

Proposed State Citrus Research Order

FLORIDA CITRUS RESEARCH ORDER PURSUANT TO CHAPTER 573 F.S.

I. AUTHORITY:

This order is to be issued by the Florida Department of Agriculture and Consumer Services (“Department”) pursuant to the Florida Agricultural Commodities Marketing Law, sections 573.101 - 573.124 Florida Statutes.

II. PURPOSES:

This order is designed to provide funding of Florida citrus research and related activities not currently being funded at levels that insure maximum grower profits. This would include, but not be limited to, research, commercialization of research findings, and negotiations of intellectual properties. In construing this order, “citrus fruit” shall be defined as in s. 601.03(7) F.S.

III. ADMINISTRATION:

The Department shall enforce the provisions of this order in a manner so as to effectuate the declared purposes. Such administration shall be upon the recommendation of the Citrus Research and Development Foundation, Inc. (“Foundation”).

IV. ASSESSMENT

A. In order to provide funds to defray the necessary expenses incurred by the Department in the formulation, issuance, administration and enforcement of this order, there is hereby levied an assessment upon each standard packed box of citrus fruit as defined in s. 601.03(33) F.S. or equivalent, grown and placed into the primary channel of trade in the state of Florida. This assessment shall be fixed by the Department upon the recommendation of the Foundation by August 1 of each year, and that rate shall apply for the entire marketing period commencing August 1 and ending July 31 of the following year. In no case shall the assessment rate exceed 3 cents per box. The assessment can be suspended from season to season when the Department, upon recommendation of the Foundation, determines that additional monies are not necessary. The Department shall also reduce the assessment if a Federal citrus research order is implemented, and distributed in Florida through the Foundation. Such reduction will equal the per box Federal research order assessment, up to the total amount levied by the State under this order.

B. The assessment shall be collected at the same time and in the same manner as citrus inspection fees imposed by s. 601.28 F.S. All revenues from such assessment collected by the Department shall be deposited in the Citrus Inspection Trust Fund and accounted for separately.

V. ADMINISTRATIVE RULES:

Upon recommendation of the Foundation, the Department may adopt rules to facilitate the administration and enforcement of this order.

- VI. REFERENDUM; AMENDMENTS AND TERMINATION:
The continuance of this order shall be subject to approval by referendum every six years. Also, this order, its termination, suspension and any amendments thereto shall be subject to the producer referendum and notice requirements of Chapter 573. The “marketing period” shall be deemed to run from year to year, commencing August 1 of each year and ending July 31 of the following year. Upon termination of the order, any funds remaining shall revert to the Department for general use in the area of citrus.
- VII. CERTIFICATES OF EXEMPTION:
No certificates of exemption as provided in s. 573.1201 will be issued to producers or handlers under this order.
- VIII. EFFECTIVE DATE:
If the Department finds this order to have been approved by producer referendum as provided by law; this order shall become effective August 1, 2010.