “U.S. Early Pride,” “U.S. Early Pride Tangerine,” “Tangerine,” “U.S. Early Pride Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “U.S. Early Pride Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(4) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.016 W. Murcott: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “W. Murcott,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “W. Murcott,” “W. Murcott Tangerine,” “Tangerine,” “W. Murcott Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “W. Murcott Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(4) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.017 Osceola: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Osceola,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Osceola,” “Osceola Tangerine,” “Tangerine,” “Osceola Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Osceola Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(4) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.018 Lee: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Lee,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Lee,” “Lee Tangerine,” “Tangerine,” “Lee Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Lee Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(4) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-20-14.

20-13.019 Nova; Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Nova,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Nova,” “Nova Tangerine,” “Tangerine,” “Nova Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Nova Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(c) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(3) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 11-29-15.

20-13.020 Roe; Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Roe,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Roe,” “Roe Tangerine,” “Tangerine,” “Roe Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Roe Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(c) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(3) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 11-29-15.

20-13.021 Autumn Honey; Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Autumn Honey,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Autumn Honey,” “Autumn Honey Tangerine,” “Tangerine,” “Autumn Honey Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Autumn Honey Mandarin” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(c) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(3) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C. shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 11-29-15.

20-13.022 WG-2; Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “WG-2,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Aroema™,” “Aroema™ Tangerine,” “Tangerine,” “Aroema™ Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Aroema™ Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(c) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(3) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C., shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-23-17.

20-13.023 C37: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “C37,” shall be “Tangerine,” or “Mandarin.”

(2) Identification:

(a) The proper identification shall be either “Juicy Crunch™,” “Juicy Crunch™ Tangerine,” “Tangerine,” “Juicy Crunch™ Mandarin,” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Juicy Crunch™ Mandarin,” or “Mandarin” the fruit must meet the requirements set forth in Rule 20-13.0042, F.A.C.

(c) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in Rule 20-13.0041, F.A.C.

(3) Standards: The standards as set forth in Chapters 20-55 and 20-56, F.A.C., shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-23-17.

20-13.024 Bingo: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Bingo” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata* x *C. kinokuni*).

(2) Identification:

(a) The proper identification shall be either “Bingo,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 2-2-20.

20-13.025 UFGlow: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “UFGlow” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata* x *C. kinokuni*).

(2) Identification:

(a) The proper identification shall be either “UFGlow,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 2-2-20.

20-13.026 950: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “950” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata*).

(2) Identification:

(a) The proper identification shall be either “950,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 2-2-20.

20-13.027 Marathon: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Marathon” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata* x *C. kinokuni*).

(2) Identification:

(a) The proper identification shall be either “Marathon,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 2-2-20.

20-13.028 Nectar: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “Nectar” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata* x *Unknown*).

(2) Identification:

(a) The proper identification shall be either “Nectar,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 2-2-20.

20-13.029 LB8-9: Classification and Standards.

(1) Classification: The market classification of the citrus hybrid “LB8-9” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*Citrus reticulata* x (*Citrus paradisi* x *Citrus reticulata*)).

(2) Identification:

(a) The proper identification shall be either Sugar Belle® brand (subject to a written agreement with Florida Foundation Seed Producers or its designee), “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New 8-01-22.

CHAPTER 20-14
METHODS TO DETERMINE COMPLIANCE

20-14.001 Methods to Determine Compliance

20-14.001 Methods to Determine Compliance.

(1) Compliance with the laws relating to citrus products shall be determined by one or more of the methods and analyses described in the following sections. All materials and publications indicated are incorporated by reference into the rules.

(2) For Acid Content:

(a) Fresh Fruit:

1. In the manner described in the "Method for Determination of Acid", Florida Department of Citrus (February 1990).

2. As set forth in Department of Citrus Rules 20-13.005 through 20-13.010, F.A.C.

3. In the manner described by Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method "Determination of Soluble Solids and Anhydrous Citric Acid in Citrus Fruit at Processing Plants." (February 1990)

(b) Processed Citrus Products:

1. In the manner prescribed in Sections 6.1.1 through 6.1.16 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

2. In the manner prescribed in the United States Standards for Grades of Orange Juice in 7 CFR Part 52 and 48 Federal Register 40875 (1983).

(3) For Ascorbic Acid (Vitamin C):

(a) As prescribed in the Fifteenth Edition (1990) of Official Methods of Analysis of the Association of Official Analytical Chemists, Section 43.068 under method number 967.21 "Vitamin C (Ascorbic Acid) in Vitamin Preparations and Juices 2,6-Dichloroindolpenol Titrimetric Method, Final Actions."

(b) As prescribed in "Liquid Chromatographic Determination of Vitamin C in Commercial Florida Citrus Juices," H.S. Lee and G.A. Coates, 1987, Journal of Micronutrient Analysis, Vol. 3, pages 199-209.

(4) For Break in Color: As prescribed by Department of Citrus Rules 20-34.003 through 20-34.005, F.A.C.

(5) For Color Grading for Processed Citrus Products:

(a) As prescribed by Rules 20-65.001 through 20-65.005, F.A.C., and the Rules of the State of Florida, Department of Citrus.

(b) As prescribed in Sections 6.5.1 through 6.5.31 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(c) In the manner prescribed in the United States Standards for Grades of Orange Juices and Grapefruit Juices in 7 CFR Part 52 and 48 Federal Register 40875 (1983).

(6) For Brix Determination:

(a) As prescribed in Sections 6.4.1 through 6.4.9 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(b) In the manner prescribed in the United States Standards for Grades of Orange Juices and Grapefruit Juices in 7 CFR Part 52 and 48 Federal Register 40875 (1983).

(7) For Flavor:

(a) As prescribed in Section 3.1.20 to 3.1.21 and 3.2.19 to 3.2.20 of the Citrus Handbook issued by the United States Department of Agriculture, October 1991.

(b) As prescribed in "Hedonic Scale Method of Measuring Food Preferences. Methodology of Sensory Testing" D.R. Peryan and F.J. Pilgrim, 1957, Food Technology Symposium, Vol. 11, pages 472-473 (Insert Pages 9-14).

(c) In the manner prescribed in the United States Standards for Grades of Orange Juices and Grapefruit Juices in 7 CFR Part 52 and 48 Federal Register 40875 (1983).

(8) For Gelation: As prescribed in Sections 6.13.1 through 6.13.4, of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(9) For Juice Content:

(a) As prescribed by Department of Citrus Rules 20-34.006 and 20-34.007, F.A.C.

(b) As prescribed in "Direction for Making Field Tests for Maturity of Oranges or Tangerines." Florida Department of Citrus (February 1990).

(c) As described in Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables, "Method for Making Maturity Tests" (February 1990).

(10) For Limonin:

(a) As prescribed in "Determination of Limonin and Related Limonoids in Citrus Juices by High Performance Liquid Chromatography," Russell L. Rouseff and James F. Fisher, 1980 Analytical Chemistry, Vol. 52, No. 8, pages 1228-1233.

(b) As prescribed in "Improvements in the Quantitation of Limonin in Citrus Juice by Reversed-Phase High Performance Liquid Chromatography," W.W. Widmer, 1991, Journal of Agricultural and Food Chemistry, Vol. 39, No. 8, pages 1472-1476.

(c) As prescribed by the "Enzyme Immunoassay Test for Detection of Limonin in Citrus Juice," Avio Systems, Idetek, Inc., 1057 Sneath Lane, San Bruno, California 94066 (October 1989).

(11) For Naringin: As prescribed in Sections 6.15.1 through 6.15.3 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(12) For Oil Content:

(a) As prescribed in Sections 6.19.1 through 6.19.4 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(b) In the manner prescribed in the United States Standards for Grades of Orange Juices and Grapefruit Juices in 7 CFR Part 52 and 48 Federal Register 40875 (1983).

(13) For Presence of Concentrate in Fresh Squeezed Juices: As prescribed by "Control of Authenticity of Fruit Juices by Isotopic Analysis," "Jacques Bricout, 1973, Journal of the Association of Official Analytical Chemists," Vol. 56, No. 3, Pages 739-742.

(14) For Presence of Certain Preservatives or Ingredients Not Naturally Occurring in Citrus Fruit:

(a) As prescribed by "Orange Juice Adulteration: Detection and Quality Effects of Dilution, Added Orange Pulpwash, Turmeric and Sorbate," D.R. Petrus, P.J. Fellers, and H.E. Anderson. 1984. Journal of Food Science, Vol. 49 No. 6, pages 1438-1443.

(b) As prescribed in "High Performance Liquid Chromatographic Separation and Spectral Characterization of the Pigments in Turmeric and Annatto," Russell L. Rouseff 1988. Journal of Food Science, Vol. 53, No. 6, pages 1823-1826.

(c) As prescribed in "Determination of Food Preservatives in Orange Juice by Reversed-Phase Liquid Chromatography," Hyoung S. Lee, Russell L. Rouseff, and James F. Fisher. 1986. Journal of Food Science, Vol. 51, No. 3, pages 568-570.

(15) For Detecting Presence of Grapefruit Juice in Orange Juice: As prescribed by the method described by R. L. Rouseff, 1988, Journal of the Association of Official Analytical Chemists, Vol. 71, No. 4, pages 798-802.

(16) For Detection of Pulpwash (Water Extracted Soluble Orange Solids) in Florida Orange Juice: As prescribed by the method prescribed in the Second Supplement (1986) to the AOAC Official Methods of Analysis, Fifteenth Edition (1990), section 22.B06-22.B12 under method number 986.14 "Adulteration of Processed Florida Orange Juice – UV/VIS and Florescence Spectrophotometric Methods, First Action," and the Third Supplement (1987) to the AOAC Official Methods of Analysis, Fourteenth Edition (1984) revision in 22.B06-22.B12.

(17) Ratio of Solids to Acid for Processed Juice:

(a) As prescribed by Section 6.1.1 through Section 6.1.16 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(b) In the manner prescribed in United States Standards for Grades of Orange Juices and Grapefruit Juices in 7 CFR Part 52 and 48 Federal Register 40875 (1983).

(18) Presence of Corn Syrup, Sugar-Beet Derived Syrups and Sweetening Ingredients in Citrus Juice:

(a) As prescribed by "Citrus Fruits and Their Products; Analysis and Technology," S.V. Ting and R.L. Rouseff, 1986, pages 88-90. Published by Marcel Dekker, Inc., 270 Madison Avenue, New York, N.Y. 10016.

(b) As prescribed by "Application of Natural Variations in $^{13}\text{C}/^{12}\text{C}$ Ratios to Detect Adulteration of Orange, Lemon and Apple Juices." Landis W. Doner in Adulteration of Fruit Juice Beverages. Edited by Steven Nagy, John A. Attaway and Martha E. Rhodes, 1988, pages 125-138. Published by Marcel Dekker, Inc., 270 Madison Avenue, New York, N. Y. 10016.

(c) As prescribed by the "Carbon Ratio Mass Spectrometric Method" prescribed in the AOAC Official Methods of Analysis, Fifteenth Edition (1990), Sections 22.113-22.116 under method number 982.21 "Corn Syrup in Orange Juice – Carbon Ratio Mass Spectrometric Method, Final Action."

(19) Pulp Content: As prescribed by Sections 6.16.1 through 6.16.4 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(20) Viscosity: As prescribed in "Procedures for Analysis – Citrus Products," Revision No. 6, September 1983. Research and Technical Service Department, FMC Corporation, Citrus Machinery Division, Lakeland, Florida.

(21) Foreign Material: As prescribed by Sections 6.12.1 through 6.12.3 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993.

(22) For Certain Adulteration: As prescribed by "Detection of Citrus Fruit Adulteration Using the Distribution of Natural Stable Isotopes." A. Nissenbaum, A. Lifshitz and Y. Stepek, 1974, Lebensmittel Wissenschaftler Technologie, Vol. 7, No. 3, pages 152-154.

(23) Defining Geographical Origin and Detecting Adulteration of Orange Juice: As prescribed by "Trace Metals: Defining Geographical Origin and Detecting Adulteration of Orange Juice." Seifollah Nikdel, Steven Nagy, and John A. Attaway in Adulteration of Fruit Juice Beverages. Edited by Steven Nagy, John A. Attaway and Martha E. Rhodes. 1988, pages 81-105. Published by Marcel Dekker, Inc. 270 Madison Avenue, New York, N. Y. 10016.

(24) TBZ and Benomyl:

(a) In manner described by Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method "TBZ and Benomyl for Spectrophotometric Measurement." (February 1990)

(b) As prescribed by Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method, "Method for TBZ and Benomyl by HPLC." (February 1990)

(25) Dowicide and Diphenyl:

(a) As prescribed by Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method "Dowicide by Florescence and Diphenyl by HPLC." (February 1990).

(b) As prescribed by Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method, "Dowicide and Diphenyl by HPLC." (February 1990)

(c) As prescribed by Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method "Dowicide and Diphenyl by GLC." (February 1990)

(d) As prescribed in "High Speed Liquid Chromatographic Determination of O-Phenylphenol Residues in Citrus Products," Samuel K. Reeder, 1976, Journal of the Association of Official Analytical Chemists, Vol. 59, No. 1, pages 162-164.

(26) Determination of Imazalil in Whole Fruit: As prescribed in "Determination of Imazalil in Whole Fruit." Pennwalt Corp., Decco Lab, Munrovia, CA.

(27) Curcumin in Orange Juice Product: As prescribed in Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables method, "Detection of Curcumin in FCOJ and OM with Fluorescence Spectrophotometer." (February 1990)

(28) Aldicarb Residues: As prescribed in "A Method for the Determination of Total Toxic Aldicarb Residues

in Citrus Fruit,” October 1978, Union Carbide Corporation, Agricultural Products Research and Development Department, South Charleston, West Virginia 25303.

(29) Sodium Benzoate:

(a) As prescribed by “High-Performance Liquid Chromatographic Determination of Sodium Benzoate when used as a Tracer to Detect Pulpwash Adulteration of Orange Juice,” by Dr. James F. Fisher, 1983, Journal of Agricultural and Food Chemistry, Vol. 31, No. 66, pages 66-68.

(b) As prescribed by “Liquid Chromatographic Determination of Benzoic Acid in Orange Juice: Interlaboratory Study,” Hyoung S. Lee, 1995, Journal of AOAC International, Vol. 78, No. 1, pages 80-82.

(30) For Determining Grades for Fresh Florida Citrus Fruit: As prescribed in USDA Standards for Grades of Florida Grapefruit, Oranges and Tangelos, 45 Federal Register 72089 (1980).

(31) Arsenic Residues: As prescribed in “Silver Diethyldithiocarbamate Method, AOAC Official Methods of Analysis”. Twelfth Edition (1975), pages 428-430.

(32) Pesticide Residues: Pesticide Analytical Manual, Vol. I & II U.S. Department of Health & Human Services, Food & Drug Administration (Revised 1989).

(33) Sugar in Citrus Juices: As prescribed in “Natural Isotope Fractionation in the Discrimination of Sugar Origins” G. J. Martin, D. Danho and C. Vallet, 1991, Journal of the Science of Food and Agriculture, Vol. 56, pages 419-434.

(34) Beet Medium Invert Sugar in Citrus Juices: As prescribed in “Detection of Orange Juice Adulteration with Beet Medium Invert Sugar Using Anion-Exchange Liquid Chromatography with Pulsed Amperometric Detection,” K. W. Swallow, N. H. Low, and D. R. Petrus, 1991, Journal of the Association of Official Analytical Chemists, Vol. 74, No. 2, pages 341-345.

(35) Sodium: As prescribed in “Sodium in Fruit and Fruit Products, Flame Spectrophotometric Method, AOAC Official Methods of Analysis”, Chapter 37, Page 7 (1995).

(36) *Salmonella*:

(a) As prescribed in FDA Bacteriological Analytical Manual, “*Salmonella* Culture Method for Pasteurized and Unpasteurized Orange Juice”, Wallace H. Andrews, Geraldine A. June, Patricia S. Sherrod, Thomas S. Hammack, and R. Miguel Amaguana, 8th Edition, Revision A, 1998, Chapter 5, Revisions December, 1999.

(b) As prescribed in AOAC Official Methods of Analysis, 16th Ed. Section 17.9.13, AOAC Official Method 989.14, “*Salmonella* in Foods, Colorimetric Polyclonal Enzyme Immunoassay,” Denis Hughes, Angela E. Dailianis, Louise Hill, Michael S. Curiale and Vidhya Gangar, Journal of AOAC International, Vol. 82, No. 3, Pages 634-647, 1999.

(37) *E. coli*:

(a) As prescribed in FDA Bacteriological Analytical Manual, Broth MPN Method “*Escherichia coli* and the Coliform Bacteria, Anthony D. Hitchins, Peter Feng, William D. Watkins, Scott R. Rippey, and Linda A. Chandler, 8th Ed., Chapter 4, 1995.

(b) As prescribed in AOAC Official Methods of Analysis, AOAC Official Method 991.14, “Dry Rehydratable Film for Enumeration of Total Coliforms and *Escherichia coli* in Foods: Collaborative Study”, Michael S. Curiale, Therese Sons, Dawn McIver, J. Sue McCallister, Barbara Halsey, Diane Roblee, and Terrance L. Fox, Journal of AOAC, Vol 74, No. 4, 1991.

(c) As prescribed in AOAC Official Methods of Analysis, AOAC Official Method 996.09, “Visual Immunoprecipitate Assay (VIP) for Detection of Enterohemorrhagic *Escherichia coli* 0157:H7 in Selected Foods: Collaborative Study” Philip T. Feldsine, Maria T. Falbo-Nelson, Sharol L. Brunelle, and Robin L. Forgey, Journal of AOAC, Vol 80, No. 3, 1997.

(38) Additional methods and analyses shall be those that achieve at least “First Action” status as an AOAC Official Method, or are introduced through expert testimony, opinion and other relevant evidence where the trier of fact determines that the testimony, evidence or opinion is otherwise admissible under Florida law.

(39) If one of the test methods in this section is used in an administrative or judicial enforcement proceeding, then, in addition to its rights to challenge the legal validity of the rule, the respondent or defendant may, in its

defense, present competent substantial evidence relating to the accuracy or scientific validity of the test results, the test method, or both. Only if the respondent or defendant fails to present such evidence, shall such accuracy, scientific validity, or both, be presumed.

Rulemaking Authority 601.10(1), (7), 601.11, 601.24, 601.25 FS. Law Implemented 601.11, 601.24, 601.45, 601.48, 601.53, 601.901, 601.91 FS. History—New 4-12-90, Amended 6-11-91, 3-20-94, 8-22-95, 3-15-01.

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**CHAPTER 20-30
REQUIREMENTS FOR OPERATION OF FRESH CITRUS FACILITY**

20-30.001	Registration Required
20-30.002	Notice Required (Repealed)
20-30.003	License and Bond Required (Repealed)
20-30.004	Minimum Equipment Required

20-30.001 Registration Required.

(1) Any person desiring to operate a citrus fruit packinghouse in the State of Florida shall, at least ten days before packing citrus fruit, register such packinghouse, with its location by county, shipping point, and post office, with and on form FV-30 6/17/92, Application for Registration Certificate, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-12150>, furnished by the Department of Agriculture and Consumer Services, Winter Haven, Florida.

(2) To determine compliance with minimum equipment requirements under Rule 20-30.004, F.A.C., the Department of Agriculture and Consumer Services shall require the conduct of an on-site inspection of any new or newly renovated packinghouse facility, prior to approval of registration.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.40, 601.41 FS. History—Formerly 105-1.08(1), Revised 1-1-75, Amended 9-5-85, Formerly 20-30.01, Amended 7-21-92, 11-26-20.

20-30.002 Notice Required.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.40, 601.41 FS. History—Formerly 105-1.08(1), Revised 1-1-75, Formerly 20-30.02, Repealed 11-26-20.

20-30.003 License and Bond Required.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.40 FS. History—Formerly 105-1.08(2), Revised 1-1-75, Formerly 20-30.03, Repealed 11-26-20.

20-30.004 Minimum Equipment Required.

(1) Packinghouses that process fresh citrus fruit of a U.S. No. 2, or lower, grade shall install a mechanical washer with brushes and soap applicator.

(2) Packinghouses that process fresh citrus fruit of a grade higher than U.S. No. 2 shall, in addition to the mechanical washer and soap applicator, also install a fruit wax applicator, a well-lighted grading belt, and a mechanical fruit sizer capable of sizing a minimum of five fruit sizes.

(3) The provisions of subsections 20-30.004(1) and (2), F.A.C., shall not apply to any registered packinghouse which:

(a) Purchases only previously graded and certified fruit for repacking, or

(b) Has registered as an organic citrus grower with Florida Department of Agriculture and Consumer Services, form FDACS-07128, and as revised, Application for Registration As Organic grower, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-12151> furnished by the Department of Agriculture and Consumer Services, Bartow, Florida.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—New 9-5-85, Formerly 20-30.04, Amended 7-21-92, 1-9-94, 11-26-20.

**CHAPTER 20-31
COLORING ROOM METHODS AND PRACTICES**

- 20-31.001 Certain Heating Prohibited **(Repealed)**
- 20-31.002 Air Circulation **(Repealed)**
- 20-31.003 Maximum Temperature **(Repealed)**

20-31.001 Certain Heating Prohibited.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.13(1), Revised 1-1-75, Formerly 20-31.01, Repealed 6-24-18.

20-31.002 Air Circulation.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.13(2), Revised 1-1-75, Formerly 20-31.02, Repealed 6-24-18.

20-31.003 Maximum Temperature.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.13(3), Revised 1-1-75, Formerly 20-31.03, Repealed 6-24-18.

CHAPTER 20-32
ARTIFICIAL COLORING OF CITRUS FRUITS

20-32.001	Notice of Intent to Color and Inspection of Fruit (Repealed)
20-32.002	Procedure for Sampling and Testing Fruit to be Colored (Repealed)
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20-32.005	Early Varieties (Repealed)
20-32.006	Midseason Varieties (Repealed)
20-32.007	Late Varieties (Repealed)
20-32.008	Tolerance (Repealed)
20-32.009	Mixing Fruit Prohibited
20-32.010	Marking Containers
20-32.011	Time and Temperature Limitations (Repealed)

20-32.001 Notice of Intent to Color and Inspection of Fruit.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(11), Revised 1-1-75, Formerly 20-32.01, Amended 7-21-92, 10-15-95, Repealed 6-24-18.

20-32.002 Procedure for Sampling and Testing Fruit to be Colored.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(3), Revised 1-1-75, Formerly 20-32.02, Repromulgated 10-15-95, Repealed 6-24-18.

20-32.003 Use of Coloring Matter.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.80 FS. History—Formerly 105-1.12(4), Revised 1-1-75, Formerly 20-32.03, Amended 10-15-95, Repealed 6-24-18.

20-32.004 Prohibited Coloring Matter.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(8), Revised 1-1-75, Formerly 20-32.04, Repromulgated 10-15-95, Repealed 6-24-18.

20-32.005 Early Varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(5), Revised 1-1-75, Formerly 20-32.05, Repealed 6-24-18.

20-32.006 Midseason Varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(6), Revised 1-1-75, Formerly 20-32.06, Repealed 6-24-18.

20-32.007 Late Varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(7), Revised 1-1-75, Formerly 20-32.07, Repealed 6-24-18.

20-32.008 Tolerance.

Rulemaking Authority 601.10(1), (7) Law Implemented 601.10(7) FS. History—Formerly 105-1.12(8), Revised 1-1-75, Formerly 20-32.08, Repealed 6-24-18.

20-32.009 Mixing Fruit Prohibited.

No colored fruit shall be mixed with fruit not so colored.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.83 FS. History—Formerly 105-1.12(9), Revised 1-1-75, Formerly 20-32.09, Amended 6-24-18.

20-32.010 Marking Containers.

(1) All boxes of artificially colored fruit shall be prominently and conspicuously labeled “Color Added” in boldface type. Such designation shall be a part of the main label affixed or stamped on each box, or shall be stamped on the top of the container or immediately adjacent to the main label.

(2) When approved bags are used as containers for artificially colored fruit, the label on each bag or insert tag shall prominently and conspicuously show the words “Color Added” in bold face type.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.11 FS. History—Formerly 105-1.12(10), Revised 1-1-75, Amended 8-1-77, Formerly 20-32.10, Amended 10-15-95.

20-32.011 Time and Temperature Limitations.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.12(12), Revised 1-1-75, Formerly 20-32.11, Repealed 6-24-18.

**CHAPTER 20-33
FUNGICIDE OR FUNGISTAT TREATMENT
REQUIRED FOR FRESH CITRUS FRUIT**

- 20-33.001 Application **(Repealed)**
- 20-33.002 Minimum Residues **(Repealed)**
- 20-33.003 Exceptions **(Repealed)**
- 20-33.004 Required Treatment for Fresh Fruit Certified for Export to Japan **(Repealed)**

20-33.001 Application.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(3), (4), 601.10(7), 601.11 FS. History-Formerly 105-1.43(1), Revised 1-1-75, Amended 1-12-78, Formerly 20-33.01, Amended 1-28-86, 10-10-91, Repealed 10-17-95.

20-33.002 Minimum Residues.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(3), (4), 601.10(7), 601.11 FS. History-Formerly 105-1.43(2), Revised 1-1-75, Amended 1-12-78, Formerly 20-33.02, Amended 1-28-86, 10-10-91, Repealed 10-17-95.

20-33.003 Exceptions.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.11 FS. History--Formerly 105-1.43(3), Revised 1-1-75, Amended 1-12-78, 8-1-78, Formerly 20-33.03, Amended 1-28-86, 3-20-94, Repealed 10-17-95.

20-33.004 Required Treatment for Fresh Fruit Certified for Export to Japan.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(3), (4), 601.10(7), 601.11 FS. History-New 1-12-78, Amended 1-14-79, 12-30-84, Formerly 20-33.04, Amended 1-28-86, 3-20-94, Repealed 10-17-95.

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20-34.020	Samples to be Taken from All Grades, Diameters or Other Division in All Lots
20-34.021	Inspection for Compliance under PIQ Program

20-34.001 Test House Facilities and Equipment to be Furnished.

(1) Each packinghouse shall provide adequate testing facilities in suitable locations, including running water, sinks and drainboards, lights, sufficient power outlets, and adequate desk space for the inspector’s use. At least one testing facility shall be at or near the point where fruit is received at the packinghouse. Each testing facility shall be approved for adequacy by the Division of Fruit and Vegetables Inspection Service prior to issuance of packinghouse registration.

(2) Any packinghouse that shipped more than 200,000 equivalent standard containers of citrus fruit the previous season shall, prior to beginning operations the following season, install an Automatic Machinery Corporation Model 2700, fresh citrus juice extractor, or its equivalent, as shown in drawings and specifications on file at the Department of Agriculture. Any fresh citrus packinghouse which started operations after October 31 of the previous season and shipped less than 400,000 equivalent standard containers of citrus in that season may be exempt from this requirement.

(3) Said extractor shall be installed in a manner approved by the Division of Fruit and Vegetables, Florida Department of Agriculture, which shall be responsible for its maintenance and proper settings.

Rulemaking Authority 601.10(1), (7), 601.24 FS. Law Implemented 601.11, 601.24, 601.27 FS. History—Formerly 105-1.01(1), Revised 1-1-75, Formerly 20-34.01, Amended 8-30-95, 6-24-18, 10-25-18.

20-34.002 Official Juice Extraction Equipment.

Juice extraction equipment used in making official juice content and solids-acid ratio maturity tests shall be as follows:

(1) A fruit reamer with interchangeable reamer burrs of large size for grapefruit and small size for all other types. Fruit to be tested shall not have the peel removed and the fruit shall be cut in half across the stem-to-blossom axis. Each half of the fruit shall be pressed against the reamer burr revolving at a speed not exceeding 400 R.P.M. The juice shall be strained through a Department of Agriculture approved strainer to prevent the

passage of juice cells, pulp, or seeds.

The strainer containing the juice cells, pulp and seeds from the samples shall be squeezed by hand until the juice is removed, but shall not be pressed to the point of forcing juice cells, pulp, seeds or slime through the strainer.

(2) An Automatic Machinery Corporation Model 2700 fresh citrus juice extractor or its equivalent as shown in drawings and specifications on file at the Department of Agriculture office.

Rulemaking Authority 601.10(1), (7), 601.24 FS. Law Implemented 601.24, 601.25 FS. History—Formerly 105-1.01(2), Revised 1-1-75, Formerly 20-34.02, Amended 12-21-93, 6-24-18.

20-34.003 Test for Break in Color Test.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.01(3)(a), Revised 1-1-75, Formerly 20-34.03, Repealed 10-20-96.

20-34.004 Sample for Break in Color Test.

Rulemaking Authority 601.10(1), (7), 601.24, 601.44 FS. Law Implemented 601.24, 601.44 FS. History—Formerly 105-1.01(3)(b), Revised 1-1-75, Formerly 20-34.04, Amended 10-20-96, 7-2-03, Repealed 6-24-18.

20-34.005 Requirements for Break in Color.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.11, 601.16, 601.19, 601.21 FS. History—Formerly 105-1.01(3)(c), Revised 1-1-75, Formerly 20-34.05, Amended 8-19-03, Repealed 6-24-18.

20-34.006 Juice Content in Grapefruit – Sampling and Testing.

(1) Tests for juice content of grapefruit shall be determined by:

(a) Use of official juice extractor equipment as described in rule 20-34.002, F.A.C., to determine cc juice per fruit, or

(b) Fruit samples and their juice weighed to determine percent of juice by weight. This method shall be limited to fruit 4 1/4" inch diameter and less which must have 52% juice by weight and fruit greater than 4 1/4" inch diameter which must have 49% juice by weight.

(2) A sample shall consist of not less than 10 grapefruit.

(3) The size of grapefruit may be determined by measuring the fruit diameter in the center and at right angles to the blossom-to-stem axis. The average diameter for testing purposes for the respective sizes shall be as follows:

Size 14 = 5 3/4 inches	Size 40 = 3 15/16 inches
Size 18 = 5 9/32 inches	Size 48 = 3 3/4 inches
Size 23 = 4 25/32 inches	Size 56 = 3 9/16 inches
Size 27 = 4 9/16 inches	Size 64 = 3 1/2 inches
Size 32 = 4 1/4 inches	Size 80 = 3 inches
Size 36 = 4 1/8 inches	

(4) The average juice content of each fruit shall be compared with the minimum juice content required for the size tested as shown in the following tables and if equal to or in excess thereof, the juice requirement of that diameter shall have been satisfied:

Size	8/1 through 11/15	11/16 through 3/1	3/2 through 7/31
14	400 cc.	380 cc.	360 cc.
18	350 cc.	335 cc.	320 cc.
23	305 cc.	290 cc.	275 cc.
27	275 cc.	265 cc.	250 cc.
32	245 cc.	230 cc.	220 cc.
36	230 cc.	220 cc.	210 cc.
40	210 cc.	200 cc.	190 cc.

48	185 cc.	180 cc.	170 cc.
56	170 cc.	165 cc.	155 cc.
64	165 cc.	160 cc.	150 cc.
80	no minimum	no minimum	no minimum

(5) If the initial test fails, two additional tests may be made. If the average juice content per fruit of all fruit used in the three tests fails to meet the minimum requirement, that diameter shall be condemned and destroyed, or legally diverted to other suitable use under supervision of the inspector.

(6) Juice content tests may be made on grapefruit from at least the smallest and largest diameters in each lot of fruit. Such additional tests may be made as necessary, inasmuch as each diameter of fruit must meet the minimum juice requirement of that respective diameter.

(7) If any one diameter fails maturity, the applicant shall declare to the inspector all diameters in that lot. In addition, all mature diameters above and below the diameter that fails shall meet minimum and maximum maturity requirements.

(a) The method for determining compliance for grapefruit shall be the same as prescribed in subsection 20-34.006(3), F.A.C.

(b) Grapefruit compliance shall be based on the average diameter as listed in subsection 20-34.006(3), F.A.C.

(c) Failure for all varieties of citrus shall be based upon the carton with the highest percentage of the average diameter that failed.

Rulemaking Authority 601.10(1), (7), 601.24, 601.25 FS. Law Implemented 601.18, 601.24, 601.25, 601.44 FS. History—Formerly 105-1.01(4), Revised 1-1-75, Amended 4-15-75, 8-1-75, Formerly 20-34.06, Amended 10-17-95, 10-20-96, 4-27-03, 6-24-18.

20-34.007 Juice Content in Oranges – Sampling and Testing.

(1) The test for juice content of oranges shall be made by selecting not less than 20 average diameter fruit of the diameter to be tested. The juice shall be extracted either by hand or by use of the official juice extractor equipment as described in rule 20-34.002, F.A.C. The juice content must meet or exceed a minimum of 4-1/2 gallons per 1-3/5 bu. box or equivalent.

(2) If the initial test fails, two additional tests may be made. If the average juice content of all fruit used in the three tests fails to meet the minimum requirement, that diameter shall be legally diverted for other suitable use under supervision of the inspector.

(3) If any one diameter fails maturity, the applicant shall declare to the inspector all diameters in that lot. In addition, all mature diameters above and below the diameter that fails shall meet minimum and maximum maturity requirements. The method in determining compliance shall be the same as for grapefruit described in subsection 20-34.006(7), F.A.C.

Rulemaking Authority 601.10(1), (7), 601.24, 601.25 FS. Law Implemented 601.24, 601.25, 601.44 FS. History—Formerly 105-1.01(5), Revised 1-1-75, Formerly 20-34.07, Amended 11-1-88, 10-17-95, 6-24-18.

20-34.008 Solids-Acid Ratio Maturity Test – Drawing Sample.

(1) Inspectors shall draw samples, from bins or packed boxes, which may consist of any diameter, grade, or combination of grades consisting of not less than 10 grapefruit or 20 each of all other varieties and hybrids of citrus fruit.

(2) Test shall be made from at least the smallest and largest diameters in each lot of fruit. If a particular size fails to pass, additional tests shall be made on the next diameter in the lot. Inspectors, at their discretion, may make separate tests of each grade of any diameter and each diameter of any grade fruit.

(3) While only one test is required on each diameter or grade of fruit that passes, the running of additional tests is not prohibited if, in the opinion of the inspector, additional tests may be necessary to prevent the shipment of immature fruit.

(4) The juice extracted from fruit in making tests for juice content as provided in Rules 20-34.006 and 20-34.007, F.A.C., may be utilized for solids-acid ratio maturity tests.

(5) If any one diameter fails, the applicant shall declare to the inspector all diameters in that lot. In addition, all mature diameters above and below the diameter that fails shall meet minimum and maximum maturity requirements.

(a) The method for determining compliance for grapefruit shall be the same as prescribed in subsection 20-34.006(6), F.A.C.

(b) Grapefruit compliance shall be based on the average diameter as listed in subsection 20-34.006(3), F.A.C.

(c) Failure for all varieties of citrus shall be based upon the carton with the highest percentage of the average diameter that failed.

Rulemaking Authority 601.11, 601.24 FS. Law Implemented 601.24 FS. History—Formerly 105-1.01(6), Revised 1-1-75, Amended 4-15-75, Formerly 20-34.08, Amended 10-17-95, 6-24-18.

20-34.009 Solids-Acid Ratio Maturity Test.

(1) Juice to be used for making solids-acid ratio maturity tests may be extracted either by hand or by the use of official juice extraction equipment as described in rule 20-34.002, F.A.C. Fruit shall be cut crosswise and the whole of each fruit shall be used.

(2) Juice shall be strained through a Department of Agriculture approved strainer to prevent the passage of juice cells, pulp, or seeds. The juice shall be tested as provided by law and if the juice fails to pass, the inspector may run two additional tests. If the average of the three tests fails to pass, the diameter being tested shall be condemned and destroyed or legally diverted for other suitable use under supervision of the inspector.

(3) If the packinghouse so elects, its representative may witness the drawing of samples and testing of its fruit; provided that such observation does not in any way hinder or interfere with the authorized inspector discharging his official duties.

Rulemaking Authority 601.24, 601.25 FS. Law Implemented 601.24, 601.25, 601.27, 601.44 FS. History—Formerly 105-1.01(7), Revised 1-1-75, Formerly 20-34.09, Amended 6-24-18.

20-34.010 Solids-acid ratio Tests on Individual Fruit.

Rulemaking Authority 601.25, 601.43 FS. Law Implemented 601.25, 601.43, 601.44 FS. History—Formerly 105-1.01(13), Revised 1-1-75, Formerly 20-34.10, Repealed 8-30-95.

20-34.011 Inspector's Tests to be Made Without Interference.

Only authorized personnel of the Division of Fruit and Vegetables shall at any time be permitted to handle the solutions or equipment used for officially determining the maturity of fruit. Efforts by other persons to assist the inspector, or to handle the fruit from which the test is to be made, or to interrupt or interfere with the inspector, or any attempt to influence his judgment, shall be deemed interference with the inspector in the performance of his official duty.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.33 FS. History—Formerly 105-1.01(8), Revised 1-1-75, Formerly 20-34.11, Amended 10-20-96.

20-34.012 Mixing of Citrus Fruit.

The intentional mixing of varieties of citrus fruits, or the mixing of mature fruit and immature fruit, for the purpose of securing a lot of fruit which will pass minimum maturity tests is prohibited, and will subject the entire lot to destruction and the handler to prosecution.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.46 FS. History—Formerly 105-1.01(9), Revised 1-1-75, Formerly 20-34.12.

20-34.013 Tests May be Made Anywhere.

(1) Every inspector, at his option, may make tests of citrus fruit, taking samples from coloring rooms, from the floor of the packinghouses, from precooling rooms, from trucks or from field boxes in the groves or elsewhere; for the purpose of detecting immature fruit in advance of its preparation for shipment or sale.

(2) Upon receipt of citrus fruit at a packinghouse, a composite test for ratio may be made and if the ratio fails the minimum requirements by more than 1/2 point, two additional such tests shall be made. If the average of the three composite tests fails by more than 1/2 point, the fruit shall be condemned and destroyed. However, any variety of fruit which fails by more than 1/2 ratio point may be diverted to a processing plant if it meets all requirements for citrus fruit for processing. In selecting samples for composite tests, diameters of fruit which are not permitted to be shipped under regulations issued pursuant to Federal Marketing Agreements and Orders covering Florida citrus fruits shall not be included.

(3) The application of subsection 20-34.013(2), F.A.C., shall be optional with the Division of Fruit and Vegetables, as a method of determining attempts to conceal immature fruit.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.25, 601.38, 601.46(2) FS. History—Formerly 105-1.01(10), Revised 1-1-75, Formerly 20-34.13, Amended 10-20-96, 6-24-18.

20-34.014 Segregation of Immature Fruit.

Except as provided in subsection 20-34.013(2), F.A.C., should any fruit tested show immaturity, the inspector shall immediately notify the person in charge and shall require that such fruit be run immediately, or the inspector shall count the number of boxes and require them to be put in a separate place under his seal until such time as the packinghouse operator desires to run the fruit, at which time the inspector shall remove the seals from the fruit and allow same to be run. The fruit may be kept in a coloring room which the inspector shall seal. The willful tampering with or breaking of any seal placed by an inspector under this rule shall constitute interference with the inspector and the offender shall be punished as provided by law.

Rulemaking Authority 601.10(1), (7), 601.11, 601.44 FS. Law Implemented 601.33, 601.44 FS. History—Formerly 105-1.01(10), Revised 1-1-75, Formerly 20-34.14.

20-34.015 Information to be Furnished Inspector.

Packinghouses shall furnish inspectors with the lot number and source of all fruit received, together with the number of boxes, or equivalent, in each lot and the location of each lot within the packinghouse. This information shall be given to the inspector each day in the form of a memorandum indicating the lot or lots in consecutive order scheduled to be run during the day. The running of any lot which shows immaturity shall not be stopped until that entire lot has been run into the bins, unless the packinghouse elects to surrender said lot for immediate destruction, or unless the fruit is suitable for diversion to other use and is legally diverted under supervision of the inspector.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.36, 601.38, 601.44 FS. History—Formerly 105-1.01(11), Revised 1-1-75, Formerly 20-34.15.

20-34.016 Records on Immature Fruit.

If any fruit tested shows immaturity, the packinghouse shall furnish the inspector all packinghouse records pertaining to the handling of such lot and if more than one lot, it shall be the duty of the packinghouse to furnish the inspector full information as to the source of the several lots and the number of boxes in each lot.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.36, 601.38 FS. History—Formerly 105-1.01(12), Revised 1-1-75, Formerly 20-34.16.

20-34.017 Certificate of Maturity.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.46(1) FS. History—Formerly 105-1.01(10), Revised 1-1-75, Formerly 20-34.17, Repealed 10-20-96.

20-34.018 Fruit Failing Maturity.

All fruit which fails to pass the fresh fruit maturity test and is subject to destruction, shall be destroyed immediately, or legally diverted for other suitable use, under the direct supervision of an inspector, and at the expense of the owner.

Rulemaking Authority 601.10(7), 601.44 FS. Law Implemented 601.44 FS. History—Formerly 105-1.01(14), Revised 1-1-75, Formerly 20-34.18, Amended 6-24-18.

20-34.019 Violations.

Rulemaking Authority 601.10(10), (7), 601.15(10)(a) FS. Law Implemented 601.10(7), 601.15(10)(a), 601.34, 601.46, 601.9912 FS. History—Formerly 105-1.01(14), Revised 1-1-75, Formerly 20-34.19, Amended 11-13-94, Repealed 10-20-96.

20-34.020 Samples to be Taken from All Grades, Diameters or Other Division in All Lots.

The inspector may draw samples for maturity tests from all grades, diameters, or other divisions made in any lot of fruit at the time it is run. If a test fails on any particular grade, diameter or division of fruit, two additional tests may be made, and if the average of the three tests fails to meet maturity requirements, that grade, diameter or division of fruit shall be condemned and destroyed.

Rulemaking Authority 601.24, 601.25, 601.44 FS. Law Implemented 601.24, 601.25, 601.44 FS. History—Formerly 105-1.01(15), Revised 1-1-75, Formerly 20-34.20, Amended 6-24-18.

20-34.021 Inspection for Compliance under PIQ Program.

Packinghouses approved by the United States Department of Agriculture and the Florida Department of Agriculture, Division of Fruit & Vegetables to operate under the PIQ (Partners in Quality) Program shall comply with all provisions of this chapter except that inspection for compliance shall be conducted in a manner prescribed by “Partners in Quality Audit Procedure Guidelines” dated July 2007, <http://www.flrules.org/Gateway/reference.asp?No=Ref-17305>, incorporated herein by reference.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.27 FS. History—New 8-30-95, Amended 1-22-25.

**CHAPTER 20-35
FLORIDA GRADE AND QUALITY STANDARDS FOR FRESH FRUIT**

20-35.001	Fresh Fruit to be Graded (Repealed)
20-35.002	Oranges, Temple Oranges and Tangelos – Florida Grades and Standards (Repealed)
20-35.003	Honey Tangerines – Florida Grades and Standards (Repealed)
20-35.004	Tangerines – Florida Grades and Standards (Repealed)
20-35.005	Grapefruit – Florida Grades and Standards (Repealed)
20-35.006	Tree Run Grade of Citrus Fruit (Repealed)
20-35.007	Fallglo Tangerines – Florida Grades and Standards (Repealed)

20-35.001 Gresh Fruit to be Graded.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.45, 601.51 FS. History-Formerly 105-1.02(1), Revised 1-1-75, Formerly 20-35.01, Amended 11-13-94, 12-10-95, Repealed 6-24-18.

20-35.002 Oranges, Temple Oranges and Tangelos – Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45 FS. Law Implemented 601.45, 601.51 FS. History-Formerly 105-1.02(2), Revised 1-1-75, Formerly 20-35.02, Amended 12-10-95, Repealed 6-24-18.

20-35.003 Honey Tangerines – Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS. Law Implemented 601.45, 601.51, 601.9910(3) FS. History-Formerly 105-1.02(3), Revised 1-1-75, Formerly 20-35.03, Amended 12-10-95, Repealed 6-24-18.

20-35.004 Tangerines – Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS. Law Implemented 601.45, 601.51, 601.9910(3) FS. History-Formerly 105-1.02(3), Revised 1-1-75, Formerly 20-35.04, Amended 12-10-95, Repealed 6-24-18.

20-35.005 Grapefruit – Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45 FS. Law Implemented 601.16, 601.45, 601.51 FS. History-Formerly 105-1.02(5), Revised 1-1-75, Amended 9-15-75, Formerly 20-35.05, Amended 8-30-95, 12-10-95, 6-29-97, Repealed 6-24-18.

20-35.006 Tree Run Grade of Citrus Fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45 FS. Law Implemented 601.11, 601.9911 FS. History-Formerly 105-1.02(6), Revised 1-1-75, Formerly 20-35.06, Repromulgated 12-10-95, Repealed 6-24-18.

20-35.007 Fallglo Tangerines – Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS. Law Implemented 601.45, 601.51, 601.9910(3) FS. History-New 8-30-95, Amended 12-10-95, Repealed 6-24-18.

CHAPTER 20-36
CERTIFICATION FOR “TREE RUN” GRADE

20-36.001	Transportation
20-36.002	Inspection Required
20-36.003	Method of Sampling and Testing
20-36.004	Fruit Must Be Accessible
20-36.005	Fruit Must Meet Requirements
20-36.006	Determination of Quantity
20-36.007	Payment of Fees at Time of Inspection

20-36.001 Transportation.

Tree-run grade citrus fruit is defined as that grade of naturally occurring sound and wholesome citrus fruit which has not been separated either as to grade or size after severance from the tree. In this grade, a tolerance of not more than 5% by count may be allowed for fruit failing to meet the requirements for sound and wholesome fruit, but not more than one-fifth of this tolerance or 1%, shall be allowed for decay at the inspection point. Tree-run grade citrus fruit may be transported in interstate or intrastate commerce in truckload lots by either the producer or by a person receiving it for transport direct from the producer.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.11 FS. History—Formerly 105-1.17(1), Revised 1-1-75, Formerly 20-36.01, Amended 1-24-19.

20-36.002 Inspection Required.

Inspection for maturity and certification for such fruit shall be performed by state inspectors at such place or places as may be designated by the Division of Fruit and Vegetable Inspection. Any applicant for such inspection, other than a producer transporting his own fruit, shall secure a license as a citrus fruit dealer as a prerequisite for such inspection service.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.03(8), 601.40, 601.9911 FS. History—Formerly 105-1.17(2),(3), Revised 1-1-75, Formerly 20-36.02.

20-36.003 Method of Sampling and Testing.

Sampling and testing of Tree Run grade citrus fruit shall conform with the method and manner of sampling and testing for maturity compliance as applicable under Department of Citrus Chapter 20-34, F.A.C.

Rulemaking Authority 601.10(1), (7), 601.11, 601.24 FS. Law Implemented 601.24, 601.9911 FS. History—Formerly 105-1.17(4), Revised 1-1-75, Formerly 20-36.03.

20-36.004 Fruit Must Be Accessible.

The applicant for inspection shall make each lot of fruit accessible to the inspector for drawing proper and representative samples to determine maturity of the fruit. To be “accessible” means the fruit shall be in some unit or container such as field crate, or in case of a bulk truckload of fruit, it is unloaded to the extent that samples may be drawn from every portion of the load.

Rulemaking Authority 601.10(1), (7), 601.24 FS. Law Implemented 601.24, 601.9911 FS. History—Formerly 105-1.17(5), Revised 1-1-75, Formerly 20-36.04.

20-36.005 Fruit Must Meet Requirements.

Each lot of fruit offered for inspection hereunder shall meet all requirements of state law respecting freeze damage.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.89, 601.91 FS. History—Formerly 105-1.17(6), Revised 1-1-75, Formerly 20-36.05, Amended 7-21-92.

20-36.006 Determination of Quantity.

Total quantity of fruit in each load offered for inspection shall be made on a recognized container or weight basis.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.15(3)(b), (c), (d), (f), 601.9911 FS. History—Formerly 105-1.17(7), Revised 1-1-75, Formerly 20-36.06.

20-36.007 Payment of Fees at Time of Inspection.

All fees and assessments provided for by state law, calculated at the same rate as applicable to all other fresh fruit growers or shippers, shall be paid to the inspector at the time of inspection and before issuance of the inspection certificate.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.9911 FS. History—Formerly 105-1.17(8), Revised 1-1-75, Formerly 20-36.07, Amended 11-28-12.

CHAPTER 20-37
DETERMINING GRADE OF FRESH CITRUS FRUIT

20-37.001	Authorized Inspectors
20-37.002	Sampling
20-37.003	Information to Be Furnished Inspectors
20-37.004	Testing
20-37.005	Certificates of Grade Inspection
20-37.006	Certificates of Grade Inspection under PIQ Program

20-37.001 Authorized Inspectors.

All sampling and testing required by law and Department of Citrus rules, and the inspection of all fresh citrus fruit shall be performed by authorized agents or inspectors of the Division of Fruit and Vegetables, Florida Department of Agriculture.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.27 FS. History—Formerly 105-1.04(1), Revised 1-1-75, Formerly 20-37.01, Amended 8-30-95.

20-37.002 Sampling.

The inspector shall draw representative samples from packed boxes or bags, from bins, or from conveyors leading from grading belt to packing bins. Samples shall consist of not less than 25, nor more than 100 citrus fruit from each lot to be graded.

Rulemaking Authority 601.10(1), (7), 601.24, 601.25 FS. Law Implemented 601.24 FS. History—Formerly 105-1.04(2), Revised 1-1-75, Formerly 20-37.02.

20-37.003 Information to Be Furnished Inspectors.

Packing houses shall furnish inspectors with the lot numbers of all fruit received together with the number of boxes, or equivalent, in each lot and the location of each lot within the packing house. This information shall be given to the inspector each day in the form of a memorandum indicating the lot or lots in consecutive order schedules to be run during the day. The packing house shall notify inspectors of the beginning and completion of running of each lot. Should there be two or more lots run simultaneously it shall be the duty of the packing house to furnish the inspector with full information as to the source of the several lots of fruit and the number of boxes in each lot.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.36, 601.38 FS. History—Formerly 105-1.04(3), Revised 1-1-75, Formerly 20-37.03.

20-37.004 Testing.

(1) The inspector shall test the samples selected for the purpose of determining grade, by considering such factors as shape, size, color, discoloration, scab, scale, scars, texture of skin, and its condition as to maturity, juiciness, dryness, firmness, flabbiness, sponginess, absence or presence of decay, freeze damage, serious damage by the occurrence of freezing temperatures as defined in law, injury, disease, parasitic growths, moisture, withering, or any other deteriorating factors which may have occurred, developed or progressed before or since said fruit was harvested, including any defect or injury affecting the appearance, edible or shipping quality of the fruit.

(2) The inspector shall make notes of any defects found in the fruit, and the quality of grade and condition thereof, according to the definitions of terms, specifications and tolerances as set forth in Department of Citrus Chapter 20-35, F.A.C., and shall score and tabulate the same on back of the original Certificate of Inspection, or on notesheets attached thereto, based upon the notes of said inspection.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.04(4), Revised 1-1-75, Formerly 20-37.04.

20-37.005 Certificates of Grade Inspection.

Certificates of grade inspection of all citrus fruits shall be issued by inspectors of the Division of Fruit and Vegetables in the form as prescribed by the Department of Agriculture.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.46(1), 601.9901 FS. History—Formerly 105-1.04(5), Revised 1-1-75, Formerly 20-37.05, Amended 8-30-95.

20-37.006 Certificates of Grade Inspection under PIQ Program.

Packinghouses approved by the United States Department of Agriculture and the Florida Department of Agriculture, Division of Fruit & Vegetables to operate under the PIQ (Partners in Quality) Program, shall comply with all provisions of this chapter except that issuance of certificates of grade inspection shall be in a manner prescribed by “Partners in Quality Audit Procedure Guidelines” dated July 2007, <http://www.flrules.org/Gateway/reference.asp?No=Ref-17306>, incorporated herein by reference.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.27, 601.46(1), 601.9901 FS. History—New 8-30-95, Amended 1-22-25..

CHAPTER 20-38
PERMITS FOR EXPORT OF FRESH FRUIT WITHIN
5% TOLERANCE OF MATURITY STANDARDS

- 20-38.001 General Conditions **(Repealed)**
20-38.002 Specific Conditions **(Repealed)**

20-38.001 General Conditions.

Rulemaking Authority 601.10(1), 601.981 FS. Law Implemented 601.981 FS. History--Formerly 105-1.37(1), Revised 1-1-75, Amended 10-20-80, 7-12-84, Formerly 20-38.01, Repealed 1-01-13.

20-38.002 Specific Conditions.

Rulemaking Authority 601.10(1), 601.981 FS. Law Implemented 601.981 FS. History--Formerly 105-1.37(2), Revised 1-1-75, Amended 7-12-84, Formerly 20-38.02, Amended 7-12-92, Repealed 1-01-13.

CHAPTER 20-39
CONTAINERS, PACKS, STAMPING AND LABELING OF FRESH FRUIT

20-39.001	All Containers Must be Approved (Repealed)
20-39.002	Approved Containers (Repealed)
20-39.003	Approved Boxes (Repealed)
20-39.004	Approved Bags (Repealed)
20-39.005	Corrugated Bagmaster Containers (Repealed)
20-39.006	Bulk Shipments (Repealed)
20-39.007	Oranges - Approved Sizes, and Pack for Determining Sizes in Standard Carton (Repealed)
20-39.008	Grapefruit - Approved Sizes, and Pack for Determining Seizes in Standard Carton (Repealed)
20-39.009	Tangerines – Approved Sizes, and Pack for Determining Sizes in Standard Carton (Repealed)
20-39.010	Approved Sizes, and Pack for Container No. DOC-17-WP (Repealed)
20-39.011	Additional General Provisions (Repealed)
20-39.012	Experimental Containers (Repealed)
20-39.013	Stamping or Labeling of Fruit and Containers (Repealed)
20-39-014	Exemptions (Repealed)
20-39.015	Misbranding of Fruit or Containers (Repealed)
20-39.016	PIQ Program (Repealed)
20-39.017	Organic Grove Registration Program (Repealed)
20-39.018	Standard Containers
20-39.019	Stamping or Labeling of Fruit and Containers
20-39.020	Misbranding of Fruit or Containers
20-39.021	PIQ Program
20-39.022	Organic Grove Registration Program

20-39.001 All Containers Must be Approved.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1), Revised 1-1-75, Formerly 20-39.01, Repromulgated 12-27-92, Amended 10-22-95, Repealed 6-24-18.

20-39.002 Approved Containers.

Rulemaking Authority 601.10(1), 601.11, 601.85 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1), Revised 1-1-75, Formerly 20-39.02, Repromulgated 12-27-92, Repealed 6-24-18.

20-39.003 Approved Boxes.

Rulemaking Authority 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1), Revised 1-1-75, Amended 8-16-75, 8-11-77, 8-01-78, 8-21-79, 1-15-80, 10-20-80, 5-01-81, 9-1-82, 11-06-83, 10-21-84, 1-01-85, Formerly 20-39.03, Amended 9-11-86, 12-20-87, 10-14-90, 8-23-92, 10-18-92, 1-19-93, 5-23-93, 10-10-93, 1-9-94, 10-16-94, 8-29-95, 10-13-96, 10-26-97, 12-06-98, 2-20-01, 12-26-01, 4-27-03, 10-21-03, 3-22-05, 1-20-09, Repealed 6-24-18.

20-39.004 Approved Bag.

Rulemaking Authority 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1), Revised 1-1-75, Formerly 20-39.04, Amended 9-11-86, 9-06-87, 7-21-91, 10-14-92, 1-19-93, 10-13-96, 10-26-97, 12-26-01, Repealed 6-24-18.

20-39.005 Corrugated Bagmaster Containers.

Rulemaking Authority 601.11(1) FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1), Revised 1-1-75, Amended 8-16-75, 8-1-78, 10-18-78, 3-16-80, 10-20-80, 5-1-81, 11-20-85, Formerly 20-39.05, Amended 9-11-86, 9-6-87, 7-21-91, 10-14-92, 1-19-93, 5-23-93, 10-13-96, 10-26-97, Repealed 6-24-18.

20-39.006 Bulk Shipments.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.10(7), 601.11 FS. History—Formerly 105-1.03(1), (e), Revised 1-1-75, Amended 8-16-75, 8-1-78, 10-18-78, 3-16-78, Formerly 20-39.06, Repromulgated 12-27-92, Repealed 6-24-18.

20-39.007 Oranges - Approved Sizes, and Pack for Determining Sizes in Standard Carton.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.02(4), (5) FS. History—Formerly 105-1.03(1) (b) 1., 2., Revised 1-1-75, Amended 1-15-80, 8-31-80, Formerly 20-39.07, Amended 12-27-92, 5-23-93, 10-13-96, Repealed 6-24-18.

20-39.008 Grapefruit – Approved Sizes, and Pack for Determining Sizes in Standard Carton.

Rulemaking Authority 601.10(1), (7), 601.11, 601.18(5) FS. Law Implemented 601.02 (4), (5), 601.10(7), 601.11, 601.18(5) FS. History—Formerly 105-1.03(1) (b), (3), Revised 1-1-75, Amended 1-1-75, 4-15-75, 8-1-75, 3-16-80, Formerly 20-39.08, Amended 12-27-92, 5-23-93, 10-13-96, Repealed 6-24-18.

20-39.009 Tangerines – Approved Sizes, and Pack for Determining Sizes in Standard Carton.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(4), (5) FS. History—Formerly 105-1.03(1) (b), (4), Revised 1-1-75, Amended 1-15-80, 8-31-80, Formerly 20-39.09, Amended 12-27-92, 5-23-93, 10-13-96, Repealed 6-24-18.

20-39.010 Approved Sizes, and Pack for Container No. DOC-17-WP.

Rulemaking Authority 601.10(1) (7) FS. Law Implemented 601.02(4), (5), 601.10(7) FS. History—Formerly 105-1.03(1), (b), (5), Revised 1-1-75, Amended 1-15-80, 8-31-80, Formerly 20-39.10, Amended 12-27-92, 5-23-93, 10-13-96, Repealed 6-24-18.

20-39.011 Additional General Provisions.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.15(3), (b) FS. History—Formerly 105-1.03(2), Revised 1-1-75, Amended 3-1-76, 4-15-76, 10-18-78, 5-1-81, Formerly 20-39.11, Amended 8-23-92, 12-27-92, 5-23-93, 12-21-93, 10-1396, Repealed 6-24-18.

20-39.012 Experimental Containers.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(3), Revised 1-1-75, Amended 9-1-76, 11-24-76, 5-1-81, 10-21-84, Formerly 20-39.12, Amended 12-27-92, 6-14-93, 10-13-96, Repealed 6-24-18.

20-39.013 Stamping or Labeling of Fruit and Containers.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.091, 601.10(7), 601.11, 601.45 FS. History—Formerly 105-1.03(4), Revised 1-1-75, Amended 2-2-76, 2-16-77, 8-1-77, 10-3-77, 2-21-83, 7-20-83, Formerly 20-39.13, Amended 12-17-91, 3-22-92, 10-14-92, 1-19-93, 5-23-93, 1-21-93, 11-29-94, 8-30-95, 2-19-14, Repealed 6-24-18.

20-39.014 Exemptions.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.50, 601.9911 FS. History—Formerly 105-1.03(5), Revised 1-1-75, Formerly 20-39.14, Amended 12-27-92, Repealed 6-24-18.

20-39.015 Misbranding of Fruit or Containers.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11, 601.99 FS. History—Formerly 105-1.03(6), Revised 1-1-75, Formerly 20-39.15, Repromulgated 12-27-92, Amended 8-30-95, Repealed 6-24-18.

20-39.016 PIQ Program.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—New 8-30-95, Repealed 6-24-18.

20-39.017 Organic Grove Registration Program.

Rulemaking Authority 601.10(7), 601.99, 601.731 FS. Law Implemented 601.10(7), 601.99, 601.731 FS. History—New 4-22-03, Repealed 6-24-18.

20-39.018 Standard Containers.

(1) The standard legal shipping box used for determining size for shipping fresh citrus fruits shall be a 4/5-bushel container with the following inside body dimensions in length, width and depth: 17 x 10 5/8 x 9 5/8 inches; 16 1/4 x 10 11/16 x 9 9/16 inches; or 16 3/8 x 10 5/8 x 9 1/2. The standard legal shipping container shall be used to determine size & fill requirements.

(2) For determining size, fruit in a place-packed container shall be considered properly sized and the carton well-filled when at least one-half of the top layer of fruit are not more than one-half inch below the top or one inch above the top of a standard container as defined in subsection (1).

Rulemaking Authority 601.10(1), 601.11, 601.85 FS. Law Implemented 601.11, 601.85 FS. History—New 6-24-18.

20-39.019 Stamping or Labeling of Fruit and Containers.

(1) Content: When citrus fruit is shipped in any container, the contents, in terms of minimum numerical count or weight or the volume content in terms of bushels, standard shipping boxes or fractions thereof, shall be stamped or printed thereon, or on a tag attached to, or inserted in, the container.

(a) Weight: When citrus fruit is packed in containers, it shall be sufficient if the weight only is stamped on the container.

(b) Size: Where content is labeled by size and count, it shall be sufficient if the size only is stamped on the container, unless the count is different from that indicated by the size, in which case both the minimum count and size shall be stamped on the container.

(c) Bags: If citrus fruit is shipped in bags stamped or printed to indicate the contents in terms of a fractional box, and the bag, or an attached or inserted tag, indicates the size of fruit, the count of fruit in the bag shall not be less than the fractional part of the standard shipping box count for the size fruit indicated on the bag.

(2) Grade – Boxes.

(a) When citrus fruit is sold, shipped or offered for sale or shipment by common carrier or otherwise, enclosed in any container, it shall be sufficient if the grade be conspicuously stamped on the closed container in plainly legible bold-face type.

(b) The shipper or seller using closed containers, instead of marking the grade on the container, shall have the option of using brands or trademarks which are registered with the Department of Citrus to represent specific grades. Whenever the label to be used to represent the grade is not placed on the container before or at the time the container is filled, the grade shall be stamped on the container, utilizing the space where the label will be placed if desired.

(3) Name and Address of Shipper, Coding and Records – Boxes.

(a) The packing house registration number or the name and Florida address of a registered shipper or licensed citrus fruit dealer that packs or distributes the fruit, shall be clearly and permanently indicated on the container, in plainly legible bold-face type.

(b) All shippers and packers shall maintain sufficient coding of all containers and shall prepare and maintain product coding and distribution records, in accordance with rule 20-40.001, F.A.C., to facilitate effective product recall and identification of the packinghouse that physically packed the fruit. Such records will be available to the Florida Department of Agriculture and Consumer Services and the U.S. Department of Agriculture upon request.

(4) Grade and Name and Address of Shipper – Bags.

(a) When bags are used as containers for the sale or shipment of citrus fruit, the grade of the fruit and the name and address of the shipper must be printed or stamped on each bag, or on a proper tag attached to or inserted in the bag. If a brand or trademark is used on the bag, attached tag or inserted tag, to represent the grade, such brand or trademark must be reproduced the same as it is registered with the Department of Citrus for grade purposes.

(b) Type size used to indicate the grade or brand name shall be plainly legible. Type size used to indicate the name and address of the shipper shall be plainly legible.

(5) Designation of Origin.

No labeling may be used that indicates any state other than Florida as the origin of the fruit.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.091, 601.10(7), 601.11, 601.45 FS. History—New 6-24-18.

20-39.020 Misbranding of Fruit or Containers.

The following practices in handling citrus fruit grown in this state are prohibited and violation shall subject the offender to prosecution as provided by law:

(1) Application of any word, phrase, or descriptive design to the skin of any citrus fruit which falsely indicates that the fruit was grown in a particular area or locality.

(2) To sell, ship or offer for sale or shipment any citrus fruit when the individual fruit or the package, wrapper or container thereof bears any false or misleading statement, design or device regarding the name, size or quality of such fruit, the locality in which it was grown or the net contents of the container; however, in recognition of various customs and usages in different markets, for the purpose of this rule, it shall not be considered a misleading statement to indicate “pink” varieties as “red” on the shipping container.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11, 601.99 FS. History—New 6-24-18.

20-39.021 PIQ Program.

Packinghouses approved by the United States Department of Agriculture and the Florida Department of Agriculture, and Consumer Services, Division of Fruit and Vegetables to operate under the PIQ (Partners in Quality) program shall comply with all provisions of this chapter. Inspection for compliance shall be in a manner prescribed by “Specifications for PIQ Program Quality Assurance Systems” dated July 2007, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09331>, incorporated herein by reference.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7) FS. History—New 6-24-18.

20-39.022 Organic Grove Registration Program.

To aid enforcement of proper citrus fruit labeling and to assist with estimates of organic citrus fruit volumes, an Organic Grove Registration Program shall be established as herein provided.

(1) All groves from which organic citrus fruit is placed into commercial channels shall, upon certification and by August 1 of each year, be registered with Division of Fruit & Vegetables, License and Bond.

(2) The registration form, FDACS-07128, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09489>, incorporated herein by reference, shall include documentation of current organic certification, the USDA accredited certifying agent name, organic certificate number, the name of the grove property owner, the grove location referenced in Global Positioning System coordinates, the varieties of citrus fruit, an estimate of current season production in boxes, and such other information as may be deemed necessary by Florida Department of Citrus.

(3) All organic citrus fruit placed in commercial channels shall be harvested from groves certified by a USDA accredited certifying agent and shall be accompanied by an organic trip ticket when transported on highways of this state.

Rulemaking Authority 601.10(7), 601.731 FS. Law Implemented 601.10(7), 601.641(2), 601.99, 601.731 FS. History—New 6-24-18.

CHAPTER 20-40
LOADING MANIFESTS TO BE FURNISHED TO THE INSPECTOR – FRESH CITRUS FRUIT

20-40.001	Requirements of Manifest
20-40.002	Fruit for Export
20-40.003	Failure to Furnish Manifests
20-40.004	Manifest Under PIQ Program
20-40.005	Mandatory Automated Reporting

20-40.001 Requirements of Manifest.

Each shipper shall deliver to the inspector a copy of the loading manifest on each shipment of citrus fruit, which manifest shall indicate, in addition to other information prescribed by the Department of Agriculture, the following:

- (1) Name and registration number of shipper.
- (2) Date of shipment.
- (3) Grade of fruit.
- (4) Brand or trademark, if applicable.
- (5) Railroad car number; truck or trailer license number.
- (6) Variety of fruit:
 - (a) Oranges shall be classified as early, midseason, or late.
 - (b) Grapefruit shall be classified with a notation as to whether it is a seeded or seedless variety and a notation as to whether it is a white or colored variety.
- (c) All other varieties shall be classified in conformity with Department of Citrus Rule Chapter 20-13, F.A.C.
- (7) Size or weight of fruit and type of container:
 - (a) Itemized list of fruit sizes or range of sizes for each grade, variety of fruit and type of container.
 - (b) When container content is shown in terms of weight, itemized list showing weight, variety of fruit and type of container.
- (c) For bulk fruit, fruit sizes shall be estimated by the inspector and shipper together.
- (8) "Color Added," if appropriate.
- (9) If fruit was packed in a different production area in this state from that in which it was grown, the production area shall be indicated as defined in Section 601.091, F.S.
- (10) Destination of shipments:
 - (a) City and State in U.S.A. and city and province in Canada or Mexico.
 - (b) Shipments to points in Florida shall show whether destination is east or west of Suwannee River.
 - (c) Offshore export shall show Country.
- (11) Signature of person authorized to sign for shipper.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.091, 601.10, 601.11, 601.46, 601.52, 601.99 FS. History—Formerly 105-1.09(1), Revised 1-1-75, Amended 8-17-77, Formerly 20-40.01, Amended 3-28-90, 12-21-93, 8-22-94, 8-30-95, 12-5-02.

20-40.002 Fruit for Export.

If fruit is packed for export, the manifest shall state if for commercial export or export by a governmental agency, and shall state the port of embarkation.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11, 601.46, 601.52 FS. History—Formerly 105-1.09(2), Revised 1-1-75, Formerly 20-40.02.

20-40.003 Failure to Furnish Manifests.

Loading manifests shall accompany original inspection certificates. The inspector shall not furnish certificates of inspection until such manifests have been delivered to him.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.02(4), (5), 601.52 FS. History—Formerly 105-1.09(3), Revised 1-1-75, Formerly 20-40.03.

20-40.004 Manifest Under PIQ Program.

Packinghouses approved by the United States Department of Agriculture and the Florida Department of Agriculture, Division of Fruit and Vegetables to operate under the PIQ (Partners in Quality) Program shall furnish a loading manifest for each shipment of citrus fruit. The loading manifest shall contain all information required by this chapter and shall be furnished in a manner prescribed by “Partners in Quality Audit Procedure Guidelines” dated July 2007, <http://www.flrules.org/Gateway/reference.asp?No=Ref-17307>, incorporated herein by reference.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.46, 601.52 FS. History—New 8-30-95, Amended 1-22-25.

20-40.005 Mandatory Automated Reporting.

As of August 1, 2001 and thereafter, each shipper shall provide to the Department of Agriculture and Consumer Services, Division of Fruit and Vegetables an automated loading manifest containing all of the information required by this chapter in a form and manner prescribed by the Division. Shippers that shipped less than 15,000 4/5 bushel cartons the previous shipping season are not required to provide information via the automated loading manifest for the current shipping season, but shall provide said information in a written form and manner prescribed by the Division. The Division shall then input and update the manifests from the smaller shippers into the database.

Rulemaking Authority 601.10(1), (8), 601.15(1), (2), (4), (10), 601.155(7), 601.28(4), 601.69, 601.701 FS. Law Implemented 601.10(8), 601.15(1), 601.155(7), 601.69 FS. History—New 3-11-01, Amended 9-18-01.

CHAPTER 20-41
CERTIFICATES OF INSPECTION – FRESH CITRUS FRUITS

20-41.001	Issued By
20-41.002	Where Issued
20-41.003	Hours of Inspection and Issuance of Certificates (Repealed)
20-41.004	Certificates for Intrastate Shipments (Repealed)
20-41.005	Certificate of Inspection Form (Repealed)
20-41.006	Transfer Clearance Receipt
20-41.007	Alternate Proof of Inspection
20-41.008	Issuance of Certificates Under PIQ Program

20-41.001 Issued By.

Certificates of inspection shall be issued by duly authorized agents or inspectors of the Department of Agriculture, Division of Fruit and Vegetables. In case of emergency or necessity, a competent individual may be designated, in accordance with section 601.39, F.S., to inspect and certify to the maturity and grade of certain fruits.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.27, 601.39, 601.46(1) FS. History—Formerly 105-1.07(1), Revised 1-1-75, Formerly 20-41.01, Amended 8-30-95.

20-41.002 Where Issued.

A certificate of inspection for all citrus fruit, domestic and imported, shall be issued only in a properly registered packing house or at such location as the Division of Fruit and Vegetables may specifically designate, however, certificates may be issued by a Special Citrus Fruit Inspector at a time and place designated by such inspector.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(4), (5), 601.39, 601.41 FS. History—Formerly 105-1.07(2), Revised 1-1-75, Formerly 20-41.02, Amended 8-30-95.

20-41.003 Hours of Inspection and Issuance of Certificates.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(2), (4), (5), 601.10(7), 601.27, 601.31 FS. History—Formerly 105-1.07(3), Revised 1-1-75, Amended 12-12-82, 12-9-84, Formerly 20-41.03, Amended 11-2-88, 4-21-93, 8-30-95, Repealed 6-24-18.

20-41.004 Certificates for Intrastate Shipments.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.02(3), (4), (5), 601.46(2), (3), 601.9901 FS. History—Formerly 105-1.07(4), Revised 1-1-75, Amended 9-1-76, Formerly 20-41.04, Repealed 8-30-95.

20-41.005 Certificates of Inspection Form.

Rulemaking Authority 601.10(1), 601.9901 FS. Law Implemented 601.9901 FS. History—Formerly 105-1.07(5), Revised 1-1-75, Formerly 20-41.05, Repealed 8-30-95.

20-41.006 Transfer Clearance Receipt.

In all cases where citrus fruit has been inspected and certified and is ready for shipment, but the shipment, or any part thereof, is transferred from the original carrier before leaving the State and/or it becomes necessary for the shipper to have multiple inspection certificates on divided lots of such fruit, in lieu of the original certificate, the shipper shall be required to obtain transfer clearance receipts for such fruit which shall be issued in quadruplicate by any authorized citrus inspector.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.02(4), (5), 601.9901 FS. History—Formerly 105-1.07(6), Revised 1-1-75, Formerly 20-41.06, Amended 8-30-95.

20-41.007 Alternate Proof of Inspection.

Subject to limitations prescribed by the Department of Agriculture or its authorized agents, the fact of inspection may be shown by appropriate means on the loading manifest or bill of lading in lieu of the certificate of inspection and maturity required to accompany each shipment.

Rulemaking Authority 601.46(1) FS. Law Implemented 601.46(1) FS. History—Formerly 105-1.07(7), Revised 1-1-75, Formerly 20-41.07.

20-41.008 Issuance of Certificates Under PIQ Program.

For packinghouses approved by the United States Department of Agriculture and the Florida Department of Agriculture, Division of Fruit and Vegetables to operate under the PIQ (Partners in Quality) Program, certificates of inspection shall be issued in a manner prescribed by “Partners in Quality Audit Procedure” dated July 2007, <http://www.flrules.org/Gateway/reference.asp?No=Ref-17308>, incorporated herein by reference.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.27 FS. History—New 8-30-95, Amended 1-22-25.

CHAPTER 20-42
REGISTRATION AND USE OF BRANDS OR TRADEMARKS ON FRESH CITRUS FRUIT

20-42.001	Registration
20-42.002	Change of Registration (Repealed)
20-42.003	Different Grade
20-42.004	Purging of Registration List

20-42.001 Registration.

(1) Prior to use of brands or trademarks to represent Florida or U.S. grades on fresh citrus fruit, or their containers, such brands or trademarks shall be properly registered with the Department of Citrus. Requests for such registration shall be made in writing to the Department of Citrus. Evidence of registration, bearing the seal of the Department of Citrus, shall be furnished the citrus fruit dealer requesting registration and the Division of Fruit and Vegetable Inspection.

(2) A brand or trademark may only be so registered by one party. Such registration does not establish a proprietary right or guaranty of exclusivity for the person obtaining registration and the Department of Citrus assumes no liability in connection with such registration.

(3) A brand or trademark similar to one already registered may be given separate registration if there is a sufficiently distinguishable difference between the two to reasonably assure that separate registration will not result in deception or undue confusion. Brands or trademarks sharing a basic common term or name which is modified for each respective brand or trademark by a supplemental term or name may be registered separately.

Rulemaking Authority 601.45 FS. Law Implemented 601.45 FS. History—Formerly 105-1.06(1), Revised 1-1-75, Formerly 20-42.01, Amended 7-12-92.

20-42.002 Change of Registration.

Rulemaking Authority 601.45 FS. Law Implemented 601.45 FS. History—Formerly 105-1.06(2), Revised 1-1-75, Formerly 20-42.02, Repealed 6-24-18.

20-42.003 Different Grade.

(1) Brands or trademarks registered to represent a specific grade shall not be used on any fruit of a lower grade, but may be used on containers of fruit of a higher grade.

(2) Regardless of registration, when citrus fruit is designated and certified under a coloration classification of a given grade, the coloration classification such as “Bright,” “Golden,” “Bronze,” or “Russett,” must be stamped in a conspicuous manner on each container in the same location as the brand or trademark, or in the case of bags, on the bag insert or the tag attached to the bag.

Rulemaking Authority 601.45 FS. Law Implemented 601.45 FS. History—Formerly 105-1.06(3), Revised 1-1-75, Formerly 20-42.03, Amended 8-9-95.

20-42.004 Purging of Registration List.

At any time, by written inquiry mailed to the registrant’s last indicated address, the Department may request verification by the registrant that registered brands or trademarks are actively being used or registrant desires such registration to continue. If no response is received from such inquiry, the Department will, via mail as above, notify registrant that the brand or trademark will be removed from official registration unless the registrant notifies the Department to the contrary within fifteen days from the date of such notice.

Rulemaking Authority 601.45 FS. Law Implemented 601.45 FS. History—Formerly 105-1.06(4), Revised 1-1-75, Formerly 20-42.04.

CHAPTER 20-43
ADVERTISING BY EXPRESS OR GIFT FRUIT SHIPPERS AS
"BONDED SHIPPER" OR "BONDED DEALER"

20-43.001	Use of Phrase "Bonded" (Repealed)
20-43.002	Bond Required (Repealed)
20-43.003	Form of Bond (Repealed)
20-43.004	Application for Certificate. (Repealed)
20-43.005	Form of Certificate (Repealed)
20-43.006	Unlawful Misrepresentation (Repealed)

20-43.001 Use of Phrase "Bonded".

Rulemaking Authority 601.10(1) FS. Law Implemented 601.02(3), (5), 601.641(3) FS. History--Formerly 105-1.31(2), Revised 1-1-75, Formerly 20-43.01, Repealed 8-29-95.

20-43.002 Bond Required.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.02(3), (5), 601.641(3) FS. History--Formerly 105-1.31(1), Revised 1-1-75, Formerly 20-43.02, Repealed 8-29-95.

20-43.003 Form of Bond.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.641(3) FS. History--Formerly 105-1.31(4), Revised 1-1-75, Formerly 20-43.03, Repealed 8-29-95.

20-43.004 Application for Certificate.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.641(3) FS. History--Formerly 105-1.31(4), Revised 1-1-75, Formerly 20-43.04, Repealed 8-29-95.

20-43.005 Form of Certificate.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.641(3) FS. History--Formerly 105-1.31(4), Revised 1-1-75, Formerly 20-43.05, Repealed 8-29-95.

20-43.006 Unlawful Misrepresentation.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.641(3) FS. History--Formerly 105-1.31(4), Revised 1-1-75, Formerly 20-43.06, Repealed 8-29-95.

CHAPTER 20-44
GIFT FRUIT SHIPMENTS, INTRASTATE SHIPMENTS AND INSTATE RETAIL SALES OF
CITRUS FRUITS

20-44.001	Intrastate Shipments
20-44.002	Interstate Gift Fruit Shipments
20-44.003	Identification and Fill
20-44.004	Labeling of Container
20-44.005	Inspection Required
20-44.006	Roadside Retail Fruit Stand Defined

20-44.001 Intrastate Shipments.

(1) Grade and Size: The following are minimum grade and size requirements for intrastate shipment or sale of all varieties of citrus fruit:

(a) Grade:

1. U.S. No. 2 for all varieties except seedless grapefruit, or a lower grade for any variety that is approved for interstate shipment under orders issued pursuant to Federal Marketing Order 905, provided that all fruit sold or offered for sale or shipment that will not meet U.S. No. 1 grade requirements shall have the grade designation shown on or in consumer sized containers and on any open display bin from which the fruit is sold in such a manner as to be clearly visible and legible to the purchaser. The grade designation on or in consumer sized containers shall be in letters not less than 1" in height and on display bins the letters shall be not less than 2" in height.

2. U.S. No.1 minimum – excluding Golden, Bronze and Russet designations – for all seedless grapefruit.

3. U.S. No. 2 grade shall apply to all varieties sold at roadside retail fruit stands directly to consumers not for resale.

(b) Size: The same minimum size as established for each variety from time to time by the Citrus Administrative Committee and covered by orders issued pursuant to Federal Marketing Order 905; provided that the following additional sizes of citrus fruit may be sold or transported for sale directly to consumers from open bins at roadside retail fruit stands:

Seedless grapefruit – size 56

Seeded grapefruit – size 40

Oranges – size 163

(c) Exception: Fruit sold at retail or offered for retail sale by the owner of the grove on which the fruit was produced, shall be subject to U.S. No. 2 internal grade requirements and no other grade or size requirements, provided:

1. All sales are made on or directly from the tree or from a display bin or other open container and said sales are direct to a consumer and not for resale or out of State transportation;

2. Such fruit shall not be placed in a bag or other closed container until after it is sold to the consumer;

3. A grove owner selling or offering citrus fruit for sale under this provision shall, prior to sale each season, file with the Department of Agriculture proof of ownership of the grove or groves on which said citrus fruit was or will be produced. Such proof shall include a legal description of all grove properties on which such citrus fruit was or will be produced and shall designate the place where said citrus fruit will be sold or offered for sale. On request of the Department of Agriculture or its designated agent, the grove owner shall identify the grove origin of all such fruit being sold or offered for sale by him at any given time. In addition, the grower shall pay all applicable assessments and inspection fees.

(2) Maturity: All fruit shall meet minimum maturity requirements as established for each respective variety by State law or Department of Citrus rules.

(3) Certification and stamping: Intrastate shipments of fresh citrus fruit for consumption or use within the State of Florida except citrus fruit sold by a gift fruit shipper or a roadside retail fruit stand directly to consumers

and not for resale shall be subject to the issuance and filing of inspection certificates, however the grade is not required to be shown on the container. This provision shall not exempt such shipments from inspection for compliance with minimum maturity, grade or size requirements.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.11, 601.50(1) FS. History—Formerly 105-1.35(1), Revised 1-1-75, Amended 8-28-84, Formerly 20-44.01, Amended 1-22-92, 11-14-94, 11-30-94, 11-28-12, 1-24-19.

20-44.002 Interstate Gift Fruit Shipments.

Grade and size: The following are minimum grade and size requirements for all varieties of citrus fruit for interstate shipment by any method of transportation by gift fruit shippers to a consumer not for the purpose of resale:

(1) U.S. No. 1 Golden Grade, with the same minimum size requirements as are established from time to time by the Citrus Administrative Committee and covered by orders issued pursuant to Federal Marketing Order 905, provided: Green color shall be permitted which meets the requirements of U.S. No. 2 grades on all varieties.

(2) The minimum grade for all varieties of citrus fruit for such shipments by “organic gift fruit shippers” shall be Tree Run Grade.

Rulemaking Authority 601.10(1), (7), 601.11, 601.50 FS. Law Implemented 601.10(7), 601.11, 601.50(4) FS. History—Formerly 105-1.35(2), Revised 1-1-75, Amended 8-28-84, Formerly 20-44.02.

20-44.003 Identification and Fill.

Each container of citrus fruit sold at roadside stands located along the highways of this State, or shipped or delivered for transportation in any manner by an express or gift fruit shipper, shall be well-filled, indicate net contents and bear the name and address of the seller or shipper in clearly legible letters not less than 1/4" in height, on the container or on a label or tag firmly attached to, or inserted in, the container.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.10(7), 601.11 FS. History—Formerly 105-1.35(3), Revised 1-1-75, Formerly 20-44.03.

20-44.004 Labeling of Container.

(1) Green color: Each container of citrus fruit for interstate shipment by any method of transportation by a gift fruit shipper to a consumer, not for the purpose of resale, that fails to meet U. S. No. 1 requirements for green color for each variety of citrus fruit contained therein, shall have the following statement, or a similar statement approved by the Department of Citrus, either printed or stamped on the container or on an insert in the container: “Green is beautiful. Don’t let any greenish tint bother you – inside I’m fully ripe. You see, my outside color depends on the climate. When it’s cold, I turn yellow-orange – the way you’re used to seeing me. But this year, our nights have mostly been mild, so my tree has been busily putting more natural sugar into me instead of color into my skin.

I’m not only naturally beautiful,
I’m delicious.”

(2) Tree Run Grade: Each container of Tree Run Grade citrus fruit that is shipped, or delivered for transportation in any manner, shall have clearly stamped or printed thereon, in letters not less than 1/4" height, the following statement:

“TREE RUN GRADE” citrus fruit. Citrus fruit in this package has not been processed in any manner or separated as to grade or size.”

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.11, 601.9911 FS. History—Formerly 105-1.35(4), Revised 1-1-75, Formerly 20-44.04.

20-44.005 Inspection Required.

All citrus fruit shipped as gift fruit or sold at roadside stands shall be subject to inspection for compliance with the provisions of state law, and Department of Citrus rules. The Department of Agriculture shall, pursuant to statutes, determine the inspection fee to be assessed upon each container of citrus fruit. The inspection fee shall be due and payable to the Department of Agriculture by each gift fruit shipper or roadside retail fruit stand operator on the date on which the citrus fruit is shipped or sold. Payment of all such fees shall be made as prescribed by the Department of Agriculture.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.11, 601.45, 601.50 FS. History—Formerly 105-1.35(5), Revised 1-1-75, Formerly 20-44.05, Amended 11-14-94.

20-44.006 Roadside Retail Fruit Stand Defined.

A “roadside retail fruit stand” is defined as a place of business, located immediately adjacent to a regularly traveled highway, primarily engaged in the sale of citrus fruit directly to consumers. Such term shall not include retail grocery establishments which handle a board line of general grocery items and whose volume of citrus sales represents a minimum portion of total sales.

Rulemaking Authority 601.10(1), 601.50(1) FS. Law Implemented 601.03(8), 601.50(1) FS. History—Formerly 105-1.35(5), Revised 1-1-75, Formerly 20-44.06.

CHAPTER 20-45
BRAND ADVERTISING REBATES; FRESH CITRUS
FRUITS – “ONE DOLLAR FOR TWO DOLLARS PROGRAM”

20-45.001	Receipt and Disbursement of Funds (Repealed)
20-45.002	Qualification of Advertising (Repealed)
20-45.003	Prior Approval (Repealed)
20-45.004	Form for Rebate Claims (Repealed)
20-45.005	Filing and Payment of Claims (Repealed)
20-45.006	Qualification of Special Advertising and promotional Programs (Repealed)

20-45.001 Receipt and Disbursement of Funds.

Rulemaking Authority 601.151(2) FS. Law Implemented 601.151(2), (4), (5) FS. History--Formerly 105-1.41(1), Revised 1-1-75, Amended 11-8-83, 11-4-84, Formerly 20-45.01, Repealed 9-12-85.

20-45.002 Qualification of Advertising.

Rulemaking Authority 601.151(2) FS. Law Implemented 601.151(2), (3) FS. History--Formerly 105-1.41(2), Revised 1-1-75, Amended 8-1-77, 9-1-82, 11-8-83, 11-4-84, Formerly 20-45.01, Repealed 9-12-85.

20-45.003 Prior Approval.

Rulemaking Authority 601.151(2) FS. Law Implemented 601.151(2), (3) FS. History--Formerly 105-1.41(2), Revised 1-1-75, Formerly 20-45.03, Repealed 9-12-85.

20-45.004 Form for Rebate Claims.

Rulemaking Authority 601.151(2) FS. Law Implemented 601.151(2), (3) FS. History--Formerly 105-1.41(3), Revised 1-1-75, Amended 10-17-77, 11-8-83, 2-26-84, Formerly 20-45.04, Repealed 9-12-85.

20-45.005 Filing and Payment of Claims.

Rulemaking Authority 601.151(2) FS. Law Implemented 601.151(2), (4) FS. History--Formerly 105-1.41(4), Revised 1-1-75, Amended 11-8-83, Formerly 20-45.05, Repealed 9-12-85.

20-45.006 Qualification of Special Advertising and promotional Programs.

Rulemaking Authority 601.151(2) FS. Law Implemented 601.151(2), (3) FS. History--New 10-17-77, Amended 9-1-82, Formerly 20-45.06, Repealed 11-8-83.

CHAPTER 20-46
BRAND ADVERTISING REBATES; FRESH CITRUS
FRUITS – “TWO DOLLAR FOR THREE DOLLARS PROGRAM”

20-46.001	Receipt and Disbursement of Funds (Repealed)
20-46.002	Qualification of Advertising (Repealed)
20-46.003	Prior Approval (Repealed)
20-46.004	Form for Rebate Claims (Repealed)
20-46.005	Filing and Payment of Claims (Repealed)

20-46.001 Receipt and Disbursement of Funds.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-8-83, Amended 11-4-84, 9-8-84, Formerly 20-46.01, Amended 9-15-87, Repealed 8-22-95.

20-46.002 Qualification of Advertising.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—new 11-8-83, Amended 11-4-84, 11-21-85, Formerly 20-46.02, Amended 9-15-87, Repealed 8-22-95.

20-46.003 Prior Approval.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-8-83, Amended 9-8-85, Formerly 20-46.03, Amended 9-15-87, Repealed 8-22-95.

20-46.004 Form for Rebate Claims.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-8-83, Amended 2-26-84, 9-8-85, Formerly 20-46.04, Amended 9-15-87, Repealed 8-22-95.

20-46.005 Filing and Payment of Claims.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-8-83, Amended 9-8-85, Formerly 20-46.05, Amended 9-15-87, Repealed 8-22-95.

**CHAPTER 20-47
INTERNATIONAL MARKET DEVELOPMENT PROGRAM
FOR FRESH GRAPEFRUIT**

20-47.001	Purpose of Program (Repealed)
20-47.002	Product Eligibility (Repealed)
20-47.003	Participant Eligibility (Repealed)
20-47.004	Accrual of Credits; Disbursement of Funds (Repealed)
20-47.005	Performance Requirements (Repealed)
20-47.006	Qualification of Advertising or Merchandising (Repealed)
20-47.007	Proof of Performance; Claim (Repealed)
20-47.008	Filing and Payment of Claims (Repealed)
20-47.009	Target Quantity, Mid-Term Adjustment; Failure to Reach Target (Repealed)
20-47.010	Inspection of Product and Termination of Eligibility to Participate in Program (Repealed)

20-47.001 Purpose of Program.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 11-15-89, 5-10-92, Repromulgated 1-17-95, Repealed 8-22-95.

20-47.002 Product Eligibility.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 11-15-89, 8-1-90, 5-10-92, 8-23-92, 1-17-95, Repealed 8-22-95.

20-47.003 Participant Eligibility.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 11-15-89, 8-1-90, 5-10-92, 1-17-95, Repealed 8-22-95.

20-47.004 Accrual of Credits; Disbursement of Funds.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-13-88, Amended 2-26-89, 8-1-90, 5-10-92, 2-17-94, 1-17-95, Repealed 8-22-95.

20-47.005 Performance Requirements.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 1-16-90, 5-10-92, 7-18-93, 2-17-94, 1-17-95, Repealed 8-22-95.

20-47.006 Qualification of Advertising or Merchandising.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 11-15-89, 5-10-92, 1-17-95, Repealed 8-22-95.

20-47.007 Proof of Performance; Claim.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 11-15-89, 8-1-90, 5-10-92, 1-17-95, Repealed 8-22-95.

20-47.008 Filing and Payment of Claims.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 8-30-89, 10-16-90, 5-10-92, 2-17-94, 1-17-95, Repealed 8-22-95.

20-47.009 Target Quantity, Mid-Term Adjustment; Failure to Reach Target.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 1-3-88, Amended 2-26-89, 11-15-89, 8-1-90, 5-10-92, 1-9-94, 1-17-95, Repealed 8-22-95.

20-47.010 Inspection of Product and Termination of Eligibility to Participate in Program.

Rulemaking Authority 601.15(7) FS. Law Implemented 601.15(7) FS. History--New 11-3-88, Amended 5-10-92, Repromulgated 1-17-95, Repealed 8-22-95.

CHAPTER 20-48
TARGETED VALUE-ADDED PROMOTIONS PROGRAM FOR FRESH GRAPEFRUIT

20-48.001	Purpose of Program
20-48.002	Participant Eligibility
20-48.003	Product Eligibility
20-48.004	Allocation; Disbursement of Funds
20-48.005	Program Requirements
20-48.006	Qualification of Advertising/Merchandising
20-48.007	Targeted VAP Performance Formula
20-48.008	Proof of Performance; Claim for Payment
20-48.009	Failure to Perform Under Targeted VAP Agreement
20-48.010	Program Evaluation

20-48.001 Purpose of Program.

The program is designed to help improve grower returns through increased FOB pricing by providing support to Florida citrus shippers, sales agencies and grower' cooperatives that wish to establish agreements with targeted retailers for the advertising and merchandising of fresh Florida grapefruit taxed under Section 601.15(3), F.S.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, Repromulgated 2-3-00.

20-48.002 Participant Eligibility.

(1) By definition, a “participant” in this program must be a licensed and registered fresh fruit shipper, sales agency or growers’ cooperative, engaged in the shipment of fresh Florida grapefruit to domestic (U.S. only) retail markets.

(2) Brokers shall not be eligible to participate in this program.

(3) To participate, a shipper must fill out and return to the Department, by August 20, a Targeted VAP Sign-Up Form cit/mktg/150/ eff. 8/1/99, incorporated herein by reference, which will be made available to all eligible shippers by the Department of Citrus.

(4) Shippers wishing to assign their allocated program dollars to a licensed and registered sales agency or growers’ cooperative must fill out and return to the Department by August 20, a Targeted VAP Delegation Form cit/mktg/151/ eff. 8/1/99, incorporated herein by reference, which will be made available to all eligible shippers by the Department of Citrus; the Delegation form may serve in lieu of the Sign-up form.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, 2-3-00.

20-48.003 Product Eligibility.

Only the advertising and merchandising of Florida-grown grapefruit which enters the primary channel of trade for use in fresh form, and upon which excise taxes have been paid pursuant to Section 601.15, F.S., will qualify under this program.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, Repromulgated 2-3-00.

20-48.004 Allocation; Disbursement of Funds.

(1) Funds prorated for non-commodity programs for fresh grapefruit shall be set aside by the Department of Citrus each shipping season. Such funds shall be used to reward supermarket retailers in the U.S. only – on a per-carton basis – for promotional support of fresh Florida grapefruit.

(2) The Department of Citrus shall establish Targeted VAP participant appropriations by August 31.

(3) Targeted VAP dollars to the participant shall be allocated based on the percentage of total domestic (U.S. only) shipments of grapefruit the participant shipped during the prior year, but in no case shall it be less than

\$5,000 per said participant. A participant who does not have a prior year record shall receive an allocation of \$5,000.

(4) At least 50% of each participant's allocation shall be earmarked and spent for use in Department of Citrus media markets.

(5) By October 25 of each program year, the Department of Citrus shall survey program participants asking them to declare their intent to use allocated funds. Participants intending to use their allocated funds shall further indicate to the Department if they plan to use the funds in a cooperative venture with another entity, or request that the Department execute the plan on the supplier's behalf through Department of Citrus field merchandising staff directly with retailers of participants choice.

(6) Prior to January 15 of each program year, the Department of Citrus shall survey program participants as to whether or not they intend to use uncommitted program funds; at that time program participants may elect to reassign uncommitted funds into generic Department of Citrus programs, effective February 1.

(7) If, by June 1 of each program year, participant has utilized 80% or more of their allocated funds, they will not be adjusted the following season. If, on June 1, participant has used less than 80% of their funds, they will be capped at that level for the following season.

(8) The participant shall be responsible for one-fourth the cost of each individual advertising promotion. The Florida Department of Citrus shall be responsible for the remaining three-fourths, so long as net claims for such costs are not in excess of participant's allocation. Participant contributions to the advertising programs must be forwarded to Department before payment is made to the retailer. Payment will be forwarded by the Department directly to the participant's designated retail customer.

(9) Participant will not be responsible for matching funds on media promotions. Payment will be made by the Department directly to retailer involved for demonstration promotion scheduled at participant's request. Media demo programs will be fully reimbursed (up to \$5,000). All other demo programs are eligible to be reimbursed at the rate of non-media promotions scheduled in conjunction with Department media programs in selected markets.

(10) All claims must be submitted and filed with the Department no later than July 31 of each shipping season and must include FOB pricing, movement, and an explanation of the volumetric variance when movement during promotion period was significantly less than anticipated on Participant's commitment form. A Targeted Value-Added Promotion Program Evaluation form CIT/MKTG/154 EFF. 10/20/99, incorporated herein by reference, must accompany each claim or payment to retailer cannot be processed. Claims that are incomplete or otherwise late will be rejected by the Department with written notification to the participant.

(11) Implementation of this program is subject to the appropriation of funds for use in this program.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-17-97, Amended 12-6-98, 2-3-00, 11-29-00.

20-48.005 Program Requirements.

A Targeted VAP may be established in one of two ways:

(1) The shipper establishes a promotional agreement directly with a retailer, including the details of how and when the fruit will be promoted.

(2) The shipper authorizes a Department of Citrus representative to establish a promotion on the shipper's behalf. If a shipper chooses this option, the Department of Citrus representative must be given sufficient lead time to establish promotions. For all promotions established by a Department of Citrus representative, the Department representative must be given a minimum of 21 days lead time.

(3) Upon establishing a promotional agreement with a retailer, the shipper will notify the Department of Citrus by submitting the appropriate Targeted VAP Agreement Form, incorporated herein by reference:

(a) Targeted VAP Agreement Form CIT/MKTG/152/EFF. 12/1/99 (CIT/MKTG/152A/EFF. 12/1/99 for club stores) for an advertising promotion, or

(b) Targeted VAP Agreement Form CIT/MKTG/153/EFF. 10/20/99 for a media/demo promotion, incorporated herein by reference, to the Department of Citrus Bartow office VAP Administrator. All promotions

established by participant require 10 days lead time.

(4) If retailer commits to the program with a participant, the retailer must use that participant every week during the promotion period. The retailer shall not set up another Targeted VAP with a different participant during that promotion period.

An exception to this rule could be made if program participant can find a way to legally co-op their resources. Under such circumstances, participants could defer promotional exclusivity under the program by indicating that a given promotional agreement is open to participation from other shippers. In such instances, the participant would be restricted from awarding the retailer funds for volume beyond which was committed to under the original agreement.

(5) Individual promotions shall run for not more than two (2) weeks.

(6) No promotion shall begin until the retailer has signed a Targeted Value-Added Promotion Program Agreement Form (CIT/MKTG/149, REV. 8/1/99 or CIT/MKTG/149A, EFF 12/1/99 for club stores), incorporated herein by reference.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, 2-3-00, 7-13-10.

20-48.006 Qualification of Advertising/Merchandising.

(1) Minimum Targeted VAP advertising/merchandising activity requirements:

(a) Line ad + expanded display (end cap or secondary table), or

(b) Feature ad + expanded display (end cap or secondary table). Feature ad must include the Florida Sunshine Tree or Florida Citrus Growers symbol and either the American Heart Association Heart Check logo or at least one of the following Department of Citrus approved value-added messages:

1. High in vitamin C.
2. Rich in dietary fiber.
3. Heart Healthy.
4. Cholesterol free and fat free.

(c) For club stores that do no feature advertising, other comparable advertising or promotion as listed below will be deemed to meet the minimum activity requirement, if the Department of Citrus staff has lead time of at least 10 days in advance of the planned activity.

"A" Activities

(At least one "A" activity, a maximum of \$.50 per carton reimbursement for all "A" activities.)

1. Front Lobby Display (21 cartons or equivalent).
2. High Graphic Bin Display.
3. Cut fruit sampling demonstration (\$5,000 cap).

"B" Activities

("B" activities equal to \$.10 per carton per activity; \$.25 per carton maximum)

1. Multi-unit pricing on bulk fruit or bags e.g., 6 pieces for \$2 or 2 bags for \$4).
2. Brochures or other health information on Florida citrus provided for shoppers.
3. FDOC supplied point-of-sale materials posted
4. Cut fruit displayed (visual sampling).
5. Feature ad placed in the In-store Flyer.

(d) To qualify, ads must feature Florida grown citrus products only.

(2) To help build the value of a Targeted VAP, a retailer can agree to provide promotional support beyond the minimum requirement. Optional promotion elements include:

- (a) Promoting bagged grapefruit.
- (b) Graphic bins or front lobby displays.

(c) Multi-unit pricing (beyond the \$1 mark) on bulk/loose grapefruit + Gross margin < 20% – retailer's cost versus featured price – the % difference between the shipper FOB prices and the price the retailer will feature the product.

(3) Promotions may be established to tie-in with Department media scheduled in selected markets. Only the following types of promotions are eligible for Targeted VAP funds in these media markets:

- (a) Demonstration/sampling programs.
- (b) Graphic grapefruit bin use.
- (c) Bagged grapefruit promotion.
- (d) Multi-unit pricing (beyond the \$1 mark) on bulk loose citrus.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, 2-3-00, 11-29-00.

20-48.007 Targeted VAP Performance Formula.

- (1) Targeted VAP dollars for advertising are based on the following formula:

Program Cost: # of cartons x Total \$ per carton (maximum 50¢) = \$_____

- (2) Value of each required promotional/advertising activity shall be awarded as follows:

- (a) Line ad + expanded display (end cap or secondary table) 10¢ per carton
- (b) Feature ad + expanded display (end cap or secondary table) 25¢ per carton
- (3) Value earned for optional promotion activities:

(a) Gross margin <20% of retail price + multi-unit pricing (beyond the \$1 mark) on bulk loose citrus 10¢ per carton

- (b) Graphic bins or front lobby displays 25¢ per carton

- (c) Promoting bagged citrus 25¢ per carton

(4) There is a promotional spending cap of 50¢ per carton under the Targeted VAP program for media promotions. The cap does not apply to Targeted VAP funds for demo support; those funds can be rewarded to retailers as follows:

(a) For demo support, retailers shall be reimbursed for actual cost associated with the demo activity with a cap of \$5,000 on the cost of a given promotion.

- (b) Graphic bin use 50¢ per carton

- (c) Bagged grapefruit promotion 50¢ per carton

A cap of 50¢ per carton will apply to graphic bin and bagged grapefruit media promotions.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, 2-3-00.

20-48.008 Proof of Performance; Claim for Payment.

Claims shall be in sufficient detail to allow for proper post-audit and pre-audit thereof. Upon completion of a promotion the appropriate Department of Citrus field representative shall compile and submit to the Department of Citrus documentation for proof of performance, including:

- (1) Tear sheets of each ad; and

- (2) Photos or retailer sales planners; and

(3) A properly executed Targeted Value-Added Promotion Program Evaluation Form CIT/MKTG/154 EFF. 10/20/99.

(4) Demo invoice detailing number of stores participating and cost/store, with signed demo reports for each participating store.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, 2-3-00.

20-48.009 Failure to Perform Under Targeted VAP Agreement.

If participant and/or retailer fails to perform in accordance with Targeted VAP Agreement or otherwise fails to properly file claim, Department shall notify participant that claims will be reduced to reflect actual performance.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Repromulgated 12-6-98, Amended 2-3-00.

20-48.010 Program Evaluation.

The Targeted VAP Program will be subject to periodic review by the Department of Citrus to ensure that it is effectively fulfilling the purpose for which it was established.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-17-97, Repromulgated 12-6-98, Amended 2-3-00.

CHAPTER 20-49
STANDARDS FOR FRESH SQUEEZED CITRUS JUICES

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20-49.002	Definitions (Repealed)
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20-49.009	Fresh Squeezed Grapefruit Juice Marked with Florida Citrus Growers’ Certification Mark- (Repealed)

20-49.001 Purpose.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History--New 3-15-01, Amended 9-12-01, Repealed 10-4-21.

20-49.002 Definitions.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 3-15-01, Amended 9-12-01, Repealed 10-4-21.

20-49.003 Fresh Squeezed Citrus Juices.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 3-15-01, Repealed 10-4-21.

20-49.004 Large Wholesale Producers – Testing.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 3-15-01, Amended 9-12-01, Repealed 10-4-21.

20-49.0041 Large Producers – Testing.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 9-12-01, Repealed 10-4-21.

20-49.005 Large Wholesale Producers – Inspections.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 3-15-01, Amended 9-12-01, Repealed 10-4-21.

20-49.0051 Large Producers – Inspections.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 9-12-01, Repealed 10-4-21.

20-49.006 Small and Very Small Wholesale Producers – Testing.

Rulemaking Authority 601.10(7), 601.11FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History--New 3-15-01, Amended 9-12-01, Repealed 10-4-21.

20-49.0061 Small Producers -- Testing.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History-- New 9-12-01, Repealed 10-4-21.

20-49.007 Small and Very Small Wholesale Producers -- Inspections.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History-- New 3-15-01, Amended 9-12-01, Repealed 10-4-21.

20-49.0071 Small Producers – Inspections.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History-- New 9-12-01, Repealed 10-4-21.

20-49.008 Fresh Squeezed Orange Juice Marked with Florida Citrus Growers' Certification Mark.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History-- New 3-15-01, Repealed 10-4-21.

20-49.009 Fresh Squeezed Grapefruit Juice Marked with Florida Citrus Growers' Certification Mark.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.29, 601.33, 601.38 FS. History-- New 3-15-01, Repealed 10-4-21.

**CHAPTER 20-50
GRAPEFRUIT MATURITY STANDARDS – FRESH**

- 20-50.001 Seedless Grapefruit for Fresh Use Maturity Standards
- 20-50.002 When Seedless Grapefruit Shall be Deemed Mature
- 20-50.003 Seeded Grapefruit for Fresh Use Maturity Standards
- 20-50.004 When Seeded Grapefruit Shall be Deemed Mature

20-50.001 Seedless Grapefruit for Fresh Use Maturity Standards.

- (1) The total soluble solids of the juice shall not be less than 7.5 percent.
- (2) The ratio of the total soluble solids to anhydrous citric acid meets the requirements of chapter 20-51, F.A.C.
- (3) The juice content of each fruit is not less than the minimum requirements for the respective fruit diameter as set forth in chapter 20-52, F.A.C.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History--New 1-1-13, Amended 6-24-18.

20-50.002 When Seedless Grapefruit Shall be Deemed Mature.

- (1) Except for the period January 1 through July 31, seedless grapefruit meeting minimum ratio and juice content requirements of rule 20-50.001, F.A.C., shall be deemed mature when the total soluble solids (Brix) of the juice is not less than 7 percent.
- (2) Except for the period April 15 through July 31, seedless grapefruit meeting minimum soluble solids and juice content requirements of rule 20-50.001, F.A.C., shall be deemed mature when the ratio of soluble solids to anhydrous citric acid is not less than six to one.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History--New 1-1-13, Amended 6-24-18.

20-50.003 Seeded Grapefruit for Fresh Use Maturity Standards.

- (1) The total soluble solids (Brix) of the juice is not less than 8 percent.
- (2) The ratio of the total soluble solids to anhydrous citric acid meets the requirements of chapter 20-51, F.A.C.
- (3) The juice content of each fruit is not less than the minimum requirements for respective fruit diameters set forth in chapter 20-52, F.A.C.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History--New 1-1-13, Amended 6-24-18.

20-50.004 When Seeded Grapefruit Shall be Deemed Mature.

- (1) Except for the period January 1 through July 31, seeded grapefruit meeting minimum:
 - (a) Ratio.
 - (b) And juice content requirements of chapter 20-52, F.A.C., shall be deemed mature when the total soluble solids (Brix) of the juice is not less than 7.5 percent.
- (2) Except for the period April 15 through July 31, seeded grapefruit meeting minimum:
 - (a) Soluble solids.
 - (b) And juice content requirements of chapter 20-52, F.A.C., shall be deemed mature when the ratio of soluble solids to anhydrous citric acid is not less than six to one.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History--New 1-1-13, Amended 6-24-18.

CHAPTER 20-51
FRESH GRAPEFRUIT – MINIMUM RATIOS OF SOLIDS TO ACID

20-51.001 Minimum Ratios of Solids to Acid

20-51.001 Minimum Ratios of Solids to Acid.

To determine the minimum ratios of the total soluble solids of the juice of grapefruit to the anhydrous citric acid, the following table shall be used:

Total Soluble Solids of the Juice is Not Less than	Total Soluble Solids of the Juice is not More than	The Minimum Ratio of the Total Soluble Solids to Anhydrous Citric Acid Shall Be
6.5 percent	9.1 percent	7 to 1
9.1 percent	9.2 percent	6.95 to 1
9.2 percent	9.3 percent	6.90 to 1
9.3 percent	9.4 percent	6.85 to 1
9.4 percent	9.5 percent	6.80 to 1
9.5 percent	9.6 percent	6.75 to 1
9.6 percent	9.7 percent	6.70 to 1
9.7 percent	9.8 percent	6.65 to 1
9.8 percent	9.9 percent	6.60 to 1
9.9 percent	10 percent	6.55 to 1
10 percent	10.1 percent	6.50 to 1
10.1 percent	10.2 percent	6.475 to 1
10.2 percent	10.3 percent	6.45 to 1
10.3 percent	10.4 percent	6.425 to 1
10.4 percent	10.5 percent	6.4 to 1
10.5 percent	10.6 percent	6.375 to 1
10.6 percent	10.7 percent	6.35 to 1
10.7 percent	10.8 percent	6.325 to 1
10.8 percent	10.9 percent	6.30 to 1
10.9 percent	11 percent	6.275 to 1
11 percent	11.1 percent	6.25 to 1
11.1 percent	11.2 percent	6.225 to 1
11.2 percent	11.3 percent	6.20 to 1
11.3 percent	11.4 percent	6.175 to 1
11.4 percent	11.5 percent	6.15 to 1
11.5 percent	11.6 percent	6.125 to 1
11.6 percent	11.7 percent	6.10 to 1
11.7 percent	11.8 percent	6.075 to 1
11.8 percent	11.9 percent	6.05 to 1
11.9 percent	12 percent	6.025 to 1
12 percent	12 percent	6 to 1

CHAPTER 20-52
FRESH GRAPEFRUIT – MINIMUM JUICE CONTENT

- 20-52.001 Minimum Juice Content
 20-52.002 Determination of Unusual or Abnormal Conditions **(Repealed)**
 20-52.003 Establishment of Different Sizes **(Repealed)**

20-52.001 Minimum Juice Content.

(1) During the period of time beginning with August 1 of each year and ending with November 15 of the same year, both dates inclusive, the minimum juice content of the juice of the respective sizes of grapefruit is as follows:

Grapefruit Size ¹	Grapefruit Shall Not Contain Less than the Corresponding Amount of Juice
14	400 Cubic Centimeters
18	350 Cubic Centimeters
23	305 Cubic Centimeters
27	275 Cubic Centimeters
32	245 Cubic Centimeters
36	230 Cubic Centimeters
40	210 Cubic Centimeters
48	185 Cubic Centimeters
56	170 Cubic Centimeters
64	165 Cubic Centimeters
80	No Juice Minimum

(2) During that period of time beginning with November 16 of each year and ending with March 1 of the following year, both dates inclusive, the minimum juice content of respective size of grapefruit shall be as follows:

Grapefruit Size ¹	Grapefruit Shall Not Contain Less than the Corresponding Amount of Juice
14	380 Cubic Centimeters
18	335 Cubic Centimeters
23	290 Cubic Centimeters
27	265 Cubic Centimeters
32	230 Cubic Centimeters
36	220 Cubic Centimeters
40	200Cubic Centimeters
48	180 Cubic Centimeters
56	165Cubic Centimeters
64	160 Cubic Centimeters
80	No Juice Minimum

(3) During that period of time beginning with March 2 of each year and ending with July 31 of the same year, both dates inclusive, the minimum juice content of the juice of respective sizes of grapefruit shall be as follows:

Grapefruit Size ¹	Grapefruit Shall Not Contain Less than the Corresponding Amount of Juice
14	360 Cubic Centimeters
18	320 Cubic Centimeters
23	275 Cubic Centimeters
27	250 Cubic Centimeters
32	220 Cubic Centimeters
36	210 Cubic Centimeters
40	190 Cubic Centimeters
48	170 Cubic Centimeters
56	155 Cubic Centimeters
64	150 Cubic Centimeters
80	No Juice Minimum

¹ Each size being designated by the commercial number assigned to it based on the number of grapefruit of said size packed commercially in a standard Florida packed box of grapefruit.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History—New 1-1-13, Amended 6-24-18.

20-52.002 Determination of Unusual or Abnormal Conditions.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13, Repealed 6-24-18.

20-52.003 Establishment of Different Sizes.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13, Repealed 6-24-18.

**CHAPTER 20-53
ORANGES – MATURITY STANDARDS**

20-53.001	Maturity Standards
20-53.002	Maturation of Oranges Earlier Than Normal
20-53.003	Anhydrous Citric Acid Standards for Navels

20-53.001 Maturity Standards.

(1) During the period of time beginning with August 1 of each year and ending with October 31 of the same year, both dates inclusive, oranges shall be deemed to be mature only when each orange:

(a) The total soluble solids of the juice of the sample is not less than 9 percent;

(b) The ratio of total soluble solids of the juice of the sample to the anhydrous citric acid set forth in chapter 20-54, F.A.C.;

(c) The juice of the sample contains not less than 0.4 percent of anhydrous citric acid;

(d) The juice content of the orange sample is in an amount not less than at the rate of 4 1/2 gallons of juice per standard-packed box.

(2) During that period of time beginning with November 1 of each year and ending November 15 of the same year, both dates inclusive, oranges shall be deemed to be mature only when each orange:

(a) The total soluble solids of the juice of the sample is not less than 8.7 percent;

(b) The ratio of total soluble solids of the juice of the sample to the anhydrous citric acid is as set forth in chapter 20-54, F.A.C.;

(c) The juice of the sample contains not less than 0.4 percent of anhydrous citric acid;

(d) The juice content of said orange sample is in an amount not less than at the rate of 4 1/2 gallons of juice per standard-packed box.

(3) Except as provided in subsection (4), during that period of time beginning with November 16 of each year and ending with July 31 of the following year, both dates inclusive, oranges shall be deemed to be mature only when each orange:

(a) The total soluble solids of the juice of the sample is not less than 8.5 percent;

(b) The ratio of the total soluble solids of the juice of the sample to the anhydrous citric acid is as set forth in chapter 20-54, F.A.C.;

(c) The juice of the sample contains not less than 0.4 percent of anhydrous citric acid;

(d) And the juice content of said orange sample is in an amount not less than at the rate of 4 1/2 gallons of juice per standard-packed box.

(4) From December 1 of each year to July 31 of the following year, both dates inclusive, oranges shall be deemed to be mature for canning and concentrating purposes when the total soluble solids of the juice is not less than 8 percent and when the minimum ratio of the total soluble solids of the juice to the anhydrous citric acid is as set forth in chapter 20-54, F.A.C., with no minimum requirement as to juice content or acid.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History--New 1-1-13, Amended 6-24-18.

20-53.002 Maturation of Oranges Earlier Than Normal.

(1) If in any particular shipping season it shall appear to the Department of Citrus, after a public hearing called and held to determine such question, that oranges are then maturing earlier than normally as provided in chapter 20-53, F.A.C., the Department of Citrus may by order or rule declare and provide that during that period of time beginning with August 1 and ending with October 16, both dates inclusive, oranges meeting all other maturity standards shall be deemed to be mature when the total soluble solids of the juice of the sample is not less than 9 percent;

(2) And during that period of time beginning with October 17 and ending with October 31, both dates inclusive, oranges meeting all other maturity standards shall be deemed to be mature when the total soluble solids of the juice of the sample is not less than 8.7 percent;

(3) And during that period of time beginning with November 1 and ending July 31 of the following year, both dates inclusive, oranges meeting all other maturity standards shall be deemed to be mature when the total soluble solids of the juice of the sample is not less than 8.5 percent.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11 FS. History—New 1-1-13, Amended 6-24-18.

20-53.003 Anhydrous Citric Acid Standards for Navels.

(1) For each citrus season, the anhydrous citric acid for Navels shall be the juice of the sample which contains not less than 0.36 percent of anhydrous citric acid.

(2) All other maturity standards for oranges shall be met.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 2-11-14.

CHAPTER 20-54
ORANGES—MINIMUM RATIOS OF SOLIDS TO ACID

20-54.01 Minimum Ratios of Solids to Acid.

20-54.001 Minimum Ratios of Solids to Acid.

- (1) To determine the minimum ratios of the total soluble solids of the juice of oranges to the anhydrous citric acid, the following table shall be used:

Total Soluble Solids of the Juice is Not Less than	Total Soluble Solids of the Juice is not More than	The Minimum Ratio of the Total Soluble Solids to Anhydrous Citric Acid Shall Be
8 percent	8.1 percent	10.5 to 1
8.1 percent	8.2 percent	10.45 to 1
8.2 percent	8.3 percent	10.40 to 1
8.3 percent	8.4 percent	10.35 to 1
8.4 percent	8.5 percent	10.30 to 1
8.5 percent	8.6 percent	10.25 to 1
8.6 percent	8.7 percent	10.20 to 1
8.7 percent	8.8 percent	10.15 to 1
8.8 percent	8.9 percent	10.10 to 1
8.9 percent	9 percent	10.05 to 1
9 percent	9.1 percent	10 to 1
9.1 percent	9.2 percent	9.95 to 1
9.2 percent	9.3 percent	9.90 to 1
9.3 percent	9.4 percent	9.85 to 1
9.4 percent	9.5 percent	9.80 to 1
9.5 percent	9.6 percent	9.75 to 1
9.6 percent	9.7 percent	9.70 to 1
9.7 percent	9.8 percent	9.65 to 1
9.8 percent	9.9 percent	9.60 to 1
9.9 percent	10 percent	9.55 to 1
10 percent	10.1 percent	9.50 to 1
10.1 percent	10.2 percent	9.45 to 1
10.2 percent	10.3 percent	9.40 to 1
10.3 percent	10.4 percent	9.35 to 1
10.4 percent	10.5 percent	9.30 to 1
10.5 percent	10.6 percent	9.25 to 1
10.6 percent	10.7 percent	9.20 to 1
10.7 percent	10.8 percent	9.15 to 1
10.8 percent	10.9 percent	9.10 to 1
10.9 percent	11 percent	9.05 to 1
11 percent	< 11 percent ¹	9 to 1

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History--New 1-1-13.

¹ When the total soluble solids of the juice are 11 percent or more, the minimum ratio of the total soluble solids to anhydrous citric acid shall be 9 to 1.

CHAPTER 20-55
TANGERINE – MATURITY STANDARDS

20-55.001 Tangerine Maturity Standards

20-55.001 Tangerine Maturity Standards.

(1) Tangerines shall be deemed to be mature only when each tangerine:

(a) The total soluble solids of the juice is not less than 9 percent;

(b) And the ratio of total soluble solids of the juice to the anhydrous citric acid is as set forth in chapter 20-56, F.A.C.

(2) From November 15th of each year until July 31st of the following year, both dates inclusive, tangerines shall be deemed to be mature only when each tangerine:

(a) The total soluble solids of the juice thereof is not less than 8.75 percent;

(b) And the ratio of total soluble solids of the juice thereof to the anhydrous citric acid is as set forth in chapter 20-56, F.A.C.

(3) From November 15th of each year to July 31 of the following year, both dates inclusive, tangerines shall be deemed to be mature for canning and concentrating purposes when the total soluble solids of the juice is not less than 8.75 percent and when the minimum ratio of the juice to the anhydrous citric acid is as set forth in chapter 20-56, F.A.C., with no minimum requirements as to juice content, acid, or color break.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13, Amended 6-24-18.

CHAPTER 20-56
TANGERINES—MINIMUM RATIOS OF SOLIDS TO ACID

20-56.001 Minimum Ratios of Solids to Acid.

20 56.001 Minimum Ratios of Solids to Acid.

(1) To determine the minimum ratios of the total soluble solids of the juice of tangerines to the anhydrous citric acid, the following table shall be used:

Total Soluble Solids of the Juice is Not Less than	Total Soluble Solids of the Juice is not More than	The Minimum Ratio of the Total Soluble Solids to Anhydrous Citric Acid Shall Be
9 percent	9.1 percent	9 to 1
9.1 percent	9.2 percent	8.9 to 1
9.2 percent	9.3 percent	8.8 to 1
9.3 percent	9.4 percent	8.7 to 1
9.4 percent	9.5 percent	8.6 to 1
9.5 percent	9.6 percent	8.5 to 1
9.6 percent	9.7 percent	8.4 to 1
9.7 percent	9.8 percent	8.3to 1
9.8 percent	9.9 percent	8.2 to 1
9.9 percent	10 percent	8.1 to 1
10 percent	10.1 percent	8 to 1
10.1 percent	10.2 percent	7.9 to 1
10.2 percent	10.3 percent	7.8 to 1
10.3 percent	10.4 percent	7.7 to 1
10.4 percent	10.5 percent	7.6 to 1
10.5 percent	10.5 percent	7.5 to 1

(2) After November 15th of each year to July 31 of the following year, both dates inclusive, to determine the minimum ratio of the total soluble solids of the juice of tangerines to the anhydrous citric acid, the following table shall be used:

Total Soluble Solids of the Juice is Not Less than	Total Soluble Solids of the Juice is not More than	The Minimum Ratio of the Total Soluble Solids to Anhydrous Citric Acid Shall Be
8.75 percent	8.80 percent	8.75 to 1
8.80 percent	8.75 percent	8.75 to 1
8.90 percent	9 percent	8.75 to 1
9 percent	9.10 percent	8.75 to 1
9.10 percent	9.20 percent	8.65 to 1
9.20 percent	9.30 percent	8.55 to 1
9.30 percent	9.40 percent	8.45 to 1
9.40 percent	9.50 percent	8.35 to 1
9.50 percent	9.60 percent	8.25 to 1
9.60 percent	9.70 percent	8.15 to 1
9.70 percent	9.80 percent	8.05 to 1
9.80 percent	9.90 percent	7.95to 1
10 percent	10.1 percent	7.75 to 1
10.1 percent	10.2 percent	7.65 to 1
10.2 percent	10.3 percent	7.55 to 1
10.3 percent	10.4 percent	7.45 to 1
10.4 percent	10.5 percent	7.35 to 1
10.5 percent	10.5 percent	7.25 to 1

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History--New 1-1-13.

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PART III - Rules Applying to Processed Products

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CHAPTER 20-60
REGISTRATION AND NOTICE OF OPERATION OF CITRUS PROCESSING PLANTS

- 20-60.001 Registration Required
- 20-60.002 Notice Required
- 20-60.003 License and Bond Required

20-60.001 Registration Required.

Any person desiring to operate a citrus processing plant in the State of Florida shall, at least ten days before processing citrus fruit, register the processing facility, with its location by county, shipping point, and other contact information requested on forms furnished by the Florida Department of Agriculture and Consumer Services, Winter Haven, Florida.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.40, 601.41 FS. History—Formerly 105-1.23(1), Revised 1-1-75, Formerly 20-60.01, Amended 6-19-12.

20-60.002 Notice Required.

Written notice shall be given the Department of Agriculture, Division of Fruit and Vegetable Inspection, at least seven days before the date inspection is required.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.40, 601.41 FS. History—Formerly 105-1.23(1), Revised 1-1-75, Formerly 20-60.02.

20-60.003 License and Bond Required.

No person shall be permitted to register a processing plant prior to having applied for and received a citrus fruit dealers license and having furnished proper bond.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.40 FS. History—Formerly 105-1.23(2), Revised 1-1-75, Formerly 20-60.03.

CHAPTER 20-61 MATURITY TESTS – PROCESSED CITRUS

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20-61.013	Certificates of Maturity Inspection
20-61.014	Form of Maturity Certificate

20-61.001 Facilities and Equipment to Be Furnished.

(1) Each processing plant shall provide, in a convenient location, a State test room and facilities for testing citrus fruit as required by law. The State test room shall include adequate running water, sinks, drainboards, electric lights, and power outlets. Each testing facility shall be approved for adequacy by the Division of Fruit and Vegetables prior to issuance of processing plant registration. New plants or plants planning new test room facilities shall contact the Division of Fruit and Vegetables prior to any construction to discuss requests and coordinate plans and specifications for the State test room.

(2) Each processing plant shall provide an FMC Model 091 B mechanical extractor equipped with an automatic feeder, or its equivalent, as is more particularly shown in drawings and specifications on file at the Department of Citrus. The mechanical extractor shall be set and installed in a manner acceptable to and approved by the Division of Fruit and Vegetables, which shall be responsible for its maintenance and proper settings. All settings and factors, if any, shall be on file at the Department of Citrus office at all times.

(3) Under circumstances where tests are made for juice content for maturity purposes only, or tests for maturity are made and yield is not involved, the Division of Fruit and Vegetables may approve use of extraction equipment described in Rule 20-34.002, F.A.C., as an alternate to the FMC Model 091 B mechanical extractor.

(4) It shall be the responsibility of the processor to keep all machinery and floors in the state test room clean and sanitary. While the juice extracted in these testing operations may or may not be salvaged by the processor, efficient testing operations require that extraction and finishing equipment be thoroughly cleaned at least once daily by the processor. It shall also be the responsibility of the processor to provide sufficient climate control for proper operation and accuracy of all temperature sensitive machinery and testing instruments. It shall be the responsibility of the inspector to maintain the testing instruments, buckets, sinks, drainboards, etc., in a clean and sanitary condition, and to keep the testing room as neat and orderly as practical at all times during receiving hours.

Rulemaking Authority 601.10(1), (7), 601.24, 601.25 FS. Law Implemented 601.10(1), (7), 601.11, 601.24, 601.25, 601.27 FS. History—Formerly 105-1.18(1), (9)(a), (c), Revised 1-1-75, Formerly 20-61.01, Amended 10-15-95.

20-61.002 Fruit Accessible for Sampling.

It shall be the processor's responsibility to make all fruit received for processing accessible for representative sampling. Accessible for complete and representative sampling means that the fruit is in some unit or container, or if a bulk truckload of fruit, it is unloaded to the extent that samples may be drawn from every portion of the load. The processing plant must provide means, either by window or electronic surveillance equipment, for

inspector, without leaving the state test lab, to identify the number of the truck from which fruit is being unloaded. No fruit shall be unloaded at any plant prior to inspection, unless in the presence of an inspector or with his consent previously given.

Rulemaking Authority 601.10(1), (7), 601.24 FS. Law Implemented 601.10(7), 601.24 FS. History—Formerly 105-1.18(1), Revised 1-1-75, Formerly 20-61.02, Amended 10-15-95.

20-61.003 Sampling Equipment.

(1) Each processing plant shall install mechanical sample selectors, as per drawings and specifications on file at the Department of Citrus office, at unloading ramps immediately after grading. Effective November 1, 2006, statewide standardized sampling equipment will be required. By that date each processing plant shall have installed a Flip-Gate style mechanical sample selector system, as per specifications on file at the Department of Citrus headquarters and incorporated herein by reference. Such specifications shall be adhered to upon the installation of new Flip-Gate sampler systems and during the operation and maintenance of existing Flip-Gate sampler systems. No alterations or modifications shall be made on the sample system without the prior knowledge and consent of the Division of Fruit and Vegetables, and such system, under the supervision of the Technical Bureau of that Division, shall be maintained by the plant to deliver, directly into the state test lab, a representative sample from each load of fruit received at the approximate rate of one fruit for each ten boxes. All troughs, chutes, conveyors, and belts used for mechanically collecting and transporting samples shall be so enclosed as to make the sample inaccessible prior to point of delivery into the state test lab.

(2) Official juice analysis tests for determining pounds-solids will be made only on fruit collected by such a sampling device, except as otherwise provided in this rule, or when, in the opinion of the Division of Fruit and Vegetables, such sampling is impractical or the inspector deems further sampling and testing is necessary to prevent the utilization of immature fruit.

Rulemaking Authority 601.10(7), 601.24 FS. Law Implemented 601.10(7), 601.24, 601.27 FS. History—Formerly 105-1.18(1), Revised 1-1-75, Formerly 20-61.03, Amended 10-15-95, 12-21-00, 1-26-06.

20-61.004 Maturity Test Required before Processing.

No person shall process any fruit, or the juice thereof, unless such fruit is in compliance with state maturity standards and accompanied by a certificate of inspection and maturity issued by an authorized state inspector.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11, 601.47 FS. History—Formerly 105-1.18(1), Revised 1-1-75, Formerly 20-61.04.

20-61.005 Color Break Requirements.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.11 FS. History—Formerly 105-1.18(2), Revised 1-1-75, Formerly 20-61.05, Repealed 1-24-19.

20-61.006 Drawing Samples for Juice Content, Solids, Acid, Ratio, Maturity Tests.

The inspector shall, at his discretion, use the sample collected by the mechanical sample selector, or a representative sample may be drawn from boxes, trucks, bins, conveyors or distributing belts, or by both methods. Official samples shall consist of not less than five grapefruit, ten oranges, ten of each of the hybrids of citrus fruit, or fifteen tangerines. If the color break requirement is fulfilled and a composite test of the samples shows the fruit in the lot to be mature, a maturity certificate shall be issued by the inspector. While this section requires the running of only one test, it shall not prevent the running of additional tests if, in the opinion of the inspector, additional tests may be necessary to prevent the processing of immature fruit.

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.11, 601.24 FS. History—Formerly 105-1.18(3), Revised 1-1-75, Formerly 20-61.06.

20-61.007 Juice Content, Acid, Solids, Maturity Tests.

(1) The juice of the fruit extracted by approved extraction equipment shall be used in making juice content, acid, solids, and ratio maturity tests in accordance with procedures established by the Division of Fruit and Vegetables.

(2) If the processor so elects, he may witness the drawing of samples and testing of this fruit. However, only authorized inspectors shall handle the solutions or equipment used for determining the maturity of citrus fruits. Any effort to assist the inspector, to handle the fruit from which the test is to be made, to interrupt, to hinder, or to attempt to influence his judgment, shall be construed as interference with the inspector in the performance of his official duties as coming within the purview of Section 601.33, F.S.

Rulemaking Authority 601.10(1), (7), 601.11, 601.24, 601.25 FS. Law Implemented 601.10(1), (7), 601.11, 601.24, 601.25, 601.47 FS. History— Formerly 105-1.18(4), Revised 1-1-75, Formerly 20-61.07, Amended 10-15-95.

20-61.0071 Determination of Pounds of Orange Solids.

(1) For purposes of reporting under Rule 20-63.001, F.A.C., pounds of orange solids shall be determined in the following way:

For oranges, mandarins and hybrids, reported pounds of solids shall be the state test house yield calculated as follows: Divide the sample pounds juice weight extracted by the FMC 091B extractor by the pounds sample fruit weight and multiply the result by the equivalent box weight for oranges. The resulting pounds juice per box is then multiplied by the total brix measurement as determined by Westphal balance or brix hydrometer corrected to 20° centigrade and expressed as a decimal.

Example:

$(\text{Juice weight} \div \text{sample weight}) \times 90 \text{ pounds}$

$\text{box} = \text{pound juice per box.}$

$\text{Pounds juice per box} \times \text{total brix} = \text{pounds}$

solids per box.

(2) The pound solids determination made under this rule may be used whenever the seller and buyer mutually agree, as the trading unit for the oranges being sold.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(5) FS. History—New 1-1-82, Amended 6-1-82, 9-1-82, 8-30-83, 10-24-84, Formerly 20-61.071, Amended 10-20-92.

20-61.0072 Determination of Pounds of Grapefruit Solids.

(1) For purposes of reporting under Rule 20-63.001, pounds of grapefruit solids shall be determined in the following way: Multiply the state test house yield, expressed in pounds solids per box and calculated in accordance with paragraph 20-61.0071(1)(a), F.A.C., by the applicable correction factor derived from the following table to determine the number of pounds of grapefruit solids in the load of grapefruit.

Load Date	Factor
September 1 – December 31	91
January 1 – February 14	93
February 15 – February 29	92
March 1 – March 14	91
March 15 – April 30	90
May 1 – August 31	87

The applicable factor shall be the factor opposite the date that the load of fruit is accepted, sampled and tested by the Florida Department of Agriculture, Division of Fruit and Vegetables.

(2) The pound solids determination made under this rule may be used whenever the seller and buyer mutually agree, as the trading unit for the grapefruit being sold.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.02(5), 601.25 FS. History—New 5-1-82, Amended 11-15-83, 10-24-84, 10-20-85, Formerly 20-61.072, Amended 10-19-86, 11-1-87, 10-20-92, 10-15-95.

20-61.008 Grapefruit Minimum Juice Content Requirement, August 1 - November 30.

(1) The following “equivalent sizes” and minimum juice content requirements are established for the purpose of testing grapefruit for minimum juice content on the FMC 091 B mechanical extractor during the period August 1 through November 30 each year:

<u>"Equivalent Size"</u>	<u>Minimum Juice Content</u>	
Small (equivalent to standard pack size 48 & smaller)	August 1--August 31	35,000 lb. per box
	September 1--November 30	36,610 lb. per box
Medium (equivalent to standard pack sizes 36 & 40)	August 1--August 31	33,500 lb. per box
	September 1--November 30	35,040 lb. per box
Large (equivalent to standard pack size 32 & larger)	August 1--August 31	32,000 lb. per box
	September 1--November 30	33,472 lb. per box

(2) To determine the “equivalent size” for each sample, the following table shall be used:

<u>Number of Fruit in Sample</u>			
<u>Lbs. in Sample</u>	<u>Small</u>	<u>Medium</u>	<u>Large</u>
20	24 or more	20 to 23	19 or less
21	25 or more	21 to 24	20 or less
22	26 or more	22 to 25	21 or less
23	27 or more	23 to 26	22 or less
24	28 or more	24 to 27	23 or less
25	30 or more	25 to 29	24 or less
26	31 or more	26 to 30	25 or less
27	32 or more	26 to 31	25 or less
28	33 or more	27 to 32	26 or less
29	34 or more	28 to 33	27 or less
30	36 or more	29 to 35	28 or less
31	37 or more	30 to 36	29 or less
32	38 or more	31 to 37	30 or less
33	39 or more	32 to 38	31 or less
34	40 or more	33 to 39	32 or less
35	42 or more	34 to 41	33 or less
36	43 or more	35 to 42	34 or less
37	44 or more	36 to 43	35 or less
38	45 or more	37 to 44	36 or less
39	46 or more	38 to 45	37 or less
40	48 or more	39 to 47	38 or less
41	49 or more	40 to 48	39 or less
42	50 or more	41 to 49	40 or less
43	51 or more	42 to 50	41 or less
44	52 or more	42 to 51	41 or less
45	54 or more	43 to 53	42 or less
46	55 or more	44 to 54	43 or less
47	56 or more	45 to 55	44 or less
48	57 or more	46 to 56	45 or less
49	58 or more	47 to 57	46 or less

50	60 or more	48 to 59	47 or less
51	61 or more	49 to 60	48 or less
52	62 or more	50 to 61	49 or less
53	63 or more	51 to 62	50 or less
54	64 or more	52 to 63	51 or less
55	66 or more	53 to 65	52 or less
56	67 or more	54 to 66	53 or less
57	68 or more	55 to 67	54 or less
58	69 or more	56 to 68	55 or less
59	70 or more	57 to 69	56 or less
60	71 or more	58 to 70	57 or less

Rulemaking Authority 601.10(1), (7), 601.11, 601.24, 601.25 FS. Law Implemented 601.10(7), 601.11, 601.24, 601.25 FS. History—Formerly 105-1.18(4), Revised 1-1-75, Formerly 20-61.08, Amended 10-19-86, 12-10-95.

20-61.009 Destruction of Fruit Failing Maturity.

(1) Upon receipt of citrus fruit at a processing plant, a composite test for ratio shall be made. If the ratio fails the minimum requirements by more than one-half point, two additional such tests shall be made. If the average of the three composite tests fails the minimum requirements by more than one-half point, the lot of fruit shall be condemned and destroyed. After October 15 of each season for all citrus fruits, the application of this provision shall be optional with the Division of Fruit and Vegetables as may be necessary to determine intent to conceal immature fruit.

(2) All fruit failing to meet minimum maturity requirements shall be immediately destroyed under the personal supervision of an inspector, and at the expense of the owner. When impractical to destroy such fruit immediately, it shall be set aside in a place designated by the inspector and shall not be moved except by permission of the inspector, and shall be destroyed during the day it is run. Diversion of such fruit for use other than in the primary channels of human consumption shall constitute destruction within the meaning of this rule.

Rulemaking Authority 601.10(7), 601.11, 601.44 FS. Law Implemented 601.44 FS. History—Formerly 105-1.18(3), (5), Revised 1-1-75, Formerly 20-61.09, Amended 10-15-95.

20-61.010 Regrading of Fruit.

(1) Should the composite test fail to meet all maturity requirements, other than for reasons stated in subsection 20-61.009(1), F.A.C., the lot may be regraded or separated on the premises by the processor or owner. The inspector may then make a series of not more than three maturity tests on the lot after regrading, and such tests shall be final. If the averages of the final tests fail to meet the maturity requirements the lot shall be condemned and removed from all primary channels of human consumption.

(2) Should the processor elect not to regrade any lot of fruit found on initial inspection to contain immature fruit, he may place an official seal on the lot and return the lot to the owner and under a clearance signed by the inspector, the owner may remove the fruit to another location designated by the inspector for regrading. Any such regrading shall be done in the presence of an inspector, after which it may be reoffered for processing use, subject to all applicable inspection procedures. The official seal placed on the lot by inspector shall not be broken except in the presence of regrading inspector. If such seal has been broken prior to presenting lot to regrading inspector, entire lot shall be considered to have failed maturity requirements and shall be destroyed under the provisions of Rule 20-61.0092, F.A.C.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.44, 601.47 FS. History—Formerly 105-1.18(3), Revised 1-1-75, Formerly 20-61.10, Amended 7-12-92.

20-61.011 Information to Be Furnished Inspector.

(1) The processor shall furnish inspectors with the number of boxes in each lot showing immaturity upon composite test and the location of each lot within the plant. The running of no lot or lots which show immaturity shall be discontinued until the entire lot or lots have been disposed of.

(2) Upon request, the above information on all fruit shall be given the inspector each day in the form of a memorandum indicating the lot or lots to be run during the day. The processor shall notify the inspector or inspectors at the beginning and completion of the running of each lot of fruit. Should there be two or more lots run simultaneously, it shall be the duty of the processor to furnish the inspector with full information as to the source of the several lots of fruit and the number of boxes in each lot.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.36, 601.38 FS. History—Formerly 105-1.18(6), Revised 1-1-75, Formerly 20-61.11.

20-61.012 Mixing of Citrus Fruit.

The intentional mixing of varieties of citrus fruits, or the mixing of mature fruit with immature fruit for the purpose of securing a lot which will meet minimum maturity requirements is prohibited, and will subject the entire lot to destruction and the handler to prosecution.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.44, 601.47 FS. History—Formerly 105-1.18(7), Revised 1-1-75, Formerly 20-61.12.

20-61.013 Certificates of Maturity Inspection.

(1) Certificates of inspection shall be issued by duly authorized agents or inspectors of the Department of Agriculture, Division of Fruit and Vegetables. In case of emergency or necessity, a competent individual may be designated in accordance with Section 601.39, F.S., to inspect and certify to the maturity and grade of certain fruits.

(2) A certificate of maturity inspection for all citrus fruit, domestic and imported, shall be issued only in a properly registered processing facility; however, certificates may be issued by a Special Citrus Fruit Inspector at a time and place designated by such inspector.

(3) Each processing plant shall furnish the inspector, within three days of delivery, a written statement showing the number of boxes of fruit received.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.27, 601.38, 601.39, 601.41, 601.47 FS. History—Formerly 105-1.18(8), Revised 1-1-75, Formerly 20-61.13, Amended 10-15-95.

20-61.014 Form of Maturity Certificate.

The form of the maturity inspection certificate shall be as prescribed by the Department of Agriculture.

Rulemaking Authority 601.10(1), 601.9901 FS. Law Implemented 601.9901 FS. History—Formerly 105-1.18(8), Revised 1-1-75, Formerly 20-61.14.

CHAPTER 20-62

PROCESSING UNWHOLESOME FRUIT

20-62.001	Fruit Processed without Delay
20-62.002	Inspection for Wholesomeness
20-62.003	Required Grading and Facilities
20-62.004	Regrading Fruit
20-62.005	Allowable Tolerances
20-62.006	Destruction of Fruit
20-62.007	Definitions
20-62.008	Prosecution of Violations

20-62.001 Fruit Processed without Delay.

Fruit received at processing plants or outlying storage bins shall be inspected upon arrival and processed directly and without unreasonable delay.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.53 FS. History—Formerly 105-1.25(2), Revised 1-1-75, Formerly 20-62.01.

20-62.002 Inspection for Wholesomeness.

The inspection for wholesomeness of fruit for processing shall be made only by an authorized state inspector as set forth in subsection 20-61.013(1), F.A.C. Representative samples may be drawn from each lot of fruit offered for processing. Wholesome fruit for processing shall consist of fruit free from rot, decay, sponginess, unsoundness, leakage, staleness, or other conditions showing physical defects of the fruit.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.53, 601.54(1) FS. History—Formerly 105-1.25(1), Revised 1-1-75, Formerly 20-62.02.

20-62.003 Required Grading and Facilities.

(1) All processing plants shall properly grade each lot of fruit to meet the requirements of wholesomeness, before attempting to process the fruit. The primary grading shall be achieved using roller-type grading belts, which shall be of sufficient size and length to allow removal of unwholesome fruit and manned by competent graders at all times when fruit is received for storage or processing.

(2) When transferring fruit from storage bins to the extractor, a secondary grading shall be required if the fruit has remained in storage bins for more than 24 hours. The processor must provide records disclosing the time and date of all fruit being placed in and removed from bins, and additional records shall document that the secondary grading belts were manned with competent graders and the hours of operation for examination by inspectors if fruit is held in bins for more than 24 hours. This shall not apply to fruit conveyed by belt from adjacent packinghouses, if the fruit was properly graded prior to reaching the conveyor.

Rulemaking Authority 601.10(7), 601.24 FS. Law Implemented 601.11, 601.24, 601.53 FS. History—Formerly 105-1.25(1),(2), Revised 1-1-75, Formerly 20-62.03, Amended 1-24-19.

20-62.004 Regrading Fruit.

(1) A lot found by the inspector to contain unwholesome fruit may be regraded by the owner or his agent, for reinspection of that portion to be processed, provided:

(2) Lots of fruit containing three percent or less decay, or fifteen percent or less otherwise unwholesome fruit may, after proper grading be stored in the bins, or without grading be removed from the premises at the option of the processor or the owner.

(3) Lots of fruit containing more than three percent decay, or more than fifteen percent otherwise unwholesome fruit shall, when properly regraded, be stored in the bins. Should the processor elect not to accept

the fruit, or after attempting to grade the fruit finds it impractical and discontinues unloading, it shall be the responsibility of the owner to separate the unwholesome and wholesome fruit prior to removing the fruit from the processor's premises except upon a clearance signed by the inspector authorizing removal to a more suitable place for grading. After the lot has been regraded, it may be re-offered for processing provided it is unloaded in the presence of a state inspector. Failure of the owner to properly regrade the lot of fruit may subject it to seizure and destruction.

Rulemaking Authority 601.10(7), 601.11, 601.54 FS. Law Implemented 601.53, 601.10(7), 601.11, 601.54 FS. History—Formerly 105-1.25(1), Revised 1-1-75, Formerly 20-62.04.

20-62.005 Allowable Tolerances.

(1) To allow for variations incident to proper grading and handling, a tolerance of ten percent by count, including two percent decay, shall be permitted for unwholesome fruit in lots or loads to be placed in storage bins.

(2) The inspector shall immediately notify the processor of any bin found to contain unwholesome fruit in excess of the tolerance permitted, and such fruit shall then be run, or sealed to be run, in the presence of the inspector, at a time designated by the processor.

Rulemaking Authority 601.10(7), 601.11, 601.54 FS. Law Implemented 601.10(7), 601.53, 601.54 FS. History—Formerly 105-1.25(3), (4), Revised 1-1-75, Formerly 20-62.05.

20-62.006 Destruction of Fruit.

Any fruit in or at a processing plant found to be unwholesome or decomposed so as to be unfit for processing purposes shall be destroyed at the expense of the owner, under the personal supervision of the inspector.

Rulemaking Authority 601.10(1), (7), 601.44 FS. Law Implemented 601.44, 601.53, 601.54 FS. History—Formerly 105-1.25(4), Revised 1-1-75, Formerly 20-62.06.

20-62.007 Definitions.

For purposes of this rule:

(1) Rot and decay means internal decomposition, but does not include external decomposition not extending into the fruit segments.

(2) Sponginess means the fruit is decidedly puffy, flabby, wilted, or showing internal breakdown.

(3) Unsoundness and staleness means any condition which very seriously affects the edible quality of the fruit. Old drops shall be considered stale.

(4) Leakage means that the fruit has punctures or cuts extending into the fruit segments.

(5) Fruit shall be deemed unwholesome for processing purposes when it contains seed sprouts which seriously affect the flavor.

Rulemaking Authority 601.10(7), 601.54 FS. Law Implemented 601.54 FS. History—Formerly 105-1.25(5), Revised 1-1-75, Formerly 20-62.07.

20-62.008 Prosecution of Violations.

Every processor shall provide the inspector access to records necessary to identify the seller of any fruit for processing purposes found to be unwholesome.

Rulemaking Authority 601.10(1), (7), 601.701(1) FS. Law Implemented 601.53, 601.69(9), 601.701 FS. History—Formerly 105-1.25(7), Revised 1-1-75, Formerly 20-62.08.

**CHAPTER 20-63
REPORTING PROCESSING YIELDS**

20-63.001	Calculating and Reporting Plant Recovery
20-63.002	Plant Recovery Limitations (Repealed)
20-63.003	Plant Yield Record to Be Preserved
20-63.004	Review of Plant Yield

20-63.001 Calculating and Reporting Plant Recovery.

By Wednesday of each week, each processor shall:

(1) Calculate the total number of pounds of orange solids actually recovered from the oranges processed by him during the preceding week, and

(2) Calculate the total number of pounds of grapefruit solids actually recovered from the grapefruit processed by him during the preceding week, and

(3) Certify to the Division of Fruit and Vegetable Inspection:

(a) The total number of pounds of orange solids determined by the Division of Fruit and Vegetable Inspection under Rule 20-61.0071, F.A.C., to be contained in the loads of oranges processed during the preceding week. To calculate total number of pounds of orange solids for single strength product, gallons of juice shall be converted by using the percent by weight of juice soluble solids as indicated on USDA Grade Certificates.

(b) The total number of pounds of grapefruit solids determined by the Division of Fruit and Vegetable Inspection under Rule 20-61.0071, F.A.C., to be contained in the loads of grapefruit processed during the preceding week. To calculate total number of pounds of grapefruit solids for single strength product, gallons of juice shall be converted by using the percent by weight of juice soluble solids as indicated on USDA Grade Certificates.

(c) The total number of pounds of orange solids actually recovered from the oranges processed by him during the preceding week. In reporting the pounds of solids actually recovered, the number contained in water extracted soluble orange solids shall be reported separately from the number contained in other orange juice products, and the number contained in products graded "substandard" for flavor shall be reported separately from the number contained in products which meet the applicable flavor score.

(d) The total number of pounds of grapefruit solids actually recovered from the grapefruit processed by him during the preceding week. In reporting the pounds of solids actually recovered, the number contained in water extracted soluble grapefruit solids shall be reported separately from the number contained in other grapefruit juice products, and the number contained in products graded "substandard" for flavor shall be reported separately from the number contained in products which meet the applicable flavor score.

(4) Certify to the Division of Fruit and Vegetable Inspection fresh fruit utilization, including number of boxes received, boxes used and breakdown of products manufactured, both oranges and grapefruit.

(5) The above information shall be provided by the processor on a form to be provided by the Division of Fruit and Vegetable Inspection. All individual plant information so required shall be held in strict confidence by those state employees to whom such information is entrusted or revealed.

(6) This section shall apply to all citrus fruit as defined in Section 601.03(7), Florida Statutes.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History—Formerly 105-1.18(9)(d), Revised 1-1-75, Amended 3-21-79, 1-1-82, 5-1-82, 9-1-82, 11-6-83, Formerly 20-63.01.

20-63.002 Plant Recovery Limitation

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(5) FS. History - - Formerly 105-1.18(9)(d)(5), Revised 1-1-75, Amended 1-1-82, Formerly 20-63.02, Repealed 10-11-92.

20-63.003 Plant Yield Record to Be Preserved.

Each such processor shall maintain records necessary to make the calculations required by this section and shall retain such records and calculations for a period of six months following the end of the citrus shipping season to which they pertain.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.69(9), 601.70 FS. History—Formerly 105-1.18(9)(e), Revised 1-1-75, Formerly 20-63.03.

20-63.004 Review of Plant Yield.

(1) The Division of Fruit and Vegetable Inspection may examine the plant yield records at its discretion and compare the results of its examination with the plant's certifications of yield for the corresponding period, and, with such other data as may be necessary, verify the accuracy of the certification. Selection of plants for such discretionary records examination shall be based on the following criteria:

- (a) Recovery rates exceed or fall below typical recovery rates.
- (b) Plant reporting has been incomplete or not in a timely manner.

(2) Each plant which employs an independent auditor shall provide to the Division of Fruit and Vegetable Inspection a copy of any annual audit reports relating to plant yield. All individual plant information supplied or disclosed to the Department of Agriculture or to the Department of Citrus hereunder shall be held in strict confidence by those state employees to whom such information is entrusted or revealed.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.69(9), 601.70 FS. History—Formerly 105-1.18(9)(e), Revised 1-1-75, Amended 11-6-83, 4-23-84, Formerly 20-63.04, Amended 7-21-92.

CHAPTER 20-64 STANDARDS FOR PROCESSED CITRUS PRODUCTS

20-64.001	Grades Established
20-64.002	Canned Orange Juice (Repealed)
20-64.003	Grapefruit Juice – Canned and Chilled (Repealed)
20-64.004	Canned Blend of Orange and grapefruit Juice (Repealed)
20-64.005	Other Mixtures of Orange and Grapefruit Juice (Repealed)
20-64.006	Canned Tangerine Juice
20-64.007	Frozen Concentrate Orange Juice (Repealed)
20-64.008	Concentrated Orange Juice for Manufacturing (Repealed)
20-64.009	Frozen Concentrated Grapefruit Juice (Repealed)
20-64.010	Frozen Concentrated Grapefruit Juice for Manufacturing (Repealed)
20-64.011	Frozen Concentrated Blended Grapefruit Juice and Orange Juice (Repealed)
20-64.012	Other Concentrated Citrus Fruit Juices (Repealed)
20-64.013	Canned Grapefruit Sections (Repealed)
20-64.014	Canned Grapefruit and Orange for Salad (Repealed)
20-64.015	Chilled Orange Juice (Repealed)
20-64.016	Concentrated for Soft Serve Orange Juice (Repealed)
20-64.017	Gelled Sunshine Citrus Salad (Repealed)
20-64.018	Other Chilled Processed Citrus Products (Repealed)
20-64.019	Products Having No Established State or USDA Grade Standards (Repealed)
20-64.020	Sanitary Requirements
20-64.021	Water Extracted Soluble Fruit Solids
20-64.022	Concentrated Citrus Juice for Manufacturing Orange Juice (Repealed)
20-64.023	Concentrate for Orange Beverage Base (Repealed)
20-64.024	Grapefruit Juice for Beverage Base Product; Grapefruit Beverage Base for Export Only (Repealed)
20-64.025	Florida Quality Systems Certification Program for Finished Product Inspection

20-64.001 Grades Established.

Florida State Grades for processed citrus products shall be identical with applicable United States Standards for Grades of Orange Juice, Eff. 1-10-83 <http://www.flrules.org/Gateway/reference.asp?No=Ref-01003>; United States Standards for Grades of Grapefruit Juice, Eff. 9-12-83 <http://www.flrules.org/Gateway/reference.asp?No=Ref-01004>; United States Standards for Grades of Canned Tangerine Juice, Eff. 7-1-69 <http://www.flrules.org/Gateway/reference.asp?No=Ref-01005>; United States Standards for Grades of Frozen Concentrated Blended Grapefruit Juice and Orange Juice, Eff. 9-21-68 <http://www.flrules.org/Gateway/reference.asp?No=Ref-01006>, incorporated herein by reference.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History—New 10-19-63, Formerly 105-1.19(1), Amended 1-1-75, Formerly 20-64.01, Amended 6-19-12, 10-3-21.

20-64.002 Canned Orange Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9905, 601.9914(1), (2) FS. History— Formerly 105-1.19(1)(a), Revised 1-1-75, Amended 12-12-82, 11-6-83, Formerly 20-64.01, Amended 10-28-97, Repealed 6-19-12.

20-64.003 Grapefruit Juice – Canned and Chilled.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9906, 601.9914(1), (2), 601.16 FS. History— Formerly 105-1.19(1)(b), Revised 1-1-75, Amended 9-15-75, 10-19-76, 3-16-80, 7-27-82, 11-6-83, Formerly 20-64.03, Amended 12-19-90, 10-28-97, Repealed 6-19-12.

20-64.004 Canned Blend of Orange and Grapefruit Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9907, 601.9914(1), (2), FS. History— Formerly 105-1.19(1)(c)(1), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.04, Amended 10-28-97, Repealed 6-19-12.

20-64.005 Other Mixtures of Orange and Grapefruit Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9914(1), (2), (3), (4) FS. History— Formerly 105-1.19(1)(c), (2), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.04, Repealed 6-19-12

20-64.006 Canned Tangerine Juice.

Florida State Grades shall be identical with United States Standards for Grades of Canned Tangerine Juice, Sections 52.2071 through 52.2082, F.S., effective July 1, 1969, provided that product shall meet the minimum requirements of Section 601.9908, F.S.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9908, 601.9914(1), (2) FS. History—Formerly 105-1.19(1)(d), Revised 1-1-75, Formerly 20-64.06, Amended 10-28-97.

20-64.007 Frozen Concentrated Orange Juice.

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24, 601.48, 601.9904, 601.9909 FS. History— Formerly 105-1.19(1)(e), Revised 1-1-75, Amended 9-15-75, 7-15-80, 3-1-82, 9-8-82, Formerly 20-64.07, Amended 6-11-91, 6-8-97, 10-28-97, Repealed 6-19-12.

20-64.008 Concentrated Orange Juice for Manufacturing.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9904, 601.9909 FS. History— Formerly 105-1.19(1)(f), Revised 1-1-75, Amended 1-1-82, Formerly 20-64.08, Amended 6-11-91, 6-8-97, 10-28-97, Repealed 6-19-12.

20-64.009 Frozen Concentrated Grapefruit Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9904 FS. History— Formerly 105-1.19(1)(g), (6), Revised 1-1-75, Amended 9-15-75, 10-19-75, Formerly 20-64.09, Amended 6-11-91, 6-8-97, 10-28-97, Repealed 6-19-12.

20-64.010 Frozen Concentrated Grapefruit Juice for Manufacturing.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9904 FS. History— Formerly 105-1.19(1)(g), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.10, Amended 6-11-91, 6-8-97, 10-28-97, Repealed 6-19-12.

20-64.011 Frozen Concentrated Blended Grapefruit Juice and Orange Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9904 FS. History— Formerly 105-1.19(1)(h), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.11, Amended 10-28-97, Repealed 6-19-12.

20-64.012 Other Concentrated Citrus Fruit Juices.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9904 FS. History— Formerly 105-1.19(1)(i), Revised 1-1-75, Formerly 20-64.12, Amended 6-11-91, 6-8-97, 10-28-97, Repealed 6-19-12.

20-64.013 Canned Grapefruit Sections.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.9904 FS. History— Formerly 105-1.19(1)(j), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.13, Amended 10-28-97, Repealed 6-19-12.

20-64.014 Canned Grapefruit and Orange for Salad.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History— Formerly 105-1.19(1)(k), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.14, Amended 10-28-97, Repealed 6-19-12.

20-64.015 Chilled Orange Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History— Formerly 105-1.19(1)(l), Revised 1-1-75, Formerly 20-64.15, Amended 10-28-97, Repealed 6-19-12.

20-64.016 Concentrated for Soft Serve Orange Juice.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History— Formerly 105-1.19(1)(m), Revised 1-1-75, Formerly 20-64.16, Repealed 6-19-12.

20-64.017 Gelled Sunshine Citrus Salad.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History— Formerly 105-1.19(1)(n), Revised 1-1-75, Amended 2-24-82, Formerly 20-64.17, Repealed 6-19-12.

20-64.018 Other Chilled Processed Citrus Products.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48, 601.471 FS. History— Formerly 105-1.19(1)(o), Revised 1-1-75, Amended 9-15-75, Formerly 20-64.18, Repealed 6-19-12.

20-64.019 Products having No Established State or USDA Grade Standards.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History— Formerly 105-1.19(1)(o), Revised 1-1-75, Formerly 20-64.19, Repealed 6-19-12.

20-64.020 Sanitary Requirements.

(1) The sanitary requirements as prescribed in sections 2.2.1 through 2.2.58, July 1996 and sections 3.2.7a through 3.2.7o, June 1996 of the Citrus Handbook of the Processed Products Branch, Fruit and Vegetable Division, United States Department of Agriculture, shall be the governing regulations for sanitary conditions in Florida citrus processing plants.

(2) Processed citrus products found upon inspection to contain foreign materials which render the product unfit for human consumption, shall be seized, condemned and destroyed. The shipper or processor shall be notified in writing, at least ten days prior to destruction, that such products have been seized and condemned, to allow sufficient time to request and perfect an appeal, appropriate under provisions of United States Department of Agriculture regulations. If no appeal is entered, or on appeal the inspector's findings are sustained, such product shall be immediately destroyed.

(3) Destruction of processed citrus products for reasons of unfitness for human consumption shall be made by the processor, at his expense, and under the supervision of an authorized inspector.

(4) The requirements of this rule do not excuse failure of compliance with provisions of the Federal Food, Drug and Cosmetic Act.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.44, 601.53, 601.54 FS. History— Formerly 105-1.19(5), Revised 1-1-75, Formerly 20-64.20, Amended 2-20-96, 6-8-97, 5-14-00, 4-26-01.

20-64.021 Water Extracted Soluble Fruit Solids.

(1) Water extracted soluble fruit solids are the food products for further manufacturing use, recovered in the presence of water from the unfermented excess fruit pulp removed during the production of citrus juice products, commonly known as washed pulp solids.

(2) Except as provided in subsection (3), storage of water extracted soluble fruit solids shall be restricted as follows:

(a) Water extracted soluble fruit solids may be stored in readily identifiable bulk containers of not less than 45-gallon capacity. To be readily identifiable each container shall be painted yellow or shall have a minimum 5 inch wide painted yellow band around the outside of the barrel, and barrels so painted shall not be used at any time as containers for any other regulated citrus juice products, or

(b) Water extracted soluble fruit solids may be stored in totally segregated tanks. To be totally segregated, each tank shall be unconnected in any way to any tank in which concentrated or single-strength citrus juices are stored.

(3) Upon notification to the United States Department of Agriculture, Processed Products Branch, in-plant inspector, water extracted soluble fruit solids may be accumulated for immediate shipment in a separate inspected temporary holding container not connected to any other container or tank used for storage of concentrated citrus juices, which container shall have a volume in excess of 1,000 gallons but less than 7,500 gallons. For purposes of this section, immediate shipment shall mean shipment within 48 hours of manufacture. Once placed in such approved temporary holding container water extracted soluble fruit solids may not be removed therefrom except upon notification to the United States Department of Agriculture, Processed Products Branch, in-plant inspector for direct loading into the shipping vehicle or for placement directly into bulk storage containers meeting the requirements of subsection 20-64.021(2), F.A.C.

(4) Approved plants operating under the Florida Quality Systems Certification Program (20-64.025) are excepted from the notice provisions of subsection (3) above, but are required to follow documented program guidelines for handling of Water Extracted Soluble Fruit Solids.

(5) Water extracted soluble fruit solids shall not be placed, for shipment or storage purposes, in any container which contains other citrus juice products, nor shall any citrus juice product be placed in any container which contains water extracted soluble fruit solids; except that water extracted soluble fruit solids to which a tracer has been added in accordance with paragraph (5)(a) may be used in producing beverage bases. Beverage bases manufactured for offshore shipment outside the United States and foreign countries listed in subsection 20-64.021(7), F.A.C., may contain water extracted soluble fruit solids without tracer if handled and accounted for as in subsection 20-64.021(9) paragraphs (a), (c), (d) and (e), F.A.C.

(6)(a) All water extracted soluble fruit solids shall have added thereto as a tracer, the direct food additive sodium benzoate, as provided by Title 21, section 184.1733, Code of Federal Regulations, as amended February 14, 1984, incorporated herein by reference, so such product contains an amount not less than 50 ppm or more than 100 ppm, when calculated at a reconstituted Brix of 11.8 degrees from water extracted soluble solids of oranges, tangerines, citrus hybrids and sour orange fruit, and at a reconstituted Brix of 10.0 degrees for water extracted soluble grapefruit solids. When the water extracted soluble fruit solids are stored in barrels, the sodium benzoate shall be added at the time of initial manufacture and prior to being placed in the barrels. When the water extracted soluble fruit solids are stored in tanks, the sodium benzoate shall be added immediately after withdrawal from the tanks in which it was stored.

(b) Each lot or container of water extracted soluble fruit solids shall, immediately upon manufacture, be labeled "water extracted soluble ____ solids with sodium benzoate added as tracer," if sodium benzoate has been added, or "water extracted soluble ____ solids," if sodium benzoate has not been added, the blank being filled with the common name or species of citrus fruit, as appropriate. Such labeling shall be upon the container in an appropriate manner reasonably designed to insure proper identification of the product at all times.

(7) [Reserved]

(8) Subsection 20-64.021(5), F.A.C., shall not apply to product packed and certified, at the time of manufacture, for export shipment by the licensed citrus fruit dealer who manufactured the product, to countries outside the United States, other than the countries and territories of: Antigua and Barbuda, Barbados, Belize, Canada, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Montserrat, Netherlands Antilles, Panama, Saint Christopher-Nevis, Saint Lucia, Saint Vincent, and Grenadines, Trinidad and Tobago, British Virgin Islands, Bahamas. Product so certified shall be appropriately identified for offshore export only, and may not subsequently be shipped or used domestically. To qualify for this exemption all products must be handled and accounted for in accordance with subsection 20-64.021(9), F.A.C., of this chapter.

(9) Each lot or container of water extracted soluble fruit solids shall be subject to sampling and analysis by the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, United States Department of Agriculture.

(10) Water extracted soluble fruit solids, packed and certified for export shipment pursuant to the provisions of subsection 20-64.021(7), F.A.C., hereof, shall be handled and accounted for as follows:

(a) Prior to the manufacturing of each lot or container of tracer exempt water extracted soluble fruit solids, a United States Department of Agriculture in-plant inspector must be so advised. Once manufactured, such product shall be physically identified by individual container numbers, which numbers shall be recorded on a certificate, executed by the manufacturer and issued in triplicate, with copies to the manufacturer, United States Department of Agriculture and Consumer Services and Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables. Such certificate shall be on a form provided by the Florida Department of Agriculture and Consumer Services (Form DACS-07159, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04182>, incorporated by reference herein).

(b) All exempt product must be placed in readily identifiable bulk containers bearing three, 5-inch wide yellow bands around the outside of the container. If the entire vertical surface of a container has been painted yellow, such a yellow container may be used provided the words “for export only” are prominently shown in contrasting color in letters that are at least three inches high. The product shall be kept at all times separated from other inventories of non-exempt product. For the purpose of this rule, bulk containers shall not include mobile tankers.

(c) The Florida Department of Agriculture, Division of Fruit and Vegetables shall audit the inventory of exempt product of each licensed citrus fruit dealer on a regular basis to determine compliance with this section.

(d) The licensed citrus fruit dealer who manufactures water extracted soluble fruit solids shall provide documentation of offshore shipment of all such product manufactured and not physically in inventory at the time of the audit. Acceptable documentation of offshore export shipment must be via photocopy of on-board bill of lading issued by the master or agent of the vessel reflecting identification numbers of containers received on board. Except as provided in paragraph (e), product without tracer may not be sold, consigned, or title thereto otherwise transferred prior to delivery by the licensed citrus fruit dealer to the possession of the carrier vessel and product has been loaded on board. When such product is finally exported, the licensed citrus fruit dealer shall be responsible for providing documentation by bill of lading reflecting, via container number, export of water extracted soluble fruit solids, or volume and description of exported product manufactured from such water extracted soluble fruit solids.

(e) The licensed citrus fruit dealer who manufactures water extracted soluble fruit solids without tracer may transfer title of water extracted soluble fruit solids product to a broker, when:

1. Such broker is a licensed citrus fruit dealer, and
2. The broker actually exports the product, and
3. The broker is listed as the shipper or consignor on the bill of lading, and
4. The bill of lading shows the name of the manufacturer.

When such a transfer is made, the broker shall be required to provide the manufacturer with copies of the bill of lading and proof of export, in a timely manner.

(11) It shall be the burden of the manufacturer of water extracted soluble fruit solids without tracer to show with proper documentation, either the offshore export of the product, that tracer has been properly added thereto, or that the tank in which it is stored is totally segregated.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History—New 3-21-79, Amended 6-24-81, 11-1-81, 1-1-82, 11-24-82, 8-28-84, 4-14-85, Formerly 20-64.21, Amended 9-2-86, 2-3-87, 11-1-88, 11-20-88, 3-19-98, 2-28-06, 6-26-14.

20-64.022 Concentrated Citrus Juice for Manufacturing Orange Juice.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History—New 1-1-82, Formerly 20-64.22, Repealed 9-30-82.

20-64.023 Concentrate for Orange Beverage Base.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History– New 1-1-82, Amended 8-28-84, Formerly 20-64.23, Repealed 6-19-12.

20-64.024 Grapefruit Juice for Beverage Base Product; Grapefruit Beverage Base for Export Only.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.16(3)(h), 601.9906(1) FS. History– New 10-13-85, Formerly 20-64.24, Amended 12-18-94, 6-30-97, 3-19-98, Repealed 6-19-12.

20-64.025 Florida Quality Systems Certification Program for Finished Product Inspection.

(1) The Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables may approve registered citrus processing plants that apply and agree to comply with and qualify to operate under the terms of the Florida Quality Systems Certification Program (FQSC Program). The terms of such program are prescribed in “Florida Quality Systems Certification Program – Program Description and Guidelines” published by the Florida Department of Agriculture and Consumer Services, dated 1-17-06, incorporated herein by reference. Plant personnel designated in accordance with such FQSC Program may, at his or her particular certified plant location, perform all inspection and grading activities outlined in the FQSC Program. For purposes of the FQSC Program and any rules or procedures implementing the FQSC Program, such plant personnel are deemed to be duly authorized inspectors of the Florida Department of Agriculture and Consumer Services.

(2) For participants in the FQSC Program under this rule, the sampling procedures set forth in FQSC Program contracts and auditing manuals shall be deemed the equivalent of any expressed or implied sampling methods found in Chapter 20-64, F.A.C.

(3) The FQSC Program authorized by this rule shall be applicable to finished product inspection only, and is expressly not applicable to: a) inspection of fruit for maturity; and b) inspection of imported product.

Rulemaking Authority 601.10(1), (7), 601.11, 601.28 FS. Law Implemented 601.10(7), 601.24, 601.27, 601.49, 601.51 FS. History–New 3-26-06.

CHAPTER 20-65 COLOR GRADING – PROCESSED ORANGE PRODUCTS

20-65.001	Standard Light Source
20-65.002	Equipment
20-65.003	Preparing Sample
20-65.004	Procedure
20-65.005	Calculation

20-65.001 Standard Light Source.

Where color grading of processed orange products is based on standard USDA color tubes, the grading shall be done under a standard light source of 7400° Kelvin, equivalent to that provided by the Macbeth Examolite color box, Model EBA-220.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History—Formerly 105-1.19(1)(q), Revised 1-1-75, Formerly 20-65.01, Amended 1-30-86.

20-65.002 Equipment.

(1) Any of the following colorimeter or spectrophotometer devices shall be used for measuring color scores for frozen concentrated orange juice (FCOJ), canned concentrated orange juice (CCOJ), concentrated orange juice for manufacturing (COJFM), pasteurized orange juice (POJ), canned single strength orange juice (CSSOJ), and orange juice from concentrate (OJFC):

- (a) HunterLab Model D45 Citrus Colorimeter,
- (b) HunterLab Model D45D2 Citrus Colorimeter,
- (c) Macbeth Color-Eye Spectrophotometer Model LS-1500,
- (d) Macbeth Color-Eye Spectrophotometer Model 2020+ with Optiview Software Package,
- (e) Macbeth Color-Eye Spectrophotometer Model 3000 with Optiview Software Package,
- (f) Macbeth Color-Eye spectrophotometer Model 3100 with Optiview Software Package,
- (g) Macbeth Color-Eye Spectrophotometer Model i5 with Color iQC Basic Software Package.
- (h) Xrite Color-Eye Spectrophotometer Model i5 with Color IQC Professional SLITaper.
- (i) Xrite Spectrophotometer Model Ci7600 with Color IQC Professional SLITaper.

(j) Devices validated and approved by order of the Florida Department of Agriculture and Consumer Services.

(k) Devices validated and approved by order of the Florida Department of Agriculture and Consumer Services.

(2) Each of the colorimeter or spectrophotometer devices shall be an equivalent method to the standard color tubes designated USDA OJ 2 through 6 for measuring color scores for canned orange juice (COJ).

(3) The colorimeter or spectrophotometer used shall be set, installed and maintained in a manner acceptable to and approved by the Processed Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, which shall also be responsible for maintaining proper settings.

(4) A vacuum pump or aspirator for deaeration of the juice shall be provided for use with the colorimeter or spectrophotometer.

Rulemaking Authority 601.10(7) FS. Law Implemented 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (l), Revised 1-1-75, Formerly 20-65.02, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97, 8-22-06, 6-19-12, 1-24-19, 11-26-20.

20-65.003 Preparing Sample.

Sampling for color determination of all products shall be at the appropriate Brix of the particular product being sampled, when reconstituted to single strength.

(1) In the case of product concentrated at 44.8 degrees Brix, such product shall be reconstituted and sampled

at 12.8 degrees. Product concentrated at 43.2 degrees Brix shall be reconstituted and sampled at 12.3 degrees Brix. Product concentrated at 41.8 degrees Brix shall be reconstituted and sampled at 11.8 degrees Brix. If any frozen concentrated orange juice for manufacturing sampled for color determination prior to March 1, 1982, is required to be resampled subsequent thereto, the sample shall be prepared in accordance with this section, however the product shall be reconstituted at 12.3 degrees Brix.

(2) Concentrated orange juice for manufacturing shall be reconstituted and sampled at 11.8 degrees Brix.

(3) Brix shall be corrected for anhydrous citric acid and temperature of the refractometer.

(4) Reconstituted samples shall be deaerated for not less than 3 minutes and the temperature adjusted to 80 degrees F., plus or minus 2 degrees F.

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(a), Revised 1-1-75, Amended 3-20-82, Formerly 20-65.03, Amended 1-30-86.

20-65.004 Procedure.

(1) The colorimeter or spectrophotometer is to be kept with power connected and maintained on standby or in accordance with manufacturer's instructions. Turn the instrument to "on" position for ten minutes before making measurements, or follow directions of manufacturer. All light sources shall conform to CIE (1931) illuminant C. All OJ4 color tube calibration values are to be obtained from the Winter Haven, FL laboratory of the Processed Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture.

(2) For the HunterLab Model D45 Citrus Colorimeter, standardize Citrus Red (CR) and Citrus Yellow (CY) with OJ4 color tube indexed for the instrument. Insert sample of juice at indexed position for the sample tube and read CR and CY and record.

(3) For the HunterLab Model D45D2 Citrus Colorimeter, standardize Y, CR and CY with OJ4 color tube indexed for the instrument. Insert sample of juice at indexed position for the sample tube and read CR, CY and Color Number (CN) and record.

(4) For the Macbeth Color-Eye Spectrophotometer Model 1500 or Model 2020+ with Optiview Software Package, equipped with the 19 mm aperture tube adapter and operated with small area view (SAV) setting with UV and gloss included (CRIIS), standardize X, Y, and Z with white tile with SAV plate in place. Replace SAV plate with tube adapter and insert sample of juice at indexed position for the sample tube and read color number values as shown on instrument, then record.

(5) For the Macbeth Color-Eye Spectrophotometer Model 3000 or 3100 with Optiview Software Package, equipped with the 19 mm aperture tube adapter and operated with small area view (SAV) setting with UV and gloss excluded (DREOS), standardize X, Y, and Z with white tile with SAV plate in place. Replace SAV plate with tube adapter and insert sample of juice at indexed position for the sample tube and read color number values as shown on instrument, then record.

(6) For the GretagMacbeth Color i5 Spectrophotometer with Color IQ Basic Software and 19mm Orange Juice Test Tube Holder. UV and Gloss exclusion is processed by software. Calibration is prompted by software. When completed replace Orange Juice Holder. Push F6 and Color Number is reported. For confirmation, lights illuminated on front of Color i5 should be: LAV, Reflection, D65, Excluded and Calibrated. Calibration required every 24 hours.

(7) To determine color number or equivalent color score, use the figures in subsections (2)-(5) to calculate the color number or equivalent color score as set forth in Rule 20-65.005, F.A.C.

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(b), Revised 1-1-75, Formerly 20-65.04, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97, 8-22-06.

20-65.005 Calculation.

(1) Step 1 – The color number is calculated as follows:

(a) For the HunterLab Model D45 Citrus Colorimeter the color number is equal to 22.510 plus 0.165CR plus

0.111CY.

(b) For the HunterLab Model D45D2 Citrus Colorimeter the color number is read directly from the instrument and recorded.

(c) For the Macbeth Color-Eye Spectrophotometer Model LS-1500, the color number is equal to 17 multiplied by the sum of 3.4 times X divided by Y minus Z divided by Y plus 5 divided by Y, and subtract a constant factor 12.6 from the resulting total.

$$CN = 17(3.4X/Y - Z/Y + 5/Y) - 12.6.$$

(d) For the Macbeth Color-Eye Spectrophotometer Model 2020+ with Optiview Software Package, the color number is read directly from the instrument and recorded.

(e) For the Macbeth Color-Eye Spectrophotometer Model 3000 and 3100 with Optiview Software Package, the color number is read directly from the instrument and recorded; or it may be calculated from the measured tristimulus X, Y and Z values by applying the equation $CN = 14.5(3.15X/Y - Z/Y + 5.2/Y) - 2.6$.

(f) For the GretagMacbeth Color-Eye Spectrophotometer Model i5 with Color iQC Basic Software, the color number is read directly from the instrument and recorded; or it may be calculated from the measured tristimulus X, Y and Z values by applying the equation $CN = 14.5(3.15X/Y - Z/Y + 4.1/Y) - 2.6$.

(2) Step 2 – Apply the color number to the following table to determine the color score or equivalent color score for each appropriate product:

Color Number	Color Score for POJ & OJFC	Color Score for FCOJ & CCOJ	Adjustment for COJ & COJFM	Color Score for COJ & COJFM
32.5-33.4	33	33	+2	35
33.5-34.4	34	34	+2	36
34.5-35.4	--	35	+1	36
34.5-34.9	35	--	--	--
35.0-36.4	36	--	--	--
35.5-36.4	--	36	+1	37
36.5-37.4	37	37	+1	38
37.5-38.4	38	38	0	38
38.5-39.4	39	39	0	39
39.5-40.4	40	40	0	40

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(c), Revised 1-1-75, Amended 4-15-76, Formerly 20-65.05, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97, 8-22-06.

CHAPTER 20-66
LABELING – PROCESSED PRODUCTS

20-66.001	Products for Domestic Use (Repealed)
20-66.002	Products for Export (Repealed)
20-66.003	Misbranding Imported Product (Repealed)
20-66.004	Florida Identification (Repealed)
20-66.005	Proof of Geographic Origin (Repealed)

20-66.001 Products for Domestic Use.

Rulemaking Authority 601.02(4), (5), 601.10(1), 601.11 FS. Law Implemented 601.02(4), (5), 601.11, 601.99 FS. History--Formerly 105-1.19(1)(p)(1), Revised 1-1-75, Formerly 20-66.01, Amended 5-17-88, 5-12-91, Repealed 10-15-95.

20-66.002 Products for Export.

Rulemaking Authority 601.02(4), (5), 601.10(1), 601.11 FS. Law Implemented 601.02(4), (5), 601.11, 601.99, 601.981 FS. History--Formerly 105-1.19(1)(p)(2), Revised 1-1-75, Formerly 20-66.02, Repealed 6-19-12.

20-66.003 Misbranding Imported Product.

Rulemaking Authority 601.02(4), (5), 601.10(1), 601.11 FS. Law Implemented 601.02(4), (5), 601.10(1), 601.11, 601.98, 601.99 FS. History--Formerly 105-1.27(3), Revised 1-1-75, Formerly 20-66.03, Repealed 6-19-12.

20-66.004 Florida Identification.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.02, 601.10(1), 601.11, 601.15(2), (7), 601.98, 601.99 FS. History--New 1-1-79, Formerly 20-66.04, Amended 8-20-00, Repealed 6-19-12.

20-66.005 Proof of Geographic Origin.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.02(4), (5), 601.10(1), 601.11, 601.99 FS. History--New 12-20-87, Repealed 6-19-12.

**CHAPTER 20-67
INSTITUTIONAL PACKS OF HIGH DENSITY
FROZEN CONCENTRATED ORANGE JUICE**

- 20-67.001 Minimum Brix and Minimum Soluble Solids **(Repealed)**
- 20-67.002 Containers **(Repealed)**
- 20-67.003 Quality **(Repealed)**

20-67.001 Minimum Brix and Minimum Soluble Solids.

Specific Authority 601.9909(6) FS. Law Implemented 601.9909(6). History--Formerly 105-1.30(1), Revised 1-1-75, 4-15-82, Formerly 20-67.01, Repealed 10-15-95.

20-67.002 Containers.

Specific Authority 601.9909(6) FS. Law Implemented 601.9909(6) FS. History--Formerly 105-1.30(2), Revised 1-1-75, Formerly 20-67.02, Repealed 10-15-95.

20-67.003 Quality.

Specific Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.9909 FS. History--New 1-1-75, Formerly 20-67.03, Repealed 10-15-95.

CHAPTER 20-68
BRIX AND SPECIFIC GRAVITY TABLES

20-68.001	Official Tables Adopted
20-68.002	Inspection of Official Tables

20-68.001 Official Tables Adopted.

There are hereby adopted certain official tables for use in the determination of pounds-solids in concentrated citrus juices by the Florida citrus industry based upon the following sources:

- (1) Table 114, U. S. Bureau of Standards Circular C 440 (1942), and
- (2) Table 1, Bureau of Standards Publication C 457 (1946).

Rulemaking Authority 601.10(1), (7), 601.11, 601.25 FS. Law Implemented 601.02(4), (5), 601.10(7), 601.11, 601.25 FS. History—Formerly 105-1.36(1), Revised 1-1-75, Formerly 20-68.01.

20-68.002 Inspection of Official Tables.

An official copy of the table adopted by Rule 20-68.001, F.A.C., is on file in the office of the Secretary of State and at the headquarters office of the Florida Department of Citrus, Bartow, Florida, and may be inspected by any interested person during business hours.

Rulemaking Authority 601.10(1), (7), 601.11, 601.25 FS. Law Implemented 601.02(4), (5), 601.10(7), 601.11, 601.25 FS. History—Formerly 105-1.36(2), Revised 1-1-75, Formerly 20-68.02, Amended 7-13-10.

CHAPTER 20-69
PROCESSING IMPORTED CITRUS FRUITS AND PRODUCTS

- 20-69.001 Requirements for Fruit Imported for Processing
- 20-69.002 Requirements for Use of Imported Products
- 20-69.003 Identification of Imported Product

20-69.001 Requirements for Fruit Imported for Processing.

All fresh citrus fruit imported into Florida for processing into citrus products shall be subject to all provisions of the Florida Statutes, and rules of the Department of Citrus applicable to the processing of Florida produced citrus fruit. Such fruit shall be inspected for maturity and be subject to payment of all applicable inspection fees and assessments. Citrus products produced from such fruit shall be subject to all provisions of the Florida Statutes and Department of Citrus rules relating to grading and inspection, applicable to products produced from Florida citrus fruit.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(3), (4), (5), 601.10(7), 601.11, 601.15(3), 601.155, 601.47, 601.48, 601.49 FS. History—Formerly 105-1.27(1), Revised 1-1-75, Formerly 20-69.01, Amended 11-28-12.

20-69.002 Requirements for Use of Imported Products.

(1) Processed citrus products, in any form, processed in other areas and imported into Florida, may be reprocessed, blended, mixed or repackaged only if each and every shipment or lot of such product is accompanied by:

(a) A certificate of inspection, issued by an inspector licensed or recognized by the United States Department of Agriculture or the Florida Department of Agriculture pursuant to Sections 601.49 and 601.51, F.S.; and,

(b) A signed statement issued by a duly authorized representative of the licensed citrus fruit dealer (Dealer's Statement for Importing Citrus Products (CIT/DSR/8), incorporated by reference in Rule 20-100.004, F.A.C., who intends to reprocess the imported citrus product.

(2) The certificate of inspection shall affirmatively show:

(a) That the imported product meets the applicable standards as required by U.S. Food and Drug Administration, Title 20, F.A.C., and U.S. Grade Standards with respect to fitness for human consumption and freedom from foreign materials; and,

(b) In the Grade Statement portion of the certificate, that the product "MEETS REQUIREMENTS OF CHAPTER 20-69, F.A.C."

(3) If the imported product is not accompanied by a USDA certificate at the time the dealer receives it, prior to use, it must be sampled and inspected by the USDA, Specialty Crop Inspection (SCI), Winter Haven Field Office, or Florida Department of Agriculture and shall affirmatively show:

(a) That the imported product meets the applicable standards as required by the U.S. Food and Drug Administration, Title 20, F.A.C., and U.S. Grade Standards with respect to fitness for human consumption and freedom from foreign materials; and,

(b) In the Grade Statement portion of the certificate, that the product "MEETS REQUIREMENTS OF CHAPTER 20-69, F.A.C."

(4) The signed Dealer Statement for Importing Citrus Products shall affirmatively show that the imported citrus product meets the following requirements:

(a) That the imported product is free of additives of any kind as defined by the Florida Statutes; and,

(b) That the imported product meets all requirements of Chapter 20-69, F.A.C.

(5) All processed citrus products containing imported product shall be subject to all provisions of the Florida Statutes and Title 20, F.A.C., relating to grading and inspection, which are applicable to Florida citrus products.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History—Formerly 105-1.27(2), Revised 1-1-75, Amended 3-16-80, Formerly 20-69.02, Amended 6-9-91, 1-19-93, 10-15-95, 6-8-97, 2-21-18.

20-69.003 Identification of Imported Product.

(1) All containers of processed citrus containing any citrus products imported into Florida, and which may reasonably be expected to be reprocessed, shall be clearly identified as to the origin of the fruit.

(2) All certificates of inspection and manifests for citrus products required to be identified under subsection 20-69.003(1), F.A.C., shall include a statement identifying the state and/or country of product origin.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.155, 601.10(7), 601.11, 601.98, 601.99 FS. History—Formerly 105-1.27(4), Revised 1-1-75, Formerly 20-69.03, Amended 10-15-95.

CHAPTER 20-70
DESIGNATING GRADE ON CONTAINER, REGISTRATION OF LABELS
FOR GRADE, AND NOTICE OF LABELING -- PROCESSED PRODUCTS

20-70.001	Registration of Labels (Repealed)
20-70.002	Use of Labels to Represent Grade (Repealed)
20-70.003	Processor to Maintain File of Labels Used (Repealed)
20-70.004	Designation of Grade on Container (Repealed)
20-70.005	Coding Containers (Repealed)
20-70.006	Notice Required (Repealed)

20-70.001 Registration of Labels.

Rulemaking Authority 601.11, 601.48 FS. Law Implemented 601.48 FS. History--Formerly 105-1.21(1), (2), Revised 1-1-75, Formerly 20-70.01, Repealed 6-19-12.

20-70.002 Use of Labels to Represent Grade.

Rulemaking Authority 601.11, 601.48 FS. Law Implemented 601.48 FS. History--Formerly 105-1.21(4), (5), Revised 1-1-75, Formerly 20-70.02, Repealed 6-19-12.

20-70.003 Processor to Maintain File of Labels Used.

Rulemaking Authority 601.11, 601.48 FS. Law Implemented 601.48, 601.69(9) FS. History--Formerly 105-1.21(3), Revised 1-1-75, Formerly 20-70.03, Repealed 6-19-12.

20-70.004 Designation of Grade on Container.

Rulemaking Authority 601.11, 601.48 FS. Law Implemented 601.48 FS. History--Formerly 105-1.21(6), Revised 1-1-75, Formerly 20-70.04, Repealed 6-19-12.

20-70.005 Coding Containers.

Rulemaking Authority 601.11, 601.48 FS. Law Implemented 601.48 FS. History--Formerly 105-1.21(7), Revised 1-1-75, Formerly 20-70.05, Repealed 6-19-12.

20-70.006 Notice Required.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.11, 601.48 FS. History--Formerly 105-1.26, Revised 1-1-75, Formerly 20-70.06, Amended 3-26-06, Repealed 6-19-12.

**CHAPTER 20-71
MANIFESTS FOR PROCESSED PRODUCTS**

20-71.001	Manifest Requirements (Repealed)
20-71.002	Required Manifest Statement (Repealed)
20-71.003	Failure to Furnish Manifests (Repealed)
20-71.004	Purpose
20-71.005	Manifest Requirements and Statements for In-State Bulk Transports
20-71.006	Manifest Requirements and Statements for Transports of Processed Citrus Products

20-71.001 Manifest Requirements.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—Formerly 105-1.24(1), Revised 1-1-75, Formerly 20-71.01, Repealed 4-26-01.

20-71.002 Required Manifest Statement.

Rulemaking Authority 601.10(1), (7), 601.11, 601.49 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.42 FS. History – Formerly 105-1.24(2), Recised 1-1-75, Formerly 20-71.02, Repealed 4-26-01.

20-71.003 Failure to Furnish Manifests.

Rulemakig Authority 601.10(1), (7), 601.11, 601.49 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—Formerly 105-1.24(3), Revised 1-1-75, Formerly 20-71.03, Repealed 4-26-01.

20-71.004 Purpose.

The purpose of this rule is to outline information that is to be included on all manifests regarding processed citrus products transports within the state of Florida.

Rulemaking Authority 601.10(1), (7), 601.11, 601.49 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—New 4-26-01.

20-71.005 Manifest Requirements and Statements for In-State Bulk Transports.

Any time a shipper is transporting bulk processed citrus products within the state of Florida, the shipper shall deliver to the inspector a copy of the loading manifest for each shipment. A bulk transport occurs when bulk processed citrus product is transported between registered facilities. These manifests shall indicate:

- (1) Name of shipper;
- (2) Date of shipment;
- (3) A certified statement that the processed citrus products are being transported in bulk as processor grade.
- (4) Each manifest shall include a statement, by the shipper, that all processed citrus products regulated by Chapter 601, F.S., included in such shipment, will be inspected at a receiving facility that is a registered citrus processor and that payment of all assessments and inspection fees has been made or guaranteed as provided in applicable rules of the Department of Citrus.
- (5) Identity of receiving Florida registered citrus processing facility and physical location where processed product inspection will take place.
- (6) Where inspected product is delivered from a registered processor for storage or transfer only (no re-processing) subsequent manifests from the storage facility may indicate previous inspection with no re-inspection required, as specified in Rule 20-72.009, F.A.C.

Rulemaking Authority 601.10(1), (7), 601.11, 601.49, 601.51 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—New 4-26-01, Amended 1-1-03, 11-28-12.

20-71.006 Manifest Requirements and Statements for Transports of Processed Citrus Products.

With the exception of bulk citrus product shipments as specified in Rule 20-72.009, F.A.C., every shipper of processed citrus products shall deliver to the inspector a copy of the loading manifest for each shipment, which shall indicate:

- (1) Name of shipper;
- (2) Date of shipment;
- (3) An itemized list of products for each grade, showing number, size and kind of immediate containers, together with respective code numbers.
- (4) Each manifest shall include a statement, by the shipper, that all processed citrus products regulated by Chapter 601, F.S., included in such shipment have been inspected and certified, that official certificates of inspection are on file and available upon request, and that payment of all assessments and inspection fees has been made or guaranteed as provided in applicable rules of the Department of Citrus.
- (5) Loading manifests shall accompany original inspection certificates. The inspector shall not furnish certificates of inspection until such manifests have been delivered to him.
- (6) Approved processing plants under the Florida Quality Systems Certification Program authorized by Rule 20-64.025, F.A.C., shall maintain manifests for purposes of audit under that program.

Rulemaking Authority 601.10(1), (7), 601.11, 601.49, 601.51 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—New 4-26-01, Amended 1-1-03, 3-26-06, 11-28-12.

CHAPTER 20-72
CERTIFICATE OF GRADE INSPECTION – PROCESSED PRODUCTS

20-72.001	Issuance (Repealed)
20-72.002	Inspection Authority (Repealed)
20-72.003	Procedures for Determining Grades
20-72.004	Accessibility of Product
20-72.005	Where Issued
20-72.006	Hours of Inspection
20-72.007	Records on Additives Available to Inspectors
20-72.008	Form of Certificate of Grade Inspection
20-72.009	Alternate Proof of Inspection
20-72.010	Issuance of Certificates Under FQSC Program

20-72.001 Issuance.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.27, 601.39, 601.46(1) FS. History—Formerly 105-1.22(1), Revised 1-1-75, Formerly 20-72.01, Amended 10-29-95, Repealed 2-18-96.

20-72.002 Inspection Authority.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.27 FS. History—Formerly 105-1.20(1), Revised 1-1-75, Formerly 20-72.02, Amended 10-29-95, Repealed 2-18-96.

20-72.003 Procedures for Determining Grades.

The sampling and testing procedures to determine the grade of processed citrus products, shall follow as closely as possible the procedures used by the Processed Products Branch, Fruit and Vegetable Division, United States Department of Agriculture, incorporated by reference in “Methods to Determine Compliance,” Department of Citrus Rule Chapter 20-14, F.A.C.

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.11, 601.24 FS. History—Formerly 105-1.20(2), Revised 1-1-75, Formerly 20-72.03, Amended 10-29-95.

20-72.004 Accessibility of Product.

The processor shall make all lots available for the drawing of representative samples.

Rulemaking Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.24 FS. History—Formerly 105-1.20(4), Revised 1-1-75, Formerly 20-72.04.

20-72.005 Where Issued.

Certificates of grade inspection shall be issued only in a registered processing plant which holds a currently valid certificate of registration, or at such other places as the Department of Agriculture may designate.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(4), (5), 601.39, 601.41 FS. History—Formerly 105-1.22(2), Revised 1-1-75, Formerly 20-72.05.

20-72.006 Hours of Inspection.

Inspection service for processed citrus products shall be made available by the Department of Agriculture and Consumer Services upon request of the processor, without regard to the limitation of hours applying in the case of fresh citrus fruits. With the exception of approved plants which operate under the Florida Quality Systems Certification Program pursuant to Rule 20-64.025, F.A.C., no citrus fruits or products shall be processed except in the presence of an inspector or with his previous consent.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(4), (5), 601.10(7), 601.27, 601.31 FS. History—Formerly 105-1.22(3), Revised 1-1-75, Formerly 20-72.06, Amended 3-26-06.

20-72.007 Records on Additives Available to Inspectors.

Inspectors shall have free access, upon demand, to any processing plant's inventory records, receiving records and usage records pertaining to additives of any kind, including sugar and other sweeteners, citric acid and other edible fruit acids. Inspectors shall have the right of access to all areas where these ingredients are stored, for the purpose of making physical inventory.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.69(1), 601.70 FS. History—Formerly 105-1.20(5), Revised 1-1-75, Formerly 20-72.07.

20-72.008 Form of Certificate of Grade Inspection.

Certificates of grade inspection for certifying the grade of processed citrus products for which state standards have been established by the Department of Citrus, shall be in the form as prescribed by the Department of Agriculture or its agents.

Rulemaking Authority 601.10(1), 601.9901 FS. Law Implemented 601.9901 FS. History—Formerly 105-1.22(4), Revised 1-1-75, Formerly 20-72.08.

20-72.009 Alternate Proof of Inspection.

Subject to limitations prescribed by the Florida Department of Agriculture and Consumer Services or its authorized agents, the fact of inspection for each shipment of processed citrus products may be shown by appropriate means on the manifest or bill of lading in lieu of the certification of grade inspection required to accompany each shipment. Provided, however, an inspector may issue a certificate of processor grade when processed citrus products are transferred in bulk as specified in Rule 20-71.005, F.A.C. Such bulk product will be inspected and/or re-graded before final shipment from a receiving registered citrus processing facility. Once a bulk citrus product has been inspected, if the product is not further processed and is transported and/or stored by third parties and the chain of custody of the processed citrus product is maintained, subsequent manifests may indicate the prior inspection and/or grade for transportation purposes. Provided, however, that the manifests clearly state that grade is certified as processor grade. This provision shall not affect the requirements of the USDA Inspection and Grading Service or the terms of individual contracts, which may, under specific facts and circumstances, require additional inspections and/or grading of previously graded product to maintain grade certification.

Rulemaking Authority 601.49, 601.51 FS. Law Implemented 601.49, 601.51 FS. History—Formerly 105-1.22(5), Revised 1-1-75, Formerly 20-72.09, Amended 4-26-01, 1-1-03.

20-72.010 Issuance of Certificates Under FQSC Program.

Certificates of inspection and certificates of grade issued at approved FQSC Program plants must be issued pursuant to the terms of the "Florida Quality Systems Certification Program – Program Description and Guidelines" published by the Florida Department of Agriculture and Consumer Services, dated 1-17-06, which is incorporated herein by reference under the terms of Rule 20-64.025, F.A.C., and shall be on forms prescribed by the Florida Department of Citrus.

Rulemaking Authority 601.10(1), (7), 601.11, 601.28, 601.9901 FS. Law Implemented 601.27, 601.9901 FS. History—New 3-26-06.

CHAPTER 20-73
BRAND ADVERTISING REBATES – PROCESSED GRAPEFRUIT JUICE AND
DILUTED GRAPEFRUIT BEVERAGES – ONE DOLLAR FOR TWO DOLLARS PROGRAM

20-73.001	Receipt and Disbursement of Funds (Repealed)
20-73.002	Qualification of Advertising for Pure Processed Grapefruit Juice (Repealed)
20-73.003	Prior Approval (Repealed)
20-73.004	Form for Rebate Claims (Repealed)
20-73.005	Filing and Payment of Claims (Repealed)
20-73.006	Qualification of Special Advertising and Promotional Programs (Repealed)
20-73.007	Qualifications of Advertising for Diluted Grapefruit Beverages and Blends of Grapefruit Juice with Other Juices (Repealed)
20-73.008	Inspection of Product and Termination of Eligibility to Participate in Program (Repealed)
20-73.009	Definitions (Repealed)

20-73.001 Receipt and Disbursement of Funds.

Specific Authority 601.10(1), 601.157(4)(b) FS. Law Implemented 601.157 FS. History--Formerly 105-1.29(1), Revised 1-1-75, Amended 11-8-83, 12-25-84, Formerly 20-73.01, Repealed 7-28-86.

20-73.002 Qualification of Advertising for Pure Processed Grapefruit Juice.

Specific Authority 601.157(4)(b) FS. Law Implemented 601.157(4) FS. History--Formerly 105-1.29(2), Revised 1-1-75, Amended 8-1-77, 3-1-81, 9-1-82, 11-8-83, 2-26-84, 12-25-84, Formerly 20-73.02, Repealed 7-28-86.

20-73.003 Prior Approval.

Specific Authority 601.157(4)(b) FS. Law Implemented 601.157 FS. History--Formerly 105-1.29(2), Revised 1-1-75, Formerly 20-73.03, Repealed 7-28-86.

20-73.004 Form for Rebate Claims.

Specific Authority 601.157(4)(b) FS. Law Implemented 601.157(4) FS. History--Formerly 105-1.29(3), Revised 1-1-75, 1-16-78, 11-8-83, 2-26-84, 12-25-84, Formerly 20-73.04, Repealed 7-28-86.

20-73.005 Filing and Payment of Claims.

Specific Authority 601.157(4)(b) FS. Law Implemented 601.157(4), (5) FS. History--Formerly 105-1.29(4), Revised 1-1-75, 11-8-83, Formerly 20-73.05, Repealed 7-28-86.

20-73.006 Qualification of Special Advertising and Promotional Programs.

Specific Authority 601.10(1), (7), 601.157(4) FS. Law Implemented 601.157(4) FS. History--New 1-16-78, Amended 9-1-82, 11-8-83, 12-25-84, Formerly 20-73.06, Repealed 7-28-86.

20-73.007 Qualifications of Advertising for Diluted Grapefruit Beverages and Blends of Grapefruit Juice with Other Juices.

Specific Authority 601.15, 601.157(4) FS. Law Implemented 601.15 FS. History--New 11-8-83, Formerly 20-73.07, Repealed 7-28-86.

20-73.008 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11 FS. History--New 11-8-83, Amended 4-23-84, Formerly 20-73.08, Repealed 7-28-86.

20-73.009 Definitions.

Specific Authority 601.10(7), 601.157 FS. Law Implemented 601.157 FS. History--New 11-8-83, Formerly 20-73.09, Repealed 7-28-86.

CHAPTER 20-74
BRAND ADVERTISING REBATES – PROCESSED GRAPEFRUIT
JUICE AND DILUTED GRAPEFRUIT BEVERAGES

20-74.001	Product Eligibility (Repealed)
20-74.002	Receipt and Disbursement of Funds; Accrual of Credits (Repealed)
20-74.003	Performance Requirements (Repealed)
20-74.004	Qualification of Advertising for Pure Processed Grapefruit Juice (Repealed)
20-74.005	Qualification of Special Advertising and Promotional Programs (Repealed)
20-74.006	Qualifications of Advertising for Diluted Grapefruit Beverage and Blends of Grapefruit Juice with Other Juices (Repealed)
20-74.007	Form for Rebate Claims (Repealed)
20-74.008	Filing and Payment of Claims (Repealed)
20-74.009	Inspection of Product and Termination of Eligibility to Participate in Program (Repealed)
20-74.010	Definitions (Repealed)

20-74.001 Product Eligibility.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Formerly 20-74.01, Repealed 10-15-91.

20-74.002 Receipt and Disbursement of Funds; Accrual of Credits.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Amended 12-25-84, Formerly 20-74.02, Repealed 10-15-91.

20-74.003 Performance Requirements.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Formerly 20-74.03, Repealed 10-15-91.

20-74.004 Qualification of Advertising for Pure Processed Grapefruit Juice.

Specific Authority 601.15, 601.157(4) FS. Law Implemented 601.15 FS. History--New 11-8-83, Amended 2-26-84, 12-25-84, Formerly 20-74.04, Repealed 10-15-91.

20-74.005 Qualification of Special Advertising and Promotional Programs.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Amended 12-25-84, Formerly 20-74.05, Repealed 10-15-91.

20-74.006 Qualifications of Advertising for Diluted Grapefruit Beverage and Blends of Grapefruit Juice with Other Juices.

Specific Authority 601.15, 601.157(4) FS. Law Implemented 601.15 FS. History--New 11-8-83, Formerly 20-74.06, Repealed 10-15-91.

20-74.007 Form for Rebate Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Amended 2-26-84, 12-25-84, Formerly 20-74.07, Repealed 10-15-91.

20-74.008 Filing and Payment of Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Formerly 20-74.08, Repealed 10-15-91.

20-74.009 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Amended 4-23-84, Formerly 20-74.09, Repealed 10-15-91.

20-74.010 Definitions.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-8-83, Formerly 20-74.10, Repealed 10-15-91.

**CHAPTER 20-75
BRAND ADVERTISING REBATES -- FLORIDA'S SEAL OF APPROVAL
PROGRAM PROCESSED ORANGE JUICE FOR 1989**

20-75.001 – 20-75.010	(REPEALED)
20-75.011	Purpose of Program (Repealed)
20-75.012	Product Eligibility (Repealed)
20-75.013	Receipt of Funds; Accrual of Credits (Repealed)
20-75.014	Performance Requirements (Repealed)
20-75.015	Qualifications of Advertising (Repealed)
20-75.016	Qualification of Special Advertising and Promotional Programs (Repealed)
20-75.017	Form for Rebate Claims (Repealed)
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20-75.011 Purpose of Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.012 Product Eligibility.

Specific Authority 601.15, 601.155 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.013 Receipt of Funds; Accrual of Credits.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.014 Performance Requirements.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.015 Qualifications of Advertising.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.016 Qualification of Special Advertising and Promotional Programs.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.017 Form for Rebate Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.018 Filing and Payment of Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.019 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

20-75.020 Definitions.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-7-88, Repealed 10-10-91.

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20-76.002	Product Eligibility (Repealed)
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20-76.004	Performance Requirements (Repealed)
20-76.005	Qualifications of Advertising (Repealed)
20-76.006	Qualification of Special Advertising and Promotional Programs (Repealed)
20-76.007	Form for Rebate Claims (Repealed)
20-76.008	Filing and Payment of Claims (Repealed)
20-76.009	Inspection of Product and Termination of Eligibility to Participate in Program (Repealed)
20-76.010	Definitions (Repealed)

20-76.001 Purpose of Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.01, Repealed 10-15-91.

20-76.002 Product Eligibility.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.02, Repealed 10-15-91.

20-76.003 Receipt of Funds; Accrual of Credits.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.03, Amended 10-22-86, 9-20-87, 12-24-87, Repealed 10-15-91.

20-76.004 Performance Requirements.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Amended 12-22-85, Formerly 20-76.04, Amended 10-22-86, 9-20-87, Repealed 10-15-91.

20-76.005 Qualifications of Advertising.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.05, Amended 9-20-87, Repealed 10-15-91.

20-76.006 Qualifications of Special Advertising and Promotional Programs.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.06, Repealed 10-15-91.

20-76.007 Form for Rebate Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.07, Amended 10-22-86, 9-20-87, Repealed 10-15-91.

20-76.008 Filing and Payment of Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.08, Repealed 10-15-91.

20-76.009 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.09, Repealed 10-15-91.

20-76.010 Definitions.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-76.10, Amended 9-20-87, Repealed 10-15-91.

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- 20-77.009 Product Eligibility **(Repealed)**
- 20-77.010 Participant Eligibility **(Repealed)**
- 20-77.011 Accrual of Credits; Disbursement of Funds **(Repealed)**
- 20-77.012 Performance Requirements **(Repealed)**
- 20-77.013 Qualification of Advertising or Merchandising **(Repealed)**
- 20-77.014 Proof of Performance; Claim for Payment **(Repealed)**
- 20-77.015 Filing and Payment of Claims **(Repealed)**
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20-77.001 – 20-77.007 –REPEALED

20-77.008 Purpose of Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, Repromulgated 7-18-93, 1-17-95, Repealed 10-15-95.

20-77.009 Product Eligibility.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 7-18-93, 1-17-95, Repealed 10-15-95.

20-77.010 Participant Eligibility.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, Repromulgated 1-17-95, Repealed 10-15-95.

20-77.011 Accrual of Credits; Disbursement of Funds.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 2-17-94, 1-17-95, Repealed 10-15-95.

20-77.012 Performance Requirements.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 7-18-93, 2-17-94, 1-17-95, Repealed 10-15-95.

20-77.013 Qualification of Advertising or Merchandising.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 1-17-95, Repealed 10-15-95.

20-77.014 Proof of Performance; Claim for Payment.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 7-18-93, 1-17-95, Repealed 10-15-95.

20-77.015 Filing and Payment of Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 2-17-94, Repromulgated 1-17-95, Repealed 10-15-95.

20-77.016 Target Quantity, Mid-Term Adjustment; Failure to Reach Target.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, 1-17-95, Repealed 10-15-95.

20-77.017 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 11-30-88, Amended 2-11-90, 5-17-92, Repromulgated 1-17-95, Repealed 10-15-95.

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20-78.002	Product Eligibility (Repealed)
20-78.003	Receipt of Funds; Accrual of Credits (Repealed)
20-78.004	Performance Requirements (Repealed)
20-78.005	Qualifications of Advertising (Repealed)
20-78.006	Qualification of Special Advertising and Promotional Programs (Repealed)
20-78.007	Form for Rebate Claims (Repealed)
20-78.008	Filing and Payment of Claims (Repealed)
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20-78.010	Definitions (Repealed)

20-78.001 Purpose of Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.01, Repealed 10-15-91.

20-78.002 Product Eligibility.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.02, Repealed 10-15-91.

20-78.003 Receipt of Funds; Accrual of Credits.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.03, Amended 10-22-86, 9-20-87, Repealed 10-15-91.

20-78.004 Performance Requirements.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Amended 12-22-85, Formerly 20-78.04, Amended 10-22-86, 9-20-87, Repealed 10-15-91.

20-78.005 Qualifications of Advertising.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.05, Amended 9-20-87, Repealed 10-15-91.

20-78.006 Qualification of Special Advertising and Promotional Programs.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.06, Repealed 10-15-91.

20-78.007 Form for Rebate Claim.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.07, Amended 10-22-86, 9-20-87, Repealed 10-15-91.

20-78.008 Filing and Payment of Claims:

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.08, Repealed 10-15-91.

20-78.009 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.09, Repealed 10-15-91.

20-78.010 Definitions.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 9-8-85, Formerly 20-78.10, Amended 9-20-87, Repealed 10-15-91.

CHAPTER 20-79
BRAND ADVERTISING REBATES
FLORIDA GROWN PROGRAM FOR PROCESSED ORANGE JUICE FOR 1989

20-79.001	Purpose of Program (Repealed)
20-79.002	Product Eligibility (Repealed)
20-79.003	Receipt of Funds; Accrual of Credits (Repealed)
20-79.004	Performance Requirements (Repealed)
20-79.005	Qualifications of Advertising (Repealed)
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20-79.010	Definitions (Repealed)

20-79.001 Purpose of Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.002 Product Eligibility.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.003 Receipt of Funds; Accrual of Credits.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.004 Performance Requirements.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.005 Qualifications of Advertising.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.006 Qualification of Special Advertising and Promotional Programs.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.007 Form for Rebate Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.008 Filing and Payment of Claims.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.009 Inspection of Product and Termination of Eligibility to Participate in Program.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

20-79.010 Definitions.

Specific Authority 601.15 FS. Law Implemented 601.15 FS. History--New 12-6-88, Repealed 10-15-91.

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20-80.001	Purpose of Program (Repealed)
20-80.002	Participant Eligibility (Repealed)
20-80.003	Product Eligibility (Repealed)
20-80.004	Accrual and Payment of Incentives (Repealed)
20-80.005	Proof of Compliance (Repealed)
20-80.006	Inspection of Product and Records and Termination of Eligibility to Participate in Program (Repealed)
20-80.007	Definitions (Repealed)

20-80.001 Purpose of Program.

Specific Authority 601.101, 601.15(2)(b), 601.15(7), (10) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) FS. History--New 11-12-89, Repealed 10-15-95.

20-80.002 Participant Eligibility.

Specific Authority 601.101, 601.15(2)(b), 601.15(7), (10) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) FS. History--New 11-12-89, Repealed 10-15-95.

20-80.003 Product Eligibility.

Specific Authority 601.15(7) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) FS. History--New 11-12-89, Amended 10-31-90, Repealed 10-15-95.

20-80.004 Accrual and Payment of Incentives.

Specific Authority 601.15(7) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) F S. History--New 11-12-89, Amended 10-31-90, Repealed 10-15-95.

20-80.005 Proof of Compliance.

Specific Authority 601.101, 601.15(2)(b), 601.15(7), (10) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) FS. History--New 11-12-89, Repealed 10-15-95.

20-80.006 Inspection of Product and Records and Termination of Eligibility to Participate in Program.

Specific Authority 601.101, 601.15(2)(b), 601.15(7), (10) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) FS. History--New 11-12-89, Repealed 10-15-95.

20-80.007 Definitions.

Specific Authority 601.101, 601.15(2)(b), 601.15(7), (10) FS. Law Implemented 601.101, 601.15(2)(b), 601.15(7), (10) FS. History--New 11-12-89, Repealed 10-15-95.

CHAPTER 20-81
VALUE-ADDED PROMOTIONS PROGRAM

20-81.001	Purpose of Program
20-81.002	Product Eligibility
20-81.003	Participant Eligibility
20-81.004	Performance Requirements
20-81.005	Proof of Performance; Claim for Payment
20-81.006	Failure to Perform under VAP Agreement

20-81.001 Purpose of Program.

The program is designed to provide support for the advertising and merchandising of fresh and processed citrus products in retail stores and food service outlets through the execution of contracts for advertising and merchandising services. For purposes of this program, such contracts shall be referred to as “VAP Agreements.”

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 3-12-92, Amended 10-22-95.

20-81.002 Product Eligibility.

(1) To be eligible under this program, product advertised or merchandised in the United States and Canada (hereinafter referred to as “domestic market”) must be identified as follows:

(a) Fresh citrus fruit promotional activities must be identified with one or more of the following: the word “Florida” or the name of a Florida citrus production area defined in Section 601.091, F.S., or; separate and apart from a brand name a registered certification mark of the Florida Department of Citrus.

(b) Processed citrus fruit products promoted must be licensed to use either the Florida Sunshine Tree certification mark or Florida’s Seal of Approval certification mark, and actually bear one or both of these marks. Juice squeezed from Florida citrus fruit on the premises of a retail or food service outlet must be identified with the word “Florida.”

(2) To be eligible under this program, fresh and processed product advertised or merchandised outside the domestic market must be produced in Florida or made wholly from Florida grown product and the promotional activities must clearly identify the promoted product as from Florida.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 3-12-92, Repromulgated 10-22-95.

20-81.003 Participant Eligibility.

To be eligible for participation and receive support under this program a participant must promote or sell eligible product in a retail or food service outlet.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 3-12-92, Amended 10-22-95.

20-81.004 Performance Requirements.

To qualify for support from Department, participants must negotiate a VAP agreement with Department. Participants must conduct advertising or merchandising activities, or both, to promote eligible product in accordance with VAP agreement. All such agreements shall incorporate these rules into the VAP Agreement by reference, specify what performance is required, what proof of performance will qualify, the term for completion of performance, the support to be received in consideration of performance, who is to receive the support.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 3-12-92, Amended 10-22-95.

20-81.005 Proof of Performance; Claim for Payment.

Any claim from participant for support from Department shall be on Value-Added Promotion Program Agreement/Invoice form CIT/MKTG/VAP1 Rev. 8/1/95, incorporated herein by reference, furnished by the Department. Claims shall be in sufficient detail to allow for proper post audit and pre-audit thereof and shall have the following items attached:

(1) Proof that product promoted is eligible product as provided in Rule 20-81.002, F.A.C.

(2) Proof of advertising or merchandising activities for Florida and/or Florida Quality products described in VAP Agreement such as photos, tear sheets, slicks, scripts, station affidavits or other competent proof that performance was rendered.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 3-12-92, Amended 10-22-95.

20-81.006 Failure to Perform under VAP Agreement.

If participant fails to perform in accordance with VAP Agreement or otherwise fails to properly file claim, Department shall notify participant and give participant a reasonable opportunity to comply with agreement. If participant fails to comply, Department shall not be liable for any support to participant.

Rulemaking Authority 601.15 FS. Law Implemented 601.15 FS. History—New 3-12-92, Amended 10-22-95.

CHAPTER 20-82
GRAPEFRUIT MATURITY STANDARDS – PROCESSED

- 20-82.001 When Grapefruit for Processing into Juice and Juice Products Deemed Mature
20-82.002 Grapefruit for Processing into Grapefruit Sections and Salads Deemed Mature

20-82.001 When Grapefruit for Processing into Juice and Juice Products Deemed Mature.

(1) For the period August 1 through November 30, maturity requirements for:

- (a) Juice content;
- (b) Acid;
- (c) And color break;

Shall be the same as established in Chapter 20-50, F.A.C., for grapefruit for fresh use.

(2) After November 30, there shall be no minimum requirement for:

- (a) Juice content;
- (b) Acid;
- (c) And color break.

(3) For the period August 1 through November 30, the total soluble solids (Brix) of the juice from seedy grapefruit shall be not less than 8 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than eight to one.

(4) For the period August 1 through November 30, the total soluble solids (Brix) of the juice from seedless grapefruit shall be not less than 7.5 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than eight to one.

(5) For the period December 1 through December 31, the total soluble solids (Brix) of the juice from seedy and seedless grapefruit shall be not less than 7 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than eight to one.

(6) For the period January 1 through January 31, the total soluble solids (Brix) of the juice from seedy and seedless grapefruit shall be not less than 6.5 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than eight to one.

(7) For the period of February 1 through April 14, the total soluble solids (Brix) of the juice from seedy and seedless grapefruit shall be not less than 6.5 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than six and one-half to one.

(8) For the period of April 15 through July 31, the total soluble solids (Brix) of the juice from seedy and seedless grapefruit shall be not less than 6.5 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than six to one.

(9) All grapefruit:

- (a) Subject to inspection;
- (b) And legally diverted from the packinghouse for processing into juice and juice products;

Shall be deemed mature as provided in paragraphs 1-8 above, except that, for the period August 1 through January 31, the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than seven to one.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13, Amended 10-28-15.

20-82.002 Grapefruit for Processing into Grapefruit Sections and Salads Deemed Mature.

(1) For the period August 1 through November 30, maturity requirements shall be the same as established in Chapter 20-50, F.A.C.

(2) After November 30, there shall be no minimum requirements for:

- (a) Juice content;
- (b) Acid;
- (c) Or color break.

(3) For the Period December 1 through December 31, the total soluble solids (Brix) of the juice shall be not less than 7 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall meet the requirements of Chapter 20-51, F.A.C.

(4) For the period January 1 through April 14, the total soluble solids (Brix) of the juice shall be not less than 6.5 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than six and one-half to one.

(5) For the period April 15 through July 31, the total soluble solids (Brix) of the juice shall be not less than 6.5 percent, and the minimum ratio of total soluble solids to anhydrous citric acid shall be not less than six to one.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13.

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- 20-90.002 Identification **(Repealed)**
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20-90.001 Florida Juice Only.

Specific Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.154(1) FS. History--Formerly 105-3.02(1), Revised 1-1-75, Formerly 20-90.01, Repealed 10-15-95.

20-90.002 Identification.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.154(1) FS. History--Formerly 105-3.02(1), Revised 1-1-75, Formerly 20-90.02, Repealed 10-15-95.

20-90.003 Limitations on Use of Funds.

Specific Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.154(1) FS. History--Formerly 105-3.02(1), Revised 1-1-75, Formerly 20-90.03, Repealed 10-15-95.

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20-91.008	Assessment Forms Provided by Department

20-91.001 Definition of Handler.

For the purpose of mailing direct notices of public hearings or conducting a referendum as provided in Section 601.152, F.S., a handler is defined as a licensed citrus fruit dealer who holds, or held during the preceding twelve month period, a valid packing house or processing plant registration certificate issued by the Commissioner of Agriculture.

Rulemaking Authority 601.10(1), 601.15(10)(a), 601.152(4) FS. Law Implemented 601.152(1)(c), (4) FS. History—Formerly 105-1.38(1), Revised 1-1-75, Formerly 20-91.01.

20-91.002 Notices of Public Hearings.

In addition to any other notice given, all direct notices mailed to handlers shall be sent certified mail, return receipt requested.

(1) Notice of a public hearing on implementation of a proposed plan for a special campaign under Section 601.152, F.S., for a variety or varieties of citrus fruit in fresh form, shall be mailed only to those handlers defined in Rule 20-91.001, F.A.C., who hold, or held during the preceding twelve month period, a valid packing house registration certificate.

(2) Notice of a public hearing on implementation of a proposed plan for a special campaign under Section 601.152, F.S., or a type or types of processed citrus product shall be mailed only to those handlers defined in Rule 20-91.001, F.A.C., who hold, or held during the preceding twelve month period, a valid processing plant registration certificate.

Rulemaking Authority 601.10(1), 601.15(10) FS. Law Implemented 601.152(1)(a), (c), (4) FS. History—Formerly 105-1.38(2), Revised 1-1-75, Formerly 20-91.02.

20-91.003 Publication of Notices.

When publication of notice of public hearing is required, such notice shall be published in the Orlando Sentinel at Orlando, Florida, and the Lakeland Ledger, Lakeland, Florida.

Rulemaking Authority 601.10(1), 601.15(10) FS. Law Implemented 601.152(1)(a) FS. History—Formerly 106-1.38(3), Revised 1-1-75, Formerly 20-91.03.

20-91.004 Conducting a Referendum.

(1) The Department of Citrus shall determine the period during which a referendum shall be conducted and ballots shall be sent certified mail, return receipt requested, to all handlers, specified herein.

(2) A referendum of handlers covered by an Order entered to implement a proposed plan shall be conducted only among those handlers, as defined in Rules 20-91.001 and 20-91.002, F.A.C., who have, during a representative period determined by the Department of Citrus, handled the variety or varieties of citrus fruit for shipment in fresh form or the type or types of processed citrus products which are specified in the Order, as reflected by the certification records of the Florida and U.S. Department of Agriculture Inspection Services in Winter Haven, Florida.

Rulemaking Authority 601.10(1), 601.152(4) FS. Law Implemented 601.152(2), (4) FS. History—Formerly 105-1.38(4), Revised 1-1-75, Formerly 20-91.04.

20-91.005 Determination of Assent to a Proposed Marketing Order.

(1) The Department of Citrus shall determine whether a proposed order has been assented to in writing by at least 67% of all handlers affected who handled in the primary channel of trade not less than 51% of the volume of the variety or varieties of citrus fruit in fresh form or the type or types of processed citrus product covered by the Order.

(2) This determination shall be based on the total volume handled by each handler affected during the representative period.

(a) For fresh fruit, the volume handled shall be based on commercial shipments as determined by official records of the Division of Fruit and Vegetable Inspection of the Florida Department of Agriculture.

(b) For processed products, the volume handled shall be based on certification by the Director of the Division of Fruit and Vegetable Inspection of the Florida Department of Agriculture, from its official records of the total volume handled by all processors, and by certification by each processor of the volume handled by him, provided that each processor's certification shall be concurred in, in writing, by a duly authorized agent of the Commissioner of Agriculture.

Rulemaking Authority 601.10(1), 601.15(10)(a), 601.152(4) FS. Law Implemented 601.152(3), (4) FS. History—Formerly 105-1.38(5), Revised 1-1-75, Formerly 20-91.05.

20-91.006 Ballots.

Ballots to be used in any special campaign referendum shall be in the form as prescribed by the Department of Citrus.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.152(4) FS. History—Formerly 105-1.38(6), Revised 1-1-75, Formerly 20-91.06.

20-91.007 Assessments.

(1) Each handler, who handles in the primary channel of trade, the variety or varieties of fresh citrus fruit or the type or types of processed citrus products covered by an Order issued pursuant to Section 601.152, F.S., shall pay to the Department of Citrus such assessments as are levied and imposed thereon by such Order. Any assessment so levied shall not exceed eight cents per standard packed box of citrus fruit in fresh form or 13/10¢ per gallon on single strength juices or sections and 13/10¢ per pound of soluble citrus solids on concentrated citrus juices during any shipping season.

(2) All assessments shall be due and payable and shall be paid by handlers as prescribed in the Order, or the amount thereof shall be guaranteed by giving a surety bond or cash deposit as may be prescribed in the Order.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.152(9)(d) FS. History—Formerly 105-1.38(7), Revised 1-1-75, Formerly 20-91.07.

20-91.008 Assessment Forms Provided by Department.

(1) The Department of Citrus shall furnish a form for handlers obligated to pay any assessment levied and imposed by any Order issued pursuant to Section 601.152, F.S. That form shall be such as to adequately furnish the Department of Citrus with information concerning the quantity of the type, variety and form of citrus fruit or citrus products specified in the Order, first handled in the primary channel of trade in Florida by such handler during the period of time specified in the Order, and shall be for the purpose of providing the Department of Citrus with necessary information required for proper collection of the assessments levied and imposed by any such order.

(2) When any Order adopted pursuant to Section 601.152, F.S., provides for a brand advertising rebate promotional campaign, the Department of Citrus shall prescribe an additional form for handlers who are required to pay assessments levied and imposed by any such Order, which form shall provide the individual brand and customer identification necessary for the Department of Citrus staff to administratively determine the proper individual customer and brand accounts for the accumulation of rebate credits and for the payment of rebate claims. Inasmuch as public inspection of this form would provide business competitors of the handlers filing the form with an unfair advantage in the channels of trade, the form and all information supplied thereby shall be

held in strict confidence by those employees of the Department of Citrus to whom it is entrusted, and no such employee or former employee shall make a disclosure of the form or any information furnished by the form to any person except an employee or agent of the Department of Citrus engaged in the assessment, collection and rebates of the assessment imposed or the Auditor General charged with the audit of the affairs of the Department of Citrus.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.152(8)(b), (c) FS. History—Formerly 105-1.38(7), Revised 1-1-75, Formerly 20-91.08, Amended 11-28-12.

CHAPTER 20-92
OWNERSHIP AND USE OF "O.J." CERTIFICATION MARK

- 20-92.001 **Ownership (Repealed)**
- 20-92.002 **General Restrictions on the Use of the "O.J." Symbols (Repealed)**
- 20-92.003 **Use on Containers (Repealed)**
- 20-92.004 **Other Uses of Symbol (Repealed)**

20-92.001 Ownership.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.39(1), Revised 1-1-75, Formerly 20-92.01, Repealed 10-20-91.

20-92.002 General Restrictions on the Use of the "O.J." Symbols.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.39(2), Revised 1-1-75, Formerly 20-92.02, Repealed 10-20-91.

20-92.003 Use on Containers.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.39(1), Revised 1-1-75, Formerly 20-92.03, Repealed 10-20-91.

20-92.004 Other Uses of Symbol.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.39(4), Revised 1-1-75, Formerly 20-92.04, Repealed 10-20-91.

CHAPTER 20-93
OWNERSHIP AND USE OF "FLORIDA CITRUSA" CERTIFICATION MARK

20-93.001	Ownership (Repealed)
20-93.002	Permission Required for Use (Repealed)
20-93.003	General Restrictions on Use of "Florida Citrusa" Mark (Repealed)
20-93.004	Definitions (Repealed)

20-93.001 Ownership.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.45(1)(a), Revised 1-1-75, Formerly 20-93.01, Repealed 10-15-95.

20-93.002 Permission Required for Use.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History-- Formerly 105-1.45(1)(b), Revised 1-1-75, Formerly 20-93.02, Repealed 10-15-95.

20-93.003 General Restrictions on the Use of "Florida Citrusa" Mark.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History-- Formerly 105-1.45(2), (3), Revised 1-1-75, Formerly 20-93.03, Repealed 10-15-95.

20-93.004 Definitions.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History-- Formerly 105-1.45(4), Revised 1-1-75, Formerly 20-93.04, Repealed 10-15-95.

CHAPTER 20-94
OWNERSHIP AND USE OF “FLORIDA SUNSHINE TREE” CERTIFICATION MARK

20-94.001	Ownership (Repealed)
20-94.002	Permission Required for Use (Repealed)
20-94.003	General Restrictions on the Use of “Florida Sunshine Tree” Symbol (Repealed)
20-94.004	Use on Fruit and Containers (Repealed)
20-94.005	Withdrawal of License or Permission (Repealed)
20-94.006	Definitions (Repealed)
20-94.007	Standards for Citrus Fruit and Citrus Products Bearing the Mark (Repealed)

20-94.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—Formerly 105-1.46(1), Revised 1-1-75, Formerly 20-94.01, Repealed 10-04-21.

20-94.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—Formerly 105-1.46(2), Revised 1-1-75, Formerly 20-94.02, Repealed 10-04-21.

20-94.003 General Restrictions on the Use of “Florida Sunshine Tree” Symbol.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—Formerly 105-1.46(3), Revised 1-1-75, Amended 5-23-83, Formerly 20-94.03, Amended 12-2-86, 12-20-87, 11-9-89, 8-23-93, 1-24-99, Repealed 10-04-21.

20-94.004 Use on Fruit and Containers.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—Formerly 105-1.46(4), Revised 1-1-75, Formerly 20-94.04, Amended 11-9-89, Repealed 10-04-21.

20-94.005 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—Formerly 105-1.46(3), (5), Revised 1-1-75, Amended 5-22-83, Formerly 20-94.05, Amended 11-9-89, 12-6-98, 2-20-01, Repealed 10-04-21.

20-94.006 Definitions.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—Formerly 105-1.46(6), Revised 1-1-75, Formerly 20-94.06, Repealed 10-04-21.

20-94.007 Standards for Citrus Fruit and Citrus Products Bearing the Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 8-23-93, Amended 2-16-95, 3-25-97, 1-29-98, Repealed 10-04-21.

CHAPTER 20-95
OWNERSHIP AND USE OF "SUNSHINE TREE" CERTIFICATION MARK

20-95.001	Ownership (Repealed)
20-95.002	Permission Required for Use (Repealed)
20-95.003	General Restrictions on the Use of the "Sunshine Tree" Symbol (Repealed)
20-95.004	Use on Fruit and Containers (Repealed)
20-95.005	Withdrawal of License or Permission (Repealed)
20-95.006	Definitions (Repealed)

20-95.001 Ownership.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.47(1), Revised 1-1-75, Formerly 20-95.01, Repealed 10-15-91.

20-95.002 Permission Required for Use.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.47(2), Revised 1-1-75, Formerly 20-95.02, Repealed 10-15-91.

20-95.003 General Restrictions on the Use of the "Sunshine Tree" Symbol.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.47(3), Revised 1-1-75, Amended 5-23-83, Formerly 20-95.03, Repealed 10-15-91.

20-95.004 Use on Fruit and Containers.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.47(4), Revised 1-1-75, Formerly 20-95.04, Repealed 10-15-91.

20-95.005 Withdrawal of License or Permission.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.47(3) & (5), Revised 1-1-75, Amended 5-23-83, Formerly 20-95.05, Repealed 10-15-91.

20-95.006 Definitions.

Specific Authority 601.10(1), 601.11, 601.15(2)(j), (10)(a) FS. Law Implemented 601.101 FS. History--Formerly 105-1.47(6), Revised 1-1-75, Formerly 20-95.06, Repealed 10-15-91.

CHAPTER 20-96
OWNERSHIP AND USE OF FLORIDA WITH SUNBURST “O” CERTIFICATION MARK

20-96.001	Ownership (Repealed)
20-96.002	Permission Required for Use (Repealed)
20-96.003	General Restrictions on the Use of Florida with Sunburst “O” Mark (Repealed)
20-96.004	Use on Fruit and Containers (Repealed)
20-96.005	Withdrawal of License or Permission (Repealed)
20-96.006	Definitions (Repealed)

20-96.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 1-26-84, Formerly 20-96.01, Repealed 10-03-21.

20-96.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 1-26-84, Formerly 20-96.02, Repealed 10-03-21.

20-96.003 General Restrictions on the Use of Florida with Sunburst “O” Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 1-26-84, Formerly 20-96.03, Repealed 10-03-21.

20-96.004 Use on Fruit and Containers.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 1-26-84, Formerly 20-96.04, Repealed 10-03-21.

20-96.005 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 1-26-84, Formerly 20-96.05, Repealed 10-03-21.

20-96.006 Definitions.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 1-26-84, Formerly 20-96.06, Repealed 10-03-21.

CHAPTER 20-97
OWNERSHIP AND USE OF “FLORIDA’S SEAL OF APPROVAL” CERTIFICATION MARK

20-97.001	Ownership (Repealed)
20-97.002	Permission Required for Use (Repealed)
20-97.003	General Restrictions on the Use of the Mark for Orange Juice Products (Repealed)
20-97.004	General Restrictions on the Use of the Mark for Grapefruit Products (Reserved – Repealed)
20-97.005	General Restrictions on the Use of the Mark of Fresh Fruit (Reserved – Repealed)
20-97.006	Standards for Orange Juice Products Bearing the Mark (Repealed)
20-97.007	Standards for Grapefruit Juice Products Bearing the Mark. (Reserved – Repealed)
20-97.008	Standards for Fresh Fruit Bearing the Mark (Reserved - Repealed)
20-97.009	Use on Containers (Repealed)
20-97.010	Withdrawal of License or Permission (Repealed)

20-97.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History–New 3-24-85, Formerly 20-97.01, Repealed 10-03-21.

20-97.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History–New 3-24-85, Formerly 20-97.02, Repealed 10-03-21.

20-97.003 General Restrictions on the Use of the Mark for Orange Juice Products.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History–New 3-24-85, Amended 9-8-85, Formerly 20-97.03, Amended 9-6-87, 11-1-88, 10-28-90, 9-14-97, Repealed 10-03-21.

20-97.004 General Restrictions on the Use of the Mark of Grapefruit Products.

Resevered – Repealed.

20-97.005 General Restrictions on the Use of the Mark on Fresh Fruit.

Reserved – Repealed.

20-97.006 Standards for Orange Juice Products Bearing the Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History–New 3-24-85, Formerly 20-97.06, Amended 2-16-95, Repealed 10-03-21.

20-97.007 Standards for Grapefruit Juice Products Bearing the Mark.

Resevered – Repealed.

20-97.008 Standards for Fresh Fruit Bearing the Mark.

Resevered – Repealed.

20-97.009 Use on Containers.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History–New 3-24-85, Formerly 20-97.09, Repealed 10-03-21.

20-97.010 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 3-24-85, Formerly 20-97.10, Amended 9-14-97, 3-21-00, 10-15-03, Repealed 10-03-21.

CHAPTER 20-98
OWNERSHIP AND USE OF “FRESH FLORIDA SUNSHINE TREE” CERTIFICATION MARK

20-98.001	Ownership (Repealed)
20-98.002	Permission Required for Use (Repealed)
20-98.003	General Restrictions on the Use of “Fresh Florida Sunshine Tree” Mark (Repealed)
20-98.004	Use on Fruit Containers and Merchandise (Repealed)
20-98.005	Withdrawal of License or Permission (Repealed)
20-98.006	Definitions (Repealed)

20-98.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 2-5-87, Repealed 10-03-21.

20-98.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 2-5-87, Repealed 10-03-21.

20-98.003 General Restrictions on the Use of “Fresh Florida Sunshine Tree” Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 2-5-87, Amended 12-20-87, Repealed 10-03-21.

20-98.004 Use on Fruit Containers and Merchandise.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 2-5-87, Repealed 10-03-21.

20-98.005 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 2-5-87, Amended 12-6-98, Repealed 10-03-21.

20-98.006 Definitions.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 2-5-87, Amended 11-28-12, Repealed 10-03-21.

CHAPTER 20-99
OWNERSHIP AND USE OF "ORANGE SMILING FACE WITH BOW" MARK

20-99.001	Ownership
20-99.002	Permission Required for Use
20-99.003	General Restrictions on the Use of "An Orange Smiling Face with Bow" Mark
20-99.004	Use on Fruit Containers and Merchandise
20-99.005	Withdrawal of License or Permission

20-99.001 Ownership.

The "Orange Smiling Face with Bow" mark, as shown below, also referred to as "Little Squeeze,"



is a trademark of the State of Florida, Department of Citrus. All right, title and interest in and to said mark, granted to and vested in the State of Florida, Department of Citrus, via State and Federal laws, is hereby noticed to all interested persons.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 4-16-96.

20-99.002 Permission Required for Use.

Use of said mark by any licensed Florida citrus fruit dealer operating as a gift fruit shipper, in any manner will not be permitted without a license or other express written permission from the Department of Citrus and unless such use is in conformity with the requirements of this rule. However, such permission shall not be denied to any person, firm or corporation who complies with the requirements of this rule, it being the express purpose of the Department of Citrus to encourage widespread use and, at the same time, to protect the integrity of the mark.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 4-16-96.

20-99.003 General Restrictions on the Use of "An Orange Smiling Face with Bow" Mark.

(1) Use of this mark shall be restricted to use in conjunction with the advertising, promotion, merchandising, and packaging of Florida gift citrus fruit, and which meet the grade and quality standards for citrus fruits set forth by the laws of the State of Florida, rules of the Department of Citrus, and applicable federal laws.

(2) The mark shall not be used in any advertising, promotion, merchandising or packaging in lieu of a brand name or used in conjunction with a brand name in such a manner as to dominate or appear to be a part of a brand name.

(3) The mark, as shown in Rule 20-99.001, F.A.C., must be used in its entirety.

(4) Prior to each new use of the mark a written request must be submitted to the Department of Citrus giving full explanation and examples of proposed usage.

(5) The licensee shall indemnify the Department and save it harmless with respect to any claims arising out of the use of its products bearing the mark by any person, or any claims arising out of misbranding or false or misleading advertising by the licensee.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 4-16-96.

20-99.004 Use on Fruit Containers and Merchandise.

(1) The mark may, at the option of the gift fruit shipper, be use on gift fruit shipping containers or packaging containing citrus fruit grown in the state of Florida, provided the mark does not dominate or appear to be a part

of any brand name.

(2) No licensee shall use the mark on any premiums, gift, novelty items or other non-citrus merchandise without the express permission of the Department of Citrus.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 4-16-96.

20-99.005 Withdrawal of License or Permission.

The Department of Citrus reserves the right to withdraw any given license or permission to use the mark upon the failure of the authorized user to comply with the provisions set forth herein. In determining whether the product complies with the quality standards prescribed, the test methods generally accepted and approved by the Department of Citrus and referenced in Chapter 20-14, Department of Citrus rules, shall be employed. The Department shall have the right to terminate the license with immediate effect in case the licensee has not made any bona fide commercial use of the mark for more than one year.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 4-16-96.

CHAPTER 20-100

AGENCY ORGANIZATION AND OPERATION

20-100.001	Statement of Agency Organization and Operation
20-100.002	Scope of Operations
20-100.003	Management and Indexing of Final Orders
20-100.004	Official Forms Used by Agency

20-100.001 Statement of Agency Organization and Operation.

The Department of Citrus operates under the specific authority of chapter 601, F.S. A Statement of Agency Organization and Operation is available to any person upon request by contacting the Agency Clerk at the Department of Citrus headquarters office 605 East Main Street, Post Office Box 9010, Bartow, Florida 33831-9010, phone (863)537-3999.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.10(1) FS. History--New 1-1-75, Formerly 20-100.01, Amended 2-2-98, 7-13-10.

20-100.002 Scope of Operations.

Rulemaking Authority 120.53(1)(a) FS. Law Implemented 120.53(1)(a) FS. History--New 12-31-74, Formerly 20-100.02, Repealed 2-2-98.

20-100.003 Management and Indexing of Final Orders.

(1) The Department of Citrus shall publish, maintain and store all final orders issued by the Florida Citrus Commission pursuant to sections 120.54(4), 120.56, 120.565, 120.57(1), (2), and (3), F.S. Final orders that comprise final action of the Commission or of the Department of Citrus shall be issued on Final Agency Order forms herein incorporated by reference, and shall be permanently maintained pursuant to the retention schedule approved by the Division of Library and Information Services, Department of State.

(a) All final orders shall be identified by the agency designation prefix (CIT) followed by a two-part number indicating year and the numerical sequence of the order as issued in that calendar year.

(b) The type of order shall be designated by a suffix to the identification number. The order categories are as follows:

DS	–	Declaratory Statement
FOI	–	Final Order Informal Proceeding
FOF	–	Final Order Formal Proceeding
S	–	Stipulation
AS	–	Agreed Settlement
CO	–	Consent Order
LPO	–	License and Permit Order
PO	–	Petition Acceptance Order

(2) The Department of Citrus shall maintain a current cumulative index identifying all final orders of the Florida Citrus Commission, commencing calendar year 1992. This index shall be updated quarterly, and shall be organized by the following methods:

(a) Subject Matter Index: The index shall be alphabetically arranged by subject matter. The headings used in the Index to the Florida Statutes, or the short title of any statute construed within the order shall be used as a main subject heading when applicable. Where no statute is construed, the indexer shall use a common or colloquial descriptor that appears in the text of the order. New main subject headings shall be added as necessary. Cross references incorporating related key words and phrases shall be listed to direct the user to appropriate main subject headings.

(b) Statute/Rule Index: The index shall list all Florida Statute and Florida Administrative Code citations that

are construed within the final order.

(c) Sequential/Chronological Index: The index shall include a list of the dates on which all final orders are rendered and the numbers of the final order(s) shall be listed sequentially in an indentation immediately below the applicable date.

(3) The Department of Citrus shall maintain a list of final orders as required in section 120.53, F.S., which are informally disposed of and do not contain statements of agency policy. These are the only orders of the Department which are not subject to indexing.

(4) The system used to locate final orders required to be indexed is LaserFiche®, the Department's electronic records management software.

(5) The Agency Clerk of the Florida Citrus Commission shall be responsible for publishing, maintaining and indexing of final orders and shall assist the public in obtaining information pertaining to final orders, between 8 a.m. and 5 p.m., Monday – Friday except on holidays, at the headquarters of the Department of Citrus, at 605 East Main Street in Bartow, Florida.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.10(1), 120.53 FS. History—New 6-15-92, Formerly 20-102.007, Amended 2-2-98, 7-13-10, 4-22-15.

20-100.004 Official Forms Used by Agency.

In its licensing, regulatory, assessing, marketing, research, and other operational functions the Florida Department of Citrus requires use of the forms listed below and are incorporated by reference. All of these forms are available for inspection by any interested party during regular business hours at the headquarters office located at 605 East Main Street, Bartow, Florida 33830 or may be received upon request by writing the Florida Department of Citrus, P.O. Box 9010, Bartow, Florida 33831-9010, by telephone (863)537-3999, available at the FloridaCitrus.org website or at <https://www.floridacitrus.org/grower/resources/forms/>.

- (1) Application for License as Citrus Fruit Dealer – CIT/LIC/01, eff. 7-22-15.
- (2) Request For Increase in Bond Exemption – CIT/LIC/03, rev. 7-10-07.
- (3) Special Transportation Permit – CIT/LIC/05, rev. 9-19-06.
- (4) Permit for Gift Package Shipment – CIT/LIC/07, rev. 8-10-05.
- (5) Application for Permit for Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes – CIT/LIC/08, rev. 7-09-07.
- (6) Permit for Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes – CIT/LIC/09, rev. 12-4-06.
- (7) Statement Relating to Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes – CIT/LIC/10, rev. 7-09-07.
- (8) Fresh Fruit Florida Advertising Assessment Return (Packinghouse & Gift Fruit Packers) – CIT/REV/01R, rev. 5-15-12.
- (9) Bond of Citrus Fruit Dealer to Guarantee Payment of Citrus Assessments – CIT/REV/02, rev. 5-16-12.
- (10) Processed Citrus Products Florida Advertising Assessment Return – CIT/REV/03R, rev. 5-15-12.
- (11) Form 4R – Equalization Assessment Return – CIT/REV/04R, rev. 1-22-25,
<http://www.flrules.org/Gateway/reference.asp?No=Ref-17301>.
- (12) Form 4R – Fresh Equalization Assessment Return – CIT/REV/04R, eff. 10-1-21.
- (13) Cash Bond of Citrus Fruit Dealer to Guarantee Payment of Citrus Assessments – CIT/REV/05, rev. 5-16-12.
- (14) Fresh Fruit & Fresh Squeezed Florida Advertising Assessment Return (Gift Fruit Shippers or Roadside Stand Operators) – CIT/REV/06R, rev. 5-15-12.
- (15) Assignment for Certificate of Deposit – CIT/REV/07, rev. 7-11-07.
- (16) Florida Department of Citrus Assessment Surety Calculation – CIT/REV/100, rev. 1-22-25,
<http://www.flrules.org/Gateway/reference.asp?No=Ref-17302>.
- (17) Florida Citrus Solids Strategy Program – CIT/REV/09R, eff. 7-11-07.
- (18) Import Assessment Election (Opt-out form) – CIT/REV/10, rev. 5-15-12.

(19) Request for Periodic Citrus Advertising Assessment Payments (Gift Fruit Shippers and Roadside Stand Operators) CIT/REV/11, rev. 5-15-12.

(20) Orange Field Boxes and Frozen Concentrated Orange Juice – CIT/FB/FCOJ/1, eff. 7-22-15.

(21) Frozen Concentrated Grapefruit Juice and Frozen Concentrated Tangerine Juice – CIT/FB/FCGJ & FCTJ/2, eff. 7-22-15.

(22) Single Strength Juices – CIT/SSJ/3, eff. 7-22-15.

(23) Monthly By-Products Report – CIT/BP/4, eff. 7-22-15.

(24) Post USDA Initial Estimate – CIT/FPP/5, eff. 7-22-15.

(25) Semi-Annual Inventory Verification of Goods-On-Hand of Bulk Citrus Juices – CIT/IV/6., eff. 2-12-17.

(26) Post Estimate Fruit Pricing Verification – Grapefruit CIT/AFPV/9G, eff. 2-12-17.

(27) Post Estimate Semi Seasonal Fruit Pricing Verification – CIT/AFPV/9, eff. 7-22-15.

(28) Processor Statistics Reporting Training Manual – CIT/PSR/7, eff. 7-22-15.

(29) Dealer's Statement for Importing Citrus Products – CIT/DSA/8, eff. 3-7-18.

(30) Statement of Trade Secret – CIT/STS/10, eff. 6-23-22.

Rulemaking Authority 601.10(1), 601.15(5), 601.155(7), 601.56, 601.69(9) FS. Law Implemented 601.10(15), 601.15, 601.155, 601.55, 601.56, 601.69 FS. History—New 1-1-75, Amended 8-31-83, 2-26-84, Formerly 20-102.05, Amended 12-20-95, Formerly 20-102.005, Amended 12-6-98, 5-28-00, 9-20-07, 7-13-10, 11-28-12, 8-31-15, 2-12-17, 8-1-17, 6-24-18, 6-24-18, 2-2-20, 6-30-21, 10-27-21, 6-23-22, 1-22-25.

CHAPTER 20-101
AGENDA AND SCHEDULING OF AGENCY MEETINGS, HEARINGS, WORKSHOPS

20-101.001	Public Meetings (Repealed)
20-101.002	Scheduling of Meetings (Repealed)
20-101.003	Agency Meeting Agendas (Repealed)
20-101.004	Notices (Repealed)
20-101.005	Structured Classes (Repealed)
20-101.006	Non-structured Classes (Repealed)
20-101.007	Other Classes (Repealed)
20-101.008	Individuals (Repealed)
20-101.009	Restricted Use of Mailing Lists (Repealed)

20-101.001 Public Meetings.

Specific Authority 120.53(1)(d) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-31-74, Formerly 20-101.01, Amended 4-20-87, Amended 10-15-95, Repealed 1-27-98.

20-101.002 Scheduling of Meetings.

Specific Authority 120.53(1)(d) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-31-74, Formerly 20-101.02, Amended 10-15-95, Repealed 1-27-98.

20-101.003 Agency Meeting Agendas.

Specific Authority 120.53(1)(d) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-31-74, Formerly 20-101.03, Amended 10-15-95, Repealed 1-27-98.

20-101.004 Notices.

Specific Authority 120.53(1)(d) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-31-74, Formerly 20-101.04, Amended 10-15-95, Repealed 1-27-98.

20-101.005 Structured Classes.

Specific Authority 120.53(1)(d), 120.54(1) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-18-74, Formerly 20-101.05, Amended 10-15-95, Repealed 1-27-98.

20-101.006 Non-structured Classes.

Specific Authority 120.53(1)(d), 120.54(1) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-18-74, Formerly 20-101.06, Amended 10-15-95, Repealed 1-27-98.

20-101.007 Other Classes.

Specific Authority 120.53(1)(d) FS. Law Implemented 120.53(1)(d), 120.54(1) FS. History--New 12-31-74, Formerly 20-101.07, Amended 10-15-95, Repealed 1-27-98.

20-101.008 Individuals.

Specific Authority 120.53(1)(d), 120.54(1), 120.56 FS. Law Implemented 120.53(1)(d), 120.54(1), 120.57, 20.58, 120.59, 120.60, 120.62 FS. History--New 12-31-74, Formerly 20-101.08, Amended 10-15-95, Repealed 1-27-98.

20-101.009 Restricted Use of Mailing Lists.

Specific Authority 120.53(1)(d) FS. Law Implemented 120.53(1)(d) FS. History--New 12-31-74, Formerly 20-101.09, Repealed 10-15-95.

**CHAPTER 20-102
AGENCY RULES OF PRACTICE AND PROCEDURE**

20-102.001	Practice and Procedure for Rulemaking (Repealed)
20-102.002	Requests for Information (Repealed)
20-102.003	Submission of Materials, Petitions, Notices (Repealed)
20-102.004	Examination and Duplication of Public Records (Repealed)
20-102.005	Official Forms Used by Agency (Transferred)
20-102.006	Petition for Agency Declaratory Statement on Applicability (Repealed)
20-102.007	Management and Indexing of Final Orders (Transferred)

20-102.001 Practice and Procedure for Rulemaking.

Specific Authority 120.53(1)(b), (c) FS. Law Implemented 120.53(1)(b), (c), 120.54 FS. History--New 12-31-74, Formerly 20-102.01, Repealed 1-27-98.

20-102.002 Requests for Information.

Specific Authority 120.53(1)(a) FS. Law Implemented 120.53(1)(a) FS. History--New 12-31-74, Formerly 20-102.02, Repealed 1-27-98.

20-102.003 Submission of Materials, Petitions, Notices.

Specific Authority 120.53(1)(a), (b), (c) FS. Law Implemented 120.53(1)(a), (b), (c) FS. History--New 12-31-74, Formerly 20-102.03, Repealed 1-27-98.

20-102.004 Examination and Duplication of Public Records.

Specific Authority 120.53(1)(a), 120.533(1)(f) FS. Law Implemented 119.07(1)(a), (b), 120.53(2)-(4) FS. History--New 12-31-74, Formerly 20-102.04, Amended 6-15-92, Repealed 1-27-98.

20-102.005 Official Forms Used by Agency.

Specific Authority 120.53(1)(b) FS. Law Implemented 120.53(1)(b) FS. History--New 12-31-74, Amended 8-31-83, 2-26-84, Formerly 20-102.05, Amended 12-20-95. Transferred to 100.004 12-6-98.

20-102.006 Petition for Agency Declaratory Statement on Applicability of Statute, Rule or Order.

Specific Authority 120.56(1) FS. Law Implemented 120.56(1) FS. History--New 12-31-74, Formerly 20-102.06, Repealed 1-27-98.

20-102.007 Management and Indexing of Final Orders.

Specific Authority 120.53(1)(a) FS. Law Implemented 120.53 FS. History--New 6-15-92, Transferred to 20-100.003 2-2-98.

**CHAPTER 20-103
PRESENTATION OF TESTIMONY AND EVIDENCE BEFORE AGENCY**

- 20-103.001 Public Participation Encouraged **(Repealed)**
- 20-103.002 Presentation of Testimony **(Repealed)**
- 20-103.003 Presentation of Evidence **(Repealed)**

20-103.001 Public Participation Encouraged.

Specific Authority 120.53(1)(b), (c) FS. Law Implemented 120.53(1)(b), (c) FS. History--New 12-31-74, Formerly 20-103.01, Repealed 1-27-98.

20-103.002 Presentation of Testimony.

Specific Authority 120.53(1)(b), (c) FS. Law Implemented 120.53(1)(b), (c) FS. History--New 12-31-74, Formerly 20-103.02, Repealed 1-27-98.

20-103.003 Presentation of Evidence.

Specific Authority 120.53(1)(b), (c) FS. Law Implemented 120.53(1)(b), (c) FS. History--New 12-31-74, Formerly 20-103.03, Repealed 1-27-98.

CHAPTER 20-104
PROMOTIONAL AND ADVERTISING SERVICES CONTRACTS

20-104.001	Purpose
20-104.002	Definitions
20-104.003	Competition Announcement
20-104.004	Selection Committee
20-104.005	Selection Procedure
20-104.006	Emergency Purchase

20-104.001 Purpose.

The purpose of this rule is the implementation of the statutory authority of the Department to establish procedures for the acquisition of promotional and advertising services.

Specific Authority 601.10(1), (12), 601.15(2) FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.01.

20-104.002 Definitions.

The following definitions shall apply to this rule:

“Contractual service” shall include the rendering of a contractor of its time or effort, and the provision of commodities involving a service relating to promotions and advertising services. Such term includes the rendering of services by an artist as defined in Section 287.012(3), Florida Statutes, advertising agencies, public relations agencies, marketing research suppliers and persons offering opportunities to participate in promotional activities.

Specific Authority 601.10(1), (12), 601.15(2) FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.02, Amended 1-27-98.

20-104.003 Competition Announcement.

(1) Requests for proposals and invitations to bid for contractual services shall be provided by mail, facsimile or electronic mail, using source lists obtained from associations, professional organizations, yellow pages or other available sources. Such announcement shall:

- (a) Solicit bids where the Department is capable of specifically defining the scope of the work required, or
- (b) Solicit proposals when it is impractical or the Department is incapable of specifically defining the scope of the work required, and
- (c) Solicit from the provider information relating to the professional responsibility and capabilities of the provider as relevant. Such information may include gross billing and account mix, capability in art production, copy production and media purchasing, backgrounds of key creative people, marketing and research capabilities, previous government accounts, conflict of interest accounts and credit sufficiency.

(2) No fee shall be imposed upon vendors responding to bids or proposals solicited under this rule.

(3) Contractual services may be awarded without competition if it is determined in writing and certified by the Executive Director or his designee that such services are available from only one source, or if the services or promotion are offered to all interested on a nondiscriminatory basis.

(4) When the price of contractual services is less than CATEGORY 3 as defined in Section 287.017, F.S., the Department is not required to use competitive procedures.

Specific Authority 601.10(1), (12), 601.15(2) FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.03, Amended 7-11-93, 10-15-95, 1-27-98, 10-21-03.

20-104.004 Selection Committee.

A selection committee consisting of the Florida Citrus Commission shall be responsible for procuring contractual services unless such responsibility is otherwise delegated. A standing selection committee consisting of the Executive Director (or designee), the appropriate Deputy Executive Director (or designee) and staff member

familiar with the necessary services shall be established and shall be responsible for procuring contractual services as directed by the Florida Citrus Commission. Their duties shall include:

- (1) Evaluation of promotional opportunities presented to the Department.
- (2) Establishment of selection criteria.
- (3) Screening any initial proposals and selection of finalists where formal presentations or further proposal development are necessary.
- (4) Negotiation of price and other terms.
- (5) Final selection of provider.

Specific Authority 601.10(1), (12), 601.15 FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.04, Amended 1-27-98, 6-23-02.

20-104.005 Selection Procedure.

(1) Where competitive procurement of services is used, at least three bids or proposals shall be considered in final selection of a provider. If three bids or proposals cannot be obtained, then the committee shall certify what efforts were made to encourage and obtain same. In the event no bids or proposals are received in response to a bid or proposal solicitation, the committee may negotiate the best terms and conditions available.

(2) The committee shall evaluate and rank the bids and proposals based on the predetermined selection criteria, with the final award being offered to the best bid or proposal.

Specific Authority 601.10(1), (12), 601.15(2) FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.05.

20-104.006 Emergency Purchase.

When a contractual service is needed in response to exigent circumstances, and procedures for solicitation of bids and proposals and review of same cannot be accomplished within the time available, the committee may, with concurrence of the Executive Director, acquire the service for a period not to exceed six months.

Specific Authority 601.10(1), (12), 601.15(2) FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.06.

**CHAPTER 20-105
PROCEDURES FOR RESOLUTION OF BID PROTESTS**

- 20-105.001 Notice of Decision **(Repealed)**
- 20-105.002 Protests **(Repealed)**
- 20-105.003 Suspension of Process **(Repealed)**
- 20-105.004 Resolution of Protest, Hearings **(Repealed)**

20-105.001 Notice of Decision.

Specific Authority 120.53(5) FS. Law Implemented 120.53(5) FS. History--New 4-20-87, Repealed 7-26-98.

20-105.002 Protests.

Specific Authority 120.53(5) FS. Law Implemented 120.53(5) FS. History--New 4-20-87, Repealed 7-26-98.

20-105.003 Suspension of Process.

Specific Authority 120.53(5) FS. Law Implemented 120.53(5) FS. History--New 4-20-87, Repealed 7-26-98.

20-105.004 Resolution of Protest, Hearings.

Specific Authority 120.53(5) FS. Law Implemented 120.53(5) FS. History--New 4-20-87, Amended 10-10-91, Repealed 7-26-98.

CHAPTER 20-106
PROCEDURES FOR PURCHASING AND MINORITY ENTERPRISE PROCUREMENT

20-106.001 General Procurement Practices

20-106.002 Minority Business Enterprises

20-106.001 General Procurement Practices.

Department of Citrus procedures for purchasing commodities and services other than for advertising and promotional purposes shall be in accord with the procedures set forth in Chapter 287, Florida Statutes and Chapter 60A, Florida Administrative Code.

(1) Mandatory Written Agreements: All purchases of commodities and services shall be made by a written contract or purchase order. Invoices received pursuant to a verbal agreement or telephone purchase shall not be honored by the Department of Citrus.

(2) Execution Prior to Performance: All purchase agreements, whether by contract or purchase order, shall be properly executed prior to commencement of any service or receipt of goods.

(3) Requirements for Competitive Bidding:

(a) All purchases in excess of CATEGORY 2 as defined in Section 287.017, Florida Statutes, shall be based upon competitive written quotations or informal bids.

(b) Exception: Where there is an immediate danger to public health, safety, welfare or an emergency such that formal bidding shall result in a substantial loss to the state, upon written certification of danger or emergency by the agency head, bidding procedures may be waived. Such competition as is practical under the circumstances shall be made.

Specific Authority 601.10(1), (2), 287.017, 287.057 FS. Law Implemented 287.017, 287.057 FS. History—New 7-11-93, Amended 10-15-95, 1-27-98.

20-106.002 Minority Business Enterprises.

To attain the purchasing goals encouraged by the Florida legislature pursuant to Section 287.0945, Florida Statutes, and to assure opportunity for certified minority business enterprise, the Department of Citrus adopts the following procedures:

(1) Discretionary Purchases: Discretionary purchases of commodities and services less than CATEGORY 2 as defined in Section 287.017, Florida Statutes, may be purchased from certified minority business enterprises without being competitively bid. In addition, the Department shall take steps to secure bids from certified minority enterprises when it seeks to contract for commodities or services in excess of CATEGORY 2.

(2) General Policy: Where two or more responsive bids are received, and one or more offered by a certified minority vendor is within ten percent of the lowest bid, the Department may award the contract to a certified minority vendor.

(3) Contract Reservation for Minority Enterprises: Each fiscal year, the Department shall review anticipated contracts and determine which may be reserved for bidding by certified minority business enterprises or by contractors agreeing to use certified minority subcontractors.

(a) Upon a determination that certified and qualified minority business enterprises are available to bid, and upon a finding by the agency head that such reservation is in the best interest of the state, the Department shall reserve the contract for minority bids.

(b) Prior to inviting bids upon a minority-reserved contract, the Department shall estimate the contract cost based on nature of the purchase and prevailing current market conditions.

(c) Where all minority bids exceed the Department estimate, the Department may reject all bids and either request new ones from minorities or open the bid to all qualified bidders.

(4) Reservation for Minority Subcontracting Vendors: Where it is determined that there are insufficient certified minority business enterprises qualified and available to bid, upon a finding by the agency head that it is in the best interest of the state, the Department shall reserve the contract for qualified bidders who agree to use

certified minority business enterprises as subcontractors.

(a) Prior to reserving a contract for qualified bidders using certified minority vendors as subcontractors, the Department shall determine the percentage of funds it shall require be spent with minority vendors. This figure shall become part of the invitation to bid.

(b) All bids on contracts so reserved shall include identification of the certified minority firms which the bidder intends to be used as subcontractors.

Specific Authority 601.10(1), (2), 287.042(4)(f) FS. Law Implemented 287.042(4)(f), 287.0943 FS. History—New 7-11-93, Amended 10-15-95, 1-27-98.

CHAPTER 20-107
INTELLECTUAL PROPERTY PROTOCOL

20-107.001	Purpose
20-107.002	General Provisions
20-107.003	Definitions
20-107.004	Procedures
20-107.005	Royalties
20-107.006	Payments

20-107.001 Purpose.

This rule implements the Department of Citrus' statutory authority to establish procedures associated with intellectual property. The protocol is established to protect the interest of the Florida citrus industry and maximize grower returns by ensuring that patentable items discovered or invented by the staff of the Department will be used for the benefit of the Florida citrus industry. While this protocol is not limited to researchers, establishment of this protocol also enhances the Department's ability to remain competitive with state Universities and other research institutions in the hiring and retention of qualified personnel.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.101 FS. History--New 7-29-03.

20-107.002 General Provisions.

The Department of Citrus desires patent protection for inventions and discoveries conceived or developed by, or in cooperation with, staff while employed by the Department and recognizes the relative rights and equities of all parties concerned with regard to inventor assignments and royalties.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.101 FS. History--New 7-29-03.

20-107.003 Definitions.

(1) "Patent Administrator" shall be defined as a Department of Citrus employee appointed by the Executive Director. In addition to his/her established work responsibilities, the "Patent Administrator" shall have the responsibility to expedite patentable ideas through Departmental processes, up to and including registration of patents with the U.S. Patent Trademark Office.

(2) "Patent Screening Committee" shall be composed of five (5) to seven (7) Department of Citrus employees to be appointed by the Executive Director or his/her designee. The Committee shall advise and assist the Patent Administrator on the suitability and potential of inventions proposed for patenting.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.101 FS. History--New 7-29-03.

20-107.004 Procedures.

(1) All employees shall assign inventions and patent rights to the Florida Department of Citrus as a condition of employment.

(2) All matters relating to intellectual property of potentially patentable inventions with which a Department of Citrus employee is in any way involved shall first proceed through the Patent Screening Committee.

(3) The Patent Administrator shall routinely solicit Department staff for inventions for possible patents and request inventors to submit an invention disclosure statement.

(4) The Patent Administrator shall convene the Patent Screening Committee to determine if a patent should be pursued, and if so, make a recommendation to the Executive Director. At any step in the process, if the Department elects not to pursue the development of the invention, the Department shall retain all rights assigned to the Department by inventors.

(5) If the Department elects to pursue the issuance of a patent, the Executive Director, or his/her designee, will:

(a) Negotiate licenses and other agreements covering the manufacture, use and sale or lease of patented

articles or processes resulting from patents or inventions.

(b) Arrange for and direct the collection of royalties and fees and the distribution thereof to those entitled thereto, consistent with this rule and Commission policies or schedules.

(c) Negotiate with cooperating agencies to obtain agreements concerning patent rights to inventions or discoveries made as a result of research carried on by mutual understanding or under grants or contracts.

(6) In cases where the Department holds an interest in an invention co-developed with an outside agency, individual, or company and for which the Department does not take the lead in pursuing a patent, the Patent Administrator will represent the Department in discussions and negotiations with such parties leading to obtaining a patent.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.101 FS. History--New 7-29-03.

20-107.005 Royalties.

(1) Consistent with other state agencies which have been assigned patent ownership rights, and in consideration of staff assignment of patent rights, the Department of Citrus agrees to pay for the life of the patent to the staff inventor(s), or their heirs, its share of net income derived from inventions according to a schedule approved by the Florida Citrus Commission, "Schedule of Royalty Payments on Intellectual Property" (1997), which schedule may be modified from time to time.

(2) The schedule in effect upon the date of the initial filing for patent protection shall represent the schedule applicable to the inventor's right to royalty payments.

(3) Royalty payments shall be calculated after deducting the costs of patenting and patent protection, including litigation related to the patent.

(4) In the case of multiple inventors, such royalty payments are to be distributed between inventors according to the percent of inventorship as determined by the Patent Administrator.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.101 FS. History--New 7-29-03.

20-107.006 Payments.

(1) Distribution of royalty payments to inventor(s) shall be made annually, in August, from the amount received in the preceding fiscal year after deducting a share of costs incurred for patenting, patent protection and litigation.

(2) If appropriate, distribution of royalties shall be prorated to co-inventor(s) after deducting their proportionate share of costs incurred for patenting, patent protection and litigation.

(3) The Department of Citrus shall withhold distribution of royalties pending resolution of any litigation.

Rulemaking Authority 601.10(1) FS. Law Implemented 601.101 FS. History--New 7-29-03.

CHAPTER 20-108
PROCESSING APPLICATIONS FOR CITRUS FRUIT DEALERS LICENSES

20-108.001	General Provisions
20-108.002	Processing of Applications
20-108.003	New Applicants (Repealed)
20-108.004	Determination of Minimum Bond Required
20-108.0041	Bond Exempt Fruit
20-108.005	Financial Statement Required (Repealed)
20-108.006	Investigation and Determination of Financial Responsibility
20-108.007	Disposition of Application and Revocation of Licenses
20-108.008	Special Presentations
20-108.009	Treatment of Persons Protected Under the Bankruptcy Act
20-108.010	Registration of Dealer's Agents Required
20-108.011	Application for Agent Registration
20-108.012	Examination of Agent Application
20-108.013	Agent Registration Approval

20-108.001 General Provisions.

(1) Any person desiring to engage in business as a citrus fruit dealer in the state shall make application on forms provided by the department (CIT/LIC/01 Rev. 8-31-15, subsection 20-100.004(1) F.A.C.).

(2) All citrus fruit dealer license application forms must be properly completed and timely filed by the applicant by June 15 of each year. Each properly completed application shall be carefully reviewed and appropriate investigation made by the staff as hereinafter provided and any errors or omissions noticed to the applicant in accordance with the provisions of the Administrative Procedures Act, Section 120.60, F.S.

(3) If the staff is unable to complete processing of an application because the applicant has failed to properly or fully complete the application, or has failed to meet all applicable requirements of the law and rules, and staff has timely notified the applicant of such deficiencies, the application shall be placed in the inactive file and reported to the Department of Agriculture and Consumer Services, Bond and License Section, for appropriate action. The applicant shall be notified of such action.

Rulemaking Authority 601.10(1), 601.56 FS. Law Implemented 601.03(8), 601.10(5), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(1), Revised 1-1-75, Formerly 20-108.01, Amended 4-23-95, 7-2-03, 1-28-13, 8-31-15.

20-108.002 Processing of Applications.

“New applications” and “repeat applications”, as defined by Section 601.55, F.S., shall be processed as follows:

(1) If the application is properly completed, and the review and investigation reveals no unusual or questionable circumstances which have not been satisfactorily resolved, the staff shall be authorized to give conditional approval and transmit the application to the Department of Agriculture and Consumer Services for issuance of a license pending final approval by the Commission as outlined in Section 601.57, F.S. A list of all applications so processed shall be furnished to each Commission member and Commission consideration of final approval shall occur at the next applicable Commission meeting in accordance with subsection 20-108.002(4), F.A.C. Applicants shall be made aware that pursuant to Section 601.57, F.S., only the Florida Citrus Commission has the authority to approve or deny a license application. Staff's “conditional approval” is subject to approval by the Commission and shall, in no way, vest applicants with any rights pursuant to Chapter 120, F.S., or otherwise. Staff may rescind such conditional approval at any time prior to the Commission giving final approval in the event additional facts are discovered which evidence any of the following:

- (a) The applicant owes additional assessments or is not current on the payment of its assessments;
- (b) The applicant has failed to report outstanding debt as required by the application;
- (c) The applicant has misrepresented the applicant's work/employment or criminal history;

(d) Other factors which would constitute grounds for disapproval of the application as specified under Section 601.57(4), F.S., and/or Section 601.641, F.S.

In the event staff rescinds such conditional approval, notice of such action shall be provided to the Department of Agriculture and Consumer Services and the applicant shall immediately cease all operations affected.

(2) If the staff review and investigation of a properly completed application reveals unusual or questionable circumstances which cannot be satisfactorily resolved, the application shall not be given conditional staff approval but shall be presented to the Commission at its next regularly scheduled meeting (subsection 20-108.002(4), F.A.C., below) along with a staff report outlining all pertinent information concerning the application. A staff recommendation for approval, disapproval or other action appropriate under the particular circumstances shall be included in the report.

(3) In the event staff recommends denial of an application, or approval of an application subject to placing conditions on the license, such staff recommendation shall constitute an agency determination affecting the substantial interest of the applicant, and the applicant may, within 15 days of receipt of the notice of the staff recommendation, request an administrative hearing pursuant to Section 120.569, F.S., which hearing shall be conducted pursuant to Section 120.57, F.S. In the event the Department adopts the recommended order of the administrative law judge, pursuant to Rule 20-108.007, F.A.C., the Commission shall treat the administrative law judge's recommendation as the Staff's recommendation regarding the application.

(4)(a) At least 30 days prior to an application being considered by the Commission at its regularly scheduled meeting, a list of all applications for Commission consideration at that meeting, along with staff's recommended action on the application, shall be posted on the Department's fdocgrower.com website. Failure to meet this 30-day posting deadline due to an incomplete application shall cause the application, once completed, to be presented for consideration at the next regularly scheduled meeting of the Commission. The posting deadline shall not impact the department's authority to grant conditional approval of completed applications, pursuant to subsection 20-108.002(1), F.A.C.

(b) Any person wishing to file a written challenge to staff's recommendation regarding the issuance of such license, the recommended minimum bond amount or recommended conditions on the license, shall, no later than 20 days prior to the Commission meeting at which the Commission is scheduled to consider the application, provide the Department (with a copy to the applicant) with specific, written reasons why the license should not be granted to the applicant and/or why the recommended minimum bond amount or conditions placed on the license are insufficient. To be considered by staff and/or the Commission, any such written challenge shall be signed by the person submitting the challenge and shall contain sufficient material to substantiate a challenge. If such written challenge results in a changed staff recommendation regarding the application, the staff shall provide the applicant with an opportunity to (i) postpone consideration of the application until the next regularly scheduled Commission meeting; (ii) request an administrative hearing pursuant to Section 120.569, F.S., which hearing shall be conducted pursuant to Section 120.57, F.S.; or (iii) proceed with the Commission's consideration of the license application as scheduled. In acting upon the application, the Commission shall consider, in addition to all other relevant factors, any such timely submitted written challenge.

Rulemaking Authority 601.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(2), Revised 1-1-75, Formerly 20-108.02, Amended 4-23-95, 1-28-13.

20-108.003 New Applications.

Rulemaking Authority 301.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(3), Revised 1-1-75, Formerly 20-108.03, Repealed 4-23-95.

20-108.004 Determination of Minimum Bond Required.

(1) The bond required of a citrus fruit dealer shall be furnished prior to approval of an application by the Department of Citrus. The following schedule shall be used in calculating the amount of surety bond, certificate of deposit, or cash bond to be posted in support of the applicant's citrus fruit dealer's license:

(a) \$1,000 up to 2,000 boxes;

- (b) \$2,000 up to 5,000 boxes;
- (c) \$3,750 up to 7,500 boxes;
- (d) \$5,000 up to 10,000 boxes;
- (e) \$10,000 up to 20,000 boxes;

(f) \$1,000 for each additional 20,000 boxes or fraction thereof in excess of 20,000 boxes, with a maximum bond of \$100,000.

(2) Repeat applications.

The minimum bond to be posted in support of repeat applications shall be not less than the amount required to cover the total volume of fruit handled by the dealer during the previous season for which bond was required. Exceptions to this rule shall only be made by special approval of the Commission, by majority vote, based upon the written request of the applicant which written request must be received by the Department no later than 20 days prior to the Commission meeting at which the application will be considered by the Commission. The applicant's written request shall give a full explanation of why the applicant will handle less bondable fruit during the season for which application is made, than was handled by the applicant during the previous season.

(3) New applications:

The minimum bond required of new applications shall be based on the volume of fruit stated in the application which the applicant expects to handle during the season for which the application is made and for which bond is required.

(4) General minimum bond requirements for both repeat and new applications:

(a) As an additional basis for determining minimum bond required, the staff (in making recommendations) and the Commission (in setting the bond requirements) shall take into consideration such factors as any past history of the applicant (or anyone affiliated with the applicant as contemplated in Sections 601.57(1) and (5), F.S.) which may be available; the type of business to be conducted by the applicant; submissions by the public as outlined in subsection 20-108.002(4), F.A.C.; and any other information appropriate to make a proper determination as to the minimum bond required. In assessing all factors, the staff and the Commission shall, to the extent possible, assure reasonable protection to the growers and dealers with whom the applicant may be expected to do business.

(b) When the facts, including, but not limited to, those adduced by staff pursuant to Rule 20-108.006, F.A.C., indicate there is a valid reason to require a larger bond than indicated by the volume of bondable fruit shown on an application, the staff shall have the authority to recommend and the Commission shall have the authority to require, the applicant to post a higher bond which may exceed the \$100,000 maximum contained within subsection 20-108.004(1), F.A.C., in order to ensure reasonable protection to the growers and dealers with whom the applicant can be expected to conduct business. Such facts shall include, but not be limited to:

1. The applicant's amount of "overdue debt" as defined in Rule 20-108.006, F.A.C., is greater than 50% of the amount of the citrus fruit dealer's bond coverage;
2. The applicant's past history indicates the applicant poses a special risk of non-payment; or
3. Industry input as contemplated in paragraph 20-108.002(4)(b), F.A.C., suggests that the applicant poses a special risk of non-payment.

(c) The increased amount of surety bond, certificate of deposit, or cash bond posted in support of the applicant's citrus fruit dealer's license shall be determined by adding the minimum bond required for an applicant based on the schedule set out in subsection 20-108.004(1), F.A.C., plus an additional amount equal to the amount of overdue debt as defined in subsection 20-108.006(1), F.A.C. Under this rule, the increased bond amount may exceed the \$100,000 maximum contained within subsection 20-108.004(1), F.A.C.

The staff shall prepare a recommendation to the Commission as to an appropriate bond amount prior to the application being approved. Final decisions as to the bond amount required shall be made by the Commission at the time the application is presented to the Commission for final approval.

20-108.0041 Bond Exempt Fruit.

Citrus fruit to be exempt from bond coverage shall be limited to the following:

(1) Fruit handled that is produced by the applicant. To qualify for bond exemption, this fruit must be produced on groves that are either owned or leased in the applicant's business name appearing on the license application.

(2) Fruit handled for its members by an applicant that is a cooperative marketing association organized under the provisions of Chapters 618 or 619, F.S. To qualify for bond exemption, the fruit must be owned by members of the cooperative.

(3) Fresh fruit handled by the applicant which has been purchased from a registered packinghouse other than the applicant and has been inspected and certified for shipment.

(4) Fruit handled by the applicant from citrus groves for which the applicant provides complete grove management services, under direct contract with the owner or producer.

(a) "Complete grove management services" is defined to mean that the caretaker or contracting dealer shall have, in writing, full authority to:

1. Handle or supervise all of the grove maintenance work.
2. Market, in the name appearing on his citrus fruit dealer's license, all fruit produced on the grove or groves covered.
3. Receive payment for all fruit so marketed.
4. Pay all bills or charges incurred in the performance of these services.
5. Submit the balance of all payment received, along with a full accounting of all expenditures, to the producer.

(b) The contract shall be properly executed, cover the period for which the license is to be issued, and shall include the following:

1. Name and mailing address of the producer.
2. Date executed and the period of time for which contract is to be in force.
3. Name, if any, and location of the grove or groves covered.
4. Exact type and nature of services to be rendered by the caretaker or contracting dealer, including a statement authorizing said caretaker or contracting dealer to perform complete "grove management services" for the owner or producer.
5. Estimated number of boxes of each variety of citrus fruit expected to be produced on the grove or groves covered during the season for which contracting dealer has applied for license.
6. A clear statement that the producer understands that no citrus fruit dealer's bond will be posted by the contracting dealer for the volume of fruit covered by the contract and that, as a result, the producer will not have recourse under any citrus fruit dealer's bond that may be posted by the contracting dealer during the contract period regardless of the type or nature of any default that may occur involving the purchase, handling, sale, and accounting of purchases and sales of any citrus fruit covered by the contract.

(c) A copy of all such contracts shall be filed with the Department of Citrus. If the Department finds that the contract or contracts conform with all requirements outlined above, it shall recommend to the Department of Agriculture that the contracting dealer not be required to post bond for that volume of fruit covered by such contracts.

(5) Fruit handled by a corporate or partnership applicant that is from citrus groves owned by officers or stockholders of the corporation, the parent corporation, a wholly owned subsidiary corporation or its corporate officers or stockholders, or any partner of a partnership. To qualify for bond exemption, properly executed waivers of right to any claim against any citrus fruit dealer's bond which may be posted by the applicant for other fruit handled shall be attached to and made a part of the application for license. The waivers shall cover the period of time for which the license is to be issued and shall include the following:

- (a) Name and mailing address of the producer.
- (b) Business relationship of the producer to the applicant.
- (c) Date executed and period of time for which the waiver is to be in force.
- (d) Name, if any, and location of the grove or groves covered.

(e) Estimated number of boxes of citrus fruit expected to be produced on the grove or groves covered by the waiver during the season for which the applicant has applied for a license.

(f) A clear statement that the producer understands that no citrus fruit dealer's bond will be posted by the applicant for the volume of fruit covered by the waiver and that the producer expressly waives any right to make a claim against any citrus fruit dealer's bond which may be required to be posted by applicant for other fruit handled.

(6) Fruit handled by the applicant which has been processed by a registered processing plant, other than the applicant. To qualify for bond exemption, the citrus products must have been prepared for commercial marketing and the appropriate certificate of inspection issued.

Rulemaking Authority 601.10(1), 601.61 FS. Law Implemented 601.61(5) FS. History—New 8-31-15.

20-108.005 Financial Statement Required.

Rulemaking Authority 601.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(5)(b), Revised 1-1-75, Formerly 20-108.05, Amended 11-1-88, 4-23-95.

20-108.006 Investigation and Determination of Financial Responsibility.

It is the express intention of the Department of Citrus that Department staff make a reasonable effort in its review and investigation of each application to determine applicant's financial responsibility to citrus growers and dealers. In order to facilitate this investigation, each new applicant shall submit at least three business references (grower or credit, as provided on the citrus fruit dealer application) and supply the department with the requested information necessary to conduct a Florida Department of Law Enforcement background check. Such determination additionally shall consider the following factors:

(1) For the purpose of this rule, the term "overdue debt" means that a valid invoice from a grower or dealer remains unpaid by the applicant (or anyone affiliated with the applicant as contemplated in Sections 601.57(1) and (5), F.S.) for more than 90 days (and that the creditor has not signed off on the debt).

(2) Where information on an applicant shows outstanding debts to growers or dealers, which are not shown as being overdue, involving the handling, purchase or sale of citrus fruit, the staff shall make a determination as to whether or not the number and total amount of such debts appear to be within the normal range for such debts that might be expected for the type and size of operation taking into account the current market price for fruit, the amount of citrus fruit dealers bond coverage, the time of year and any other factors or information pertinent to the particular situation. If the staff feels it is necessary to do so in order to clarify the status of indebtedness of the applicant, it shall contact each creditor or take such other action it deems necessary to verify the amount and due date of each debt and the degree of satisfaction with which the debt is being handled.

(3) Where information on an application shows overdue debts to growers or dealers involving the handling, purchase or sale of citrus fruit, the staff shall determine whether or not a formal complaint has been filed with the Department of Agriculture and Consumer Services by each creditor. Where a formal complaint has been filed, the amount claimed and the amount of indebtedness shown on the application shall be checked for accuracy. If no formal complaint has been filed, the staff shall notify each creditor, as shown on the application or otherwise known by the staff to exist, and verify the accuracy and due date of the debt and advise the creditor of his right to file formal complaint with the Department of Agriculture and Consumer Services. Where the circumstances appear to warrant it, all creditors covered by this section shall be contacted by the staff in writing by certified mail, return receipt requested, and asked to make recommendation to the Department of Citrus as to whether or not the applicant should be approved for issuance of a new license. If any such creditor objects to such approval, the staff shall not be authorized to give conditional approval of the application.

(4) If the staff review and investigation of a properly completed application reveals unusual or questionable financial circumstances, which cannot otherwise be satisfactorily resolved, staff shall require the applicant to furnish a financial statement which shall be considered "additional information" as contemplated in Section

120.60(1), F.S. and subsection 20-108.001(1), F.A.C., and, therefore, must be submitted to the Department within 15 days of Department's request for the same.

(5) Staff shall not have the authority to give conditional staff approval nor shall the Commission approve a license application without specific conditions being placed on the license if:

(a) The total amount of overdue debt is greater than 75% of the amount of citrus fruit dealers bond coverage; and/or

(b) The application bears the name of any individual who has a past history of a direct connection with a citrus fruit dealer against whom there is still a record of outstanding debts which arose out of his dealings in citrus fruit.

Nothing herein shall prohibit the Commission from denying the license based on the above criteria.

Rulemaking Authority 601.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(5)(c), (d), Revised 1-1-75, Formerly 20-108.06, Amended 4-23-95, 1-28-13.

20-108.007 Disposition of Application and Revocation of Licenses.

Each application presented to the Commission shall be accompanied by a recommendation from the staff as to disposition, or, in the event an applicant has sought administrative review of a staff recommendation as outlined in Section 120.569, F.S., and subsection 20-108.002(3), F.A.C., an administrative law judge's recommended order, and shall be acted upon in the following manner:

(1) Denial: All applications presented to the Commission with a recommendation for denial shall be accompanied by a staff report setting forth a summary of the staff's review and investigation of the application. The staff recommendation shall include, in addition to other information helpful to the Commission, the basis for the recommendation, and, if applicable, a copy of the administrative law judge's recommended order. The Commission, by a majority vote of the members present, shall decide the action to be taken on all applications so presented.

(2) Approval: All applications presented to the Commission with a staff recommendation for approval shall be approved by the Commission by a majority vote of the members present.

(3) Approval Subject to Conditions: Whenever the facts warrant it, an application shall be presented to the Commission with the staff recommendation that the Commission approve the application contingent upon such reasonable conditions as the Commission may order endorsed thereon, based on the staff report setting forth the facts, grounds and basis for such conditions. The Commission in so granting approval of a license subject to conditions shall include in its action appropriate sanctions to insure compliance with the conditions endorsed thereon. Approval of a license subject to conditions shall be by majority vote of the Commission members present.

(4) Such conditions include but are not limited to:

(a) Require that the applicant post a higher bond pursuant to paragraph 20-108.004(4)(b), F.A.C.

(b) Require that the applicant and license be reviewed by the Commission at their regularly scheduled meeting six months after issuance of the license subject to conditions, and if the Commission does not meet six months after the issuance of the license subject to conditions then the applicant and license will be reviewed at the next regularly scheduled Commission meeting following the passage of the initial six month review period.

(c) Require the applicant to operate on a cash basis, and/or

(d) Require that the applicant make payments according to a schedule subject to the Commission's final approval.

(5) Approval of a license subject to conditions shall be by majority vote of the Commission members present. Additionally, a list of all applicants that have been granted a license subject to conditions by the Commission, including the conditions and/or sanctions that accompany the license, shall be posted on the Department's website.

(6) Deferred action: Commission action on any application may, by majority vote, be deferred to a subsequent date for final action, however, in accordance with Section 120.60, F.S., final action must be taken within 90 days after receipt of the original application or receipt of timely requested additional information or correction of errors or omissions.

(7) Final Agency Action: A vote by the Commission to deny, approve, or approve a license subject to conditions, shall be considered final agency action subject to judicial review as prescribed in Section 120.68, F.S.

(8) The Commission shall have the authority to revoke a license where facts and circumstances indicate that the licensee has failed to satisfy a condition of its licensure, pursuant to Section 120.60, F.S., when such facts and circumstances as those contemplated in Sections 601.64 and 601.641, F.S., indicate that revocation is necessary in order to protect the growers and others in the industry with whom the licensee has or will conduct business during the term of the license.

Rulemaking Authority 601.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(6)(a), (b), Revised 1-1-75, Formerly 20-108.07, Amended 4-23-95, 1-28-13.

20-108.008 Special Presentations.

(1) All applications from persons who during the current or immediately prior season were the subject of a disciplinary order of the Commissioner of Agriculture shall be presented separately to the Commission with a brief outline of the order and the circumstances surrounding the order. The Commission, by a majority vote of the members present, shall decide the action to be taken on all applications so presented.

(2) All applications from persons who wish to use a name, either identical to an existing dealer's name, or so similar as to likely cause confusion among those with whom they do business, shall be presented separately to the Commission with a brief report and recommendation from the staff.

Rulemaking Authority 601.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS. History—Formerly 105-2.02(6)(c), Revised 1-1-75, Formerly 20-108.08, Amended 4-23-95, 1-28-13.

20-108.009 Treatment of Persons Protected Under the Bankruptcy Act.

(1) The Commission shall not deny a license application nor place conditions upon the license of any applicant solely because such applicant, or another person with whom the applicant has been associated, is or has been a debtor under the Bankruptcy Reform Act of 1978 (Pub.L. 95-598, 92 Stat. 2549, November 6, 1978). However, nothing herein shall prohibit the Commission from the consideration of other factors, such as future financial responsibility or method and manner of doing business.

(2) Where an applicant's license is conditioned upon doing business on a "cash only" basis, a bond or a certificate of deposit in excess of the schedule in subsection 20-108.004(1), F.A.C., shall not be required unless the Commission has reason to believe that the applicant may violate such condition of his license. In making such determination, the Commission shall consider applicant's reputation as shown by past and current activities, including his method and manner of doing business.

Rulemaking Authority 601.10(1), (7), 601.56 FS. Law Implemented 601.03(8), 601.10(1), (5), (7), 601.57, 601.58, 601.60, 601.61(1) FS. History—New 1-11-89, Repromulgated 4-23-95, Amended 1-28-13.

20-108.010 Registration of Dealer's Agents Required.

(1) Every licensed citrus fruit dealer shall register with the Department of Agriculture each and every agent who weighs citrus fruit for use in computing the amount to be paid, or who is authorized to represent them in transactions involving the consignment, purchase or sale of citrus fruit in fresh form prior to its being delivered to a packing house or processing plant. A person who holds a valid citrus fruit dealer's license need not be registered as an agent in order to do business in the name in which said license is issued.

(2) In applying for registration of an agent, a citrus fruit dealer may advise the Department of Agriculture that the agent's authority to represent the dealer is restricted to the weighing of citrus fruit for use in computing the amount to be paid therefor.

Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History—New 8-31-15.

20-108.011 Application for Agent Registration.

(1) Any citrus fruit dealer desiring to register an agent shall make application on form FDACS-07054 Rev. 07/15, Application for Registration as Citrus Fruit Dealer's Agent, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05738> furnished by the Department of Agriculture for registration of such person as his duly authorized agent. Separate forms shall be provided for registration of agents whose authority to represent the applying dealer is to be restricted to the weighing of citrus fruit for use in computing the amount to be paid therefor.

(2) No citrus fruit dealer shall pay in the form of salary, fee, brokerage, or otherwise, any person for services rendered in the weighing of citrus fruit whenever the weight thereof may be used in computing the amount to be paid therefor, or in negotiating the consignment, purchase or sale of citrus fruit in fresh form prior to its delivery to a packinghouse or processing plant, unless such person is a licensed citrus fruit dealer or is duly registered with the Department of Agriculture as said dealer's agent.

(3) The Department of Agriculture shall require that the application contain sufficient information to insure a positive identification of the person to be registered, including the person's full name, date of birth, and phone number.

(4) The application shall be filed not less than 5 days prior to active participation of an agent on behalf of a dealer who has obtained its license, and in no event shall any person act as an agent prior to registration having been granted.

Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--New 8-31-15.

20-108.012 Examination of Agent Application.

The Department of Agriculture shall, within 15 days of the citrus fruit dealer obtaining its license, examine each application for agent registration and consider the information submitted therewith. The Department of Agriculture shall also consider the past history of any applicant for whom registration is sought, including failure of the applicant to comply with any valid order issued by the Department of Agriculture or Department of Citrus relating to citrus fruit laws or rules, whether individually or in connection with any licensed citrus fruit dealer for whom the applicant has acted as agent.

Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601 FS. History--New 8-31-15.

20-108.013 Agent Registration Approval.

(1) Upon determination by the Department of Agriculture that all requirements for registration of a citrus fruit dealer's agent, as provided in law and Department of Citrus rules, have been met and the required fee paid, it shall duly register said agent and issue an identification card certifying such registration.

(2) If the agent being registered is one whose authority to represent the applying citrus fruit dealer is to be restricted to the weighing of citrus fruit for use in computing the amount to be paid therefor, the identification card shall indicate such restricted authority.

Rulemaking Authority 601.10(1), 601.601(2) FS. Law Implemented 601.601(2), 601.59(2) FS. History--New 8-31-15.

CHAPTER 20-109
OWNERSHIP AND USE OF “FLORIDA CITRUS GROWERS” CERTIFICATION MARK

20-109.001	Ownership (Repealed)
20-109.002	Permission Required for Use (Repealed)
20-109.003	General Restrictions on the Use of “Florida Citrus Growers” Symbol (Repealed)
20-109.004	Use on Fruit and Containers (Repealed)
20-109.005	Standards for Citrus Fruit and Citrus Products Bearing the Mark (Repealed)
20-109.006	Definitions (Repealed)
20-109.007	Withdrawal of License or Permission (Repealed)

20-109.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 2-16-98, Repealed 10-03-21.

20-109.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 2-16-98, Repealed 10-03-21.

20-109.003 General Restrictions on the Use of “Florida Citrus Growers” Symbol.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 2-16-98, Amended 12-24-98, 1-24-99, Repealed 10-03-21.

20-109.004 Use on Fruit and Containers.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 2-16-98, Amended 12-24-98, Repealed 10-03-21.

20-109.005 Standards for Citrus Fruit and Citrus Products Bearing the Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2), 601.9918 FS. History—New 2-16-98, Amended 12-24-98, 2-19-03, 3-23-04, 5-24-05, Repealed 10-03-21.

20-109.006 Definitions.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 2-16-98, Repealed 10-03-21.

20-109.007 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 2-16-98, Repealed 10-03-21.

CHAPTER 20-110
OWNERSHIP AND USE OF "FLORIDA PREMIUM RIPE" CERTIFICATION MARK

- 20-110.001 Ownership **(Repealed)**
- 20-110.002 Permission Required for Use **(Repealed)**
- 20-110.003 General Restrictions and Standards on the Use of "Florida Premium Ripe" Mark **(Repealed)**
- 20-110.004 Use on Fruit, Containers and Merchandise **(Repealed)**
- 20-110.005 Withdrawal of License or Permission **(Repealed)**

20-110.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 10-16-97, Repealed 10-03-21.

20-110.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 10-16-97, Repealed 10-03-21.

20-110.003 General Restrictions and Standards on the Use of "Florida Premium Ripe" Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 10-16-97, Repealed 10-03-21.

20-110.004 Use on Fruit, Containers and Merchandise.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 10-16-97, Repealed 10-03-21.

20-110.005 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New 10-16-97, Repealed 10-03-21.

CHAPTER 20-111
OWNERSHIP AND USE OF “MADE WITH FLORIDA CITRUS” CERTIFICATION MARK

20-111.001	Ownership and Purpose (Repealed)
20-111.002	Permission Required for Use (Repealed)
20-111.003	General Restrictions on the Use of the Mark (Repealed)
20-111.004	Use on Containers (Repealed)
20-111.005	Reserved (Repealed)
20-111.006	Reserved (Repealed)
20-111.007	Standards for Non-beverage Food Products Bearing the Mark (Repealed)
20-111.008	Standards for Citrus Wines Bearing the Mark (Repealed)
20-111.009	Withdrawal of License or Permission (Repealed)
20-111.010	Definitions (Repealed)

20-111.001 Ownership and Purpose.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended 3-19-00, 5-23-01, Repealed 9-30-21.

20-111.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Repealed 9-30-21.

20-111.003 General Restrictions on the Use of the Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended 3-19-00, 5-23-01, Repealed 9-30-21.

20-111.004 Use on Containers.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended 5-23-01, Repealed 9-30-21.

20-111.005 Reserved.

Repealed 9-30-21.

20-111.006 Reserved.

Repealed 9-30-21.

20-111.007 Standards for Non-beverage Food Products Bearing the Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended 3-19-00, 5-23-01, Repealed 9-30-21.

20-111.008 Standards for Citrus Wines Bearing the Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 3-19-00, Amended 5-23-01, Repealed 9-30-21.

20-111.009 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Repealed 9-30-21.

20-111.010 Definitions.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Repealed 9-30-21.

CHAPTER 20-112
OWNERSHIP AND USE OF “FRESH FROM FLORIDA CITRUS GROWERS” CERTIFICATION
MARK

- 20-112.001 Ownership **(Repealed)**
- 20-112.002 Permission Required for Use **(Repealed)**
- 20-112.003 General Restrictions on the Use of “Fresh From Florida Citrus Growers’ ” Symbol **(Repealed)**
- 20-112.004 Use on Fruit and Merchandise **(Repealed)**
- 20-112.005 Definitions **(Repealed)**
- 20-112.006 Withdrawal of License or Permission **(Repealed)**

20-112.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-112.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-112.003 General Restrictions on the Use of “Fresh From Florida Citrus Growers’ ” Symbol.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b), 601.9918 FS. History—New 12-6-98, Repealed 9-30-21.

20-112.004 Use on Fruit and Merchandise.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-112.005 Definitions.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-112.006 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

CHAPTER 20-113
OWNERSHIP AND USE OF THE “FLORIDA CITRUS GROWERS’ PROMOTIONAL ITEM”
TRADEMARK

- 20-113.001 Ownership **(Repealed)**
- 20-113.002 Permission Required for Use **(Repealed)**
- 20-113.003 General Restrictions on the Use of Symbol **(Repealed)**
- 20-113.004 Withdrawal of License or Permission **(Repealed)**

20-113.001 Ownership.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-113.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-113.003 General Restrictions on the Use of Symbol.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

20-113.004 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.101, 601.15(2)(b) FS. History—New 12-6-98, Repealed 9-30-21.

CHAPTER 20-114
OWNERSHIP AND USE OF “FLORIDA XTRA SWEET” CERTIVICATION MARK

- 20-114.001 Ownership **(Repealed)**
- 20-114.002 Permission Required for Use **(Repealed)**
- 20-114.003 General Restrictions and Standards on the Use of “Florida Xtra Sweet” Mark **(Repealed)**
- 20-114.004 Use on Fruit, Containers and Merchandise **(Repealed)**
- 20-114.005 Withdrawal of License or Permission **(Repealed)**

20-114.001 Ownership.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New 10-21-03, Repealed 9-30-21.

20-114.002 Permission Required for Use.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New 10-21-03, Repealed 9-30-21.

20-114.003 General Restrictions and Standards on the Use of “Florida Xtra Sweet” Mark.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New 10-21-03, Repealed 9-30-21.

20-114.004 Use on Fruit, Containers and Merchandise.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New 10-21-03, Repealed 9-30-21.

20-114.005 Withdrawal of License or Permission.

Rulemaking Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New 10-21-03, Repealed 9-30-21.

CHAPTER 20-115
AGENCY TRAVEL RULE

20-115.001 Agency Travel Rule

20-115.001 Agency Travel Rule.

Employees traveling outside the state of Florida on Department business shall be entitled to reimbursement of actual and necessary expenses. Employees shall provide a paid, detailed vendor receipt for any meals exceeding the Class Meal allowance in Section 112.061, F.S. Foreign travel shall be reimbursed in U.S. equivalent currency. The exchange rate, if not specifically identified and documented at the time of travel, shall be the published exchange rate as of the date the voucher is received by accounting.

Rulemaking Authority 601.15(8)(a) FS. Law Implemented 601.15(8)(a) FS. History—New 2-24-04, Amended 10-21-04, 2-19-14.

**CHAPTER 20-116
INTERNATIONAL PROMOTIONS**

- 20-116.001 Purpose
- 20-116.002 Payments

20-116.001 Purpose.

The purpose of this rule is to establish consistency between state and federal rules governing reimbursement of expenditures related to approved international promotional programs and events utilizing USDA Foreign Agricultural Service (FAS) and Florida Department of Citrus (FDOC) matching funds.

Rulemaking Authority 601.15(10)(a) FS. Law Implemented 601.15(8)(b),(c), 601.15(10)(h) FS. History—New 10-21-04.

20-116.002 Payments.

(1) Pursuant to regulations found at 7 CFR 1485.16(b)(6), (d)(12), Rev. 1-1-04 (incorporated herein by reference), which allow for the expenditure of federal funds appropriated to the USDA Commodity Credit Corporation (CCC) for FAS programs; and pertaining to amounts advanced by cooperators and participants, such regulations allow for or exclude reimbursement of the cost of specified items; and pursuant to 7 CFR 1485.16(b)(6), which provides that a participant may seek reimbursement for expenditures associated with retail, trade and consumer exhibits and shows; and pursuant to 7 CFR 1485.16(d)(12), which Rulemakingally provides that alcoholic beverages that are not an integral part of an approved promotional activity are ineligible for reimbursement by the CCC, no expenditures or reimbursements shall be made for the purchase of alcoholic beverages unless the Executive Director, or his/her designee, has attested that alcoholic beverages are an integral part of the approved promotional activity prior to the event. Such attestation shall be set forth in the cost estimate or purchase order for the promotional activity.

(2) Funds from sources other than USDA FAS which require matching identified line items in the FDOC Operating Budget shall not be expended under this rule.

Rulemaking Authority 601.15(10)(a) FS. Law Implemented 601.15(8)(b), (c), (10)(h) FS. History—New 10-21-04.

CHAPTER 20-119
OWNERSHIP AND USE OF “THERE’S AMAZING INSIDE FLORIDA CITRUS GIFTS”
CERTIFICATION MARK

20-119.001	Ownership
20-119.002	Permission Required for Use
20-119.003	General Restrictions on the Use of “There’s Amazing Inside Florida Citrus Gifts” Certification Mark
20-119.004	Use on Containers and Merchandise
20-119.005	Withdrawal of License or Permission

20-119.001 Ownership.

The “There’s Amazing Inside Florida Citrus Gifts” mark, as shown below,



is a trademark of the State of Florida, Department of Citrus. All right, title and interest in and to said mark, granted to and vested in the State of Florida, Department of Citrus, via State and Federal laws, is hereby noticed to all interested persons.

Rulemaking Authority 601.10(1), 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 6-22-17.

20-119.002 Permission Required for Use.

Use of said mark by any licensed Florida citrus fruit dealer operating as a gift fruit shipper in any manner will not be permitted without express written permission from the Department of Citrus. Further, any such use shall be in conformity with the requirements of this chapter. However, such permission shall not be denied to any person, firm or corporation who complies with the requirements of this rule, it being the express purpose of the Department of Citrus to encourage widespread use and, at the same time, to protect the integrity of the mark.

Rulemaking Authority 601.10(1), 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 6-22-17.

20-119.003 General Restrictions on the Use of “There’s Amazing Inside Florida Citrus Gifts” Certification Mark.

(1) Use of this mark shall be restricted to use in conjunction with the advertising, promotion, merchandising, and packaging of Florida gift citrus fruit, which meet the requirements set forth in Chapter 20-44, F.A.C., and the maturity standards as set forth in Chapters 20-50, 20-53 and 20-55, F.A.C.

(2) The mark shall not be used in any advertising, promotion, merchandising or packaging in lieu of a brand name or used in conjunction with a brand name in such a manner as to dominate or appear to be a part of a brand name.

(3) The mark, as shown in Rule 20-119.001, F.A.C., must be used in its entirety.

(4) Prior to each new use of the mark a written request must be submitted to the Department of Citrus giving full explanation and examples of proposed usage.

(5) The licensee shall indemnify the Department and save it harmless with respect to any claims arising out of the use of its products bearing the mark by any person, or any claims arising out of misbranding or false or misleading advertising by the licensee.

Rulemaking Authority 601.10(1), 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 6-22-17.

20-119.004 Use on Fruit Containers and Merchandise.

(1) The mark may, at the option of the gift fruit shipper, be used on gift fruit shipping containers or packaging containing citrus fruit grown in the state of Florida, provided the mark does not dominate or appear to be a part of any brand name.

(2) No licensee shall use the mark on any premiums, gift, novelty items or other non-citrus merchandise without the express permission of the Department of Citrus.

Rulemaking Authority 601.10(1), 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 6-22-17.

20-119.005 Withdrawal of License or Permission.

The Department of Citrus reserves the right to withdraw any given license or permission to use the mark upon the failure of the authorized user to comply with the provisions set forth herein. In determining whether the product complies with the quality standards prescribed, the test methods generally accepted and approved by the Department of Citrus and referenced in Chapter 20-14, F.A.C., Department of Citrus rules, shall be employed. The Department shall have the right to terminate the license with immediate effect in case the licensee has not made any bonafide commercial use of the mark for more than one year.

Rulemaking Authority 601.10(1), 601.15(2)(b), (10)(a) FS. Law Implemented 601.101 FS. History—New 6-22-17.