

68B-2.001 General Definitions

As used in Division 68B, F.A.C.:

- (1) through (15) No change
 (16) “Monetary value” means sale price or cash equivalent of value received for landings.

~~(16)~~(17) “Nearshore and inshore Florida waters” means all Florida waters inside a line three nautical miles seaward of the coastline along the Gulf of Mexico and inside a line one nautical mile seaward of the coastline along the Atlantic Ocean.

(18) “Organized tournament” means a fishing competition that involves ten or more registered participants, has written rules and regulations, requires an entry fee, and awards prizes to competitors.

- (17) through (26) renumbered (19) through (28).

Rulemaking Authority Article IV, Section 9, Florida Constitution. Law Implemented Article IV, Section 9, Florida Constitution. History—New 9-1-13, _____.

68B-2.010 Tournament Permits.**King and Spanish Mackerel –**

A permit is required to meet the requirements of 50 C.F.R. § 622.386(e) (as of January 9, 2015) for tournament-caught king and Spanish mackerel to be donated and sold. Upon request and submission of the information required in subsection (1), the Executive Director, or his designee, shall issue a mackerel tournament donation permit to the director of an organized tournament to allow tournament-caught king and Spanish mackerel to be donated to a licensed wholesale seafood dealer.

(1) The tournament organizer shall supply the following:

(a) The tournament organizer’s name, mailing address, phone number, and email address; the name of the tournament/organization; the number of tournament participants; the dates and times of the tournament; the name and address of the tournament landing and weigh-in location. The tournament organizer shall also indicate whether participants are charged an entry fee and if prizes are awarded.

(b) The name of the wholesale seafood dealer accepting donated fish, their wholesale seafood dealer license number, contact person, business address, and phone number.

(c) The name, address, phone number, and tax identification number of the charitable organization.

(2) Permits shall only be issued to the director of an organized tournament.

(3) King or Spanish mackerel caught in an organized tournament permitted pursuant to this subsection may be donated to a licensed wholesale seafood dealer. Donation of tournament fish as authorized by this permit does not constitute a sale.

(4) Wholesale dealers must donate the monetary value of tournament-caught king and Spanish mackerel directly to a charitable organization designated by the permittee. The monetary value received for tournament-caught fish may not be donated or returned to the tournament or used to pay for tournament expenses or prizes.

(5) The tournament organizer may not also be the licensed wholesale seafood dealer accepting donated fish from the tournament.

(6) Tournament organizers must ensure that donated fish are handled and iced to ensure product safety pursuant to Rule 68E-27.022, F.A.C.

(7) Wholesale dealers accepting tournament-caught king or Spanish mackerel shall be present at the tournament check-in location to accept the donated fish.

(8) Wholesale dealers shall report donated fish pursuant to Rules 68E-5.002(1) and (2), F.A.C. Wholesale dealers shall identify the donated fish as tournament catch on Marine Fisheries Trip Tickets.

(9) Violations of this rule or of the terms of the permit may result in the revocation of the permit and the denial of future permit applications pursuant to Rule 68-1.010, F.A.C.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New _____.

68B-12.006 Other Prohibitions.

(1) No change.

(2) The Commission shall issue a permit pursuant to Rule 68B-2.010, F.A.C., to authorize king mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

~~(2)~~(3) The prohibitions of this chapter apply as well to any and all persons operating a vessel in the Gulf-Atlantic fishery, who shall be deemed to have violated any prohibition which has been violated by another person aboard such vessel.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-13-86, Formerly 46-12.006, Amended _____.

68B-23.006 Other Prohibitions.

(1) No change.

(2) The Commission shall issue a permit pursuant to Rule 68B-2.010, F.A.C., to authorize Spanish mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

~~(2)~~(3) The prohibitions of this chapter apply as well to any and all persons operating a vessel in state waters, who shall be deemed to have violated any prohibition which has been violated by another person aboard such vessel.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-30-86, Amended 10-1-88, Formerly 46-23.006, Amended 6-1-99, _____.

68B-30.006 Other Prohibitions.

(1) No change.

(2) The Commission shall issue a permit pursuant to Rule 68B-2.010, F.A.C., to authorize king mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

~~(2)~~(3) The prohibitions of this chapter apply as well to any and all persons operating a vessel in the Atlantic fishery, who shall be deemed to have violated any prohibition which has been violated by another person aboard.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-15-87, Formerly 46-30.006, Amended _____.