Draft Rule 68A-25.004  
Agenda Item 4.C.1  
November 20, 2013  

DRAFT RULE  

RULE NO:  68A-25.004  
RULE TITLE: Regulations Governing the Operation of Alligator Farms.  

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address comments in a letter dated August 12, 2013, from the Joint Administrative Procedures Committee.  

SUMMARY: The proposed rule adds references to where in the rules the forms are incorporated, authorizes a complete inventory of any stock under specified conditions, and amends the specific conditions under which an inventory of breeding stock is authorized.  

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:  

68A-25.004 Regulations Governing the Operation of Alligator Farms.  
Alligator farms may be established and operated and alligators, eggs, and hides may be possessed by alligator farmers and farming agents subject to the following:  

(1) through (2) No change  
(3) Record keeping requirements:  
(a) No change  
(b) Shipping tickets, invoices or bills of lading, Hatchling Collection Forms (FWC Form 1002AF, incorporated in Rule 68A-25.031(1)(b)9., FAC), Alligator Egg and Hatchling Transfer Documents (FWC Form 1003AF, incorporated in Rule 68A-25.032(3)(i), FAC), Public Waters Alligator Egg Transfer Documents (FWC Form 1005AF, incorporated in Rule 68A-25.031(2)(b)16., FAC), Captive Alligator and Egg Transportation/Transfer Documents (FWC Form 1006AF, incorporated in paragraph (8)(b)of this Rule), and records of all hide sales or transfers shall be maintained and kept at the farm to show source of supply or disposition of alligator stock.  
(c) Records required under this subsection shall be maintained until December 31 of the following year.  
(4) No change  
(5) Inspection and inventory requirements:  
(a) No change  
(b) A complete inventory of any rearing stock is authorized to may be scheduled, conducted, and directed by Commission personnel during reasonable hours to determine an accurate count of alligators present on a farm under one or more of the following conditions:  
1. Upon bona fide sale or transfer of farm ownership.  
2. Upon two or more failures during a calendar year to maintain complete alligator farming records.  
3. Prior to the transfer of alligator stock upon revocation or non-renewal of an alligator farming permit.  
4. When a partial inventory reveals a discrepancy of ten (10) percent or more in inventory records. A partial inventory is defined as counting the alligators in not more than three (3) rearing tanks or counting ten (10) percent of the entire reported inventory, whichever is greater.  
5. When the annual report submitted by a permittee indicates a discrepancy that cannot be reconciled between the permittee’s records of the farm’s total inventory and the Commission’s computed total number of alligators that should be present on a farm based on the previous years’ annual reports and records of receipts, dispositions, harvests, and transfers of eggs and alligators, provided that the permittee shall have seven (7) days to resolve such discrepancies to the satisfaction of the Commission.  
(c) No inventory of breeding stock shall be made without the written approval of the executive director or designee.  
(d) through (f) Relettered (c) through (e)  
(6) through (8) No change  

PROPOSED EFFECTIVE DATE: As soon as possible after adoption by the Commission.
Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3751 FS. History–New 8-1-79, Amended 6-21-82, Formerly 39-25.04, Amended 8-24-87, 6-7-88, 2-14-89, 4-11-90, 4-4-91, 4-15-92, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 11-12-98, Formerly 39-25.004, Amended 4-30-00, 3-30-06, 3-19-08, 3-24-13, 10-9-13, __________.