

NOTICE OF PROPOSED RULE

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

BUREAU OF ENTOMOLOGY AND PEST CONTROL

RULE TITLE:

RULE NO.:

Responsibilities and Duties – Records, Reports,

Advertising, Applications

5E-14.142(3)(b)

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add an amendment that will accommodate newer phone communication technology in the conduct of pest control by removing a requirement for a phone terminating in the licensed business location, while providing for accountability for pest control sales calls. This will allow the use of cell phones which are increasingly important for pest control operators.

SUBJECT AREA TO BE ADDRESSED: Responsibilities and Duties – Records, Reports,
Advertising, Applications

SPECIFIC AUTHORITY: 482.051, F.S.

LAW IMPLEMENTED: 482.051, 482.21(21), F.S.

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

Date and Time: March 5, 2008; 10:00 A.M.

Place: Florida Department of Agriculture and Consumer Services, Eyster Auditorium; 3125
Conner Boulevard, Tallahassee, Florida, 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael
J. Page, Chief of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300,

Tallahassee, Florida 32301-2961, (850) 921-4177.

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) No change.

(2) No change.

(3) Advertising:

(a) Pest control advertising on service vehicles, in telephone directories or other advertising media shall in all cases be factual and shall be set forth only under the licensee's name or trade name registered with the Department. Unregistered fictitious names are prohibited.

(b) All pest control telephone directory advertising, including ~~direct-dial~~ long distance lines shall in all cases show the licensee's name or trade name registered with the Department, complete licensed business location address from where services will be performed and telephone numbers. ~~Blind (Unidentified)~~ telephone numbers are prohibited. ~~All telephone numbers used in the solicitation and acceptance of pest control shall terminate in the licensed business location.~~

(c) Solicitation and acceptance of pest control must be performed by an identification card holder whether performed in person or by telephone.

(4) – (8) No change.

*Specific Authority 482.051 FS. Law Implemented 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS. History—
New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03.*

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr.

Anderson H. "Andy" Rackley

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 08/30/07

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