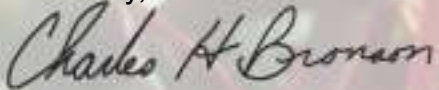


Dear Friends of Florida Agriculture:

The Florida Department of Agriculture and Consumer Services is committed to protecting agricultural producers and dealers. The new law, enacted by the Legislature in 2005, is designed to increase protections to producers and dealers, and will allow the Department more options to assist them through the process. We think that you will find these changes easier to follow and more "agriculture-friendly."

Thank you for your contribution to Florida agriculture. Because of your involvement, this industry generates an economic impact of more than \$60 billion every year. With the new License and Bond Law in place, we invite you to Grow With Us!

Sincerely,



Charles H. Bronson  
Commissioner of Agriculture



For more information on the new Florida License and Bond Law, call (850) 488-4101, or visit

[www.florida-agriculture.com/BondLawUpdate](http://www.florida-agriculture.com/BondLawUpdate)

*Grow with us!*



# CHANGES to FLORIDA'S LICENSE and BOND LAW

Section 604.15 - 604.34,  
Florida Statutes

*Grow with us!*

Florida Department of Agriculture  
and Consumer Services  
Charles H. Bronson, Commissioner

## The Florida License and Bond Law

gives market protection to producers of perishable agricultural commodities. Since its enactment in 1941, producers have been able to conduct business with the safeguards afforded by this law.

Because agriculture is a changing and “growing” industry, steps have been taken to increase the efficiency of the program and make it easier for growers and dealers to participate in the process. During the 2005 Session of the Florida Legislature, modifications to the License and Bond Law were approved. **These changes, effective October 1, 2005**, will significantly increase protections offered to growers and dealers.

## What are the changes?

1. Changes the definition of “agricultural products” to include sod, tropical foliage, hay, and horticulture
2. Revises term “dealer in agricultural products” to include partnerships, corporations, or other business entities
3. Removes tropical foliage from the list of exemptions and adds timber and timber by-products to exemption list
4. Clarifies definition of “net return basis”

5. Adds definitions for “producer’s agent” and “negotiating broker”
6. Revises “cash only” exemption
7. Requires dealers to provide mailing and street addresses, and requires dealers to notify the Department in case of changes
8. Establishes criteria a surety company must follow before it can cancel a bond
9. Increases minimum bond requirement from \$3,000 to \$5,000
10. Doubles the amount of the bond or certificate of deposit to twice the dollar amount during the month of maximum transaction in the preceding 12 month period
11. Allows the Department to issue a conditional license
12. Clarifies complaint filing requirements/procedures
13. Changes minimum complaint amount from \$250 to \$500
14. Allows dealer to dealer complaints once all producer claims are paid out first
15. Increases fees, filing requirements, and fines

## Fees and Penalties

Fee increases are in place to assist the Department in offering the increased protections detailed in the law. Here’s a breakdown of the statutory changes to fees and penalties:

- ❖ Changes maximum license fee from \$300 to \$500
- ❖ Changes maximum license fee for each additional location from \$50 to \$100
- ❖ Implements a \$50 fee for filing a complaint with the Department (may be reimbursable)
- ❖ Changes maximum fine for violating the law from \$1,000 to \$2,500
- ❖ Changes the continuing violation fine from \$50 per day to \$100 per day
- ❖ Changes the penalty for late renewal of a license from \$35 to \$100

