

COMMISSIONER OF AGRICULTURE
EMERGENCY ORDER
2020-041

WHEREAS, on March 9, 2020, through Executive Order 20-52, the Governor of the State of Florida declared that Novel Coronavirus Disease 2019 (COVID-19) poses a risk to the entire State of Florida, and that because of this danger, a state of emergency exists in the State of Florida; and

WHEREAS, the Governor has extended Executive Order 20-52 through Executive Orders 20-114, 20-166, 20-213, and 20-276; and

WHEREAS, the United States Centers for Disease Control and Prevention and the Florida Department of Health recommends social distancing measures to control the spread of the COVID-19 outbreak; and

WHEREAS, the Governor of the State of Florida, pursuant to Executive Order 20-52, Section 4, Subparagraph B, authorized State agencies to suspend the effect of any regulatory statute, rule, or order that would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, pursuant to Section 500.12(6), Florida Statutes, the Department shall adopt rules for the training and certification of managers of food establishments and food service establishments regulated under this section and for the training and certification of Department personnel.

WHEREAS, the rules adopted in Rule Chapter 5K-4, F.A.C., for the training and certification of managers of food establishments and food service establishments regulated under Section 500.12(6), Florida Statutes, require certain retail food establishments to have a certified food protection manager that is certified by a food protection manager certification program that is evaluated and listed by a Conference for food Protection-recognized accrediting agency as conforming to the Conference for food Protection Standards for Accreditation of food Protection Manager Certification Programs.

WHEREAS, the food protection manager certification programs evaluated and listed by the Conference for food Protection Standards for Accreditation of food Protection Manager Certification Programs require a proctored examination.

WHEREAS, requiring managers with current certified food protection manager certifications or managers whose certified food protection manager certifications will expire in the next sixty (60) days from the entry of this order to sit for a proctored examination is inconsistent with the social distancing measures recommended by the United States Centers for Disease Control and Florida Department of Health.

WHEREAS, the impact of COVID-19 has caused financial hardships for many individuals in the State of Florida who are licensed and regulated by the Department; and

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NOW THEREFORE, with the powers and authorities conferred by Article IV, Section 4, Florida Constitution, and Executive Order 20-52, as extended, and any future extensions thereof, I hereby declare the following:

1. Emergency Order 2020-012 is hereby extended for an additional sixty (60) days following the execution of this order.
2. Unless specifically suspended in this Order or any other Emergency Order issued pursuant to the authority conferred by Article IV, Section 4, Florida Constitution, and Executive Order 20-52, as extended, and any future extensions thereof, all other portions of Chapter 500, Florida Statutes, and any rules promulgated thereunder remain in effect following the execution of this order.

THIS ORDER shall expire sixty (60) days from the date of this Order unless extended or rescinded by the Commissioner of Agriculture or upon the expiration or rescission of Executive Order 20-52, as extended, and any future extensions thereof, whichever occurs first.

EXECUTED DECEMBER 23, 2020.



NICOLE FRIED
COMMISSIONER OF AGRICULTURE

