

The 2019 Florida Statutes

Title XXXIII

REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS

Chapter 500

FOOD PRODUCTS

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“Department” means the Department of Agriculture and Consumer Services.

500.12 Food permits; building permits. —

(1)(a) A food permit from the department is required of any person who operates a food establishment or retail food store, **except:**

- 1. Persons operating minor food outlets that sell food that is commercially prepackaged, not potentially hazardous, and not time or temperature controlled for safety, if the shelf space for those items does not exceed 12 total linear feet and no other food is sold by the minor food outlet.**
2. Persons subject to continuous, onsite federal or state inspection.
3. Persons selling only legumes in the shell, either parched, roasted, or boiled.
4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within the state. Such bottles must contain a label listing the producer’s name and street address, all added ingredients, the net weight or volume of the product, and a statement that reads, “This product has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services.”

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(e) The department is the exclusive regulatory and permitting authority for all food outlets, retail food stores, food establishments, convenience stores, and **minor food outlets in accordance with this section**. Application for a food permit must be made on forms provided by the department, which forms must also contain provision for application for registrations and permits issued by other state agencies and for collection of the food permit fee and any other fees associated with registration, licensing, or applicable surcharges. The details of the application shall be prescribed by department rule.

(f) The department may by rule establish conditions for the manufacturing, processing, packing, holding, or preparing of food; the selling of food at wholesale or retail; or the transporting of food to protect the public health and promote public welfare by protecting the purchasing public from injury by merchandising deceit.

(8) A person who applies for or renews a local business tax certificate to engage in business as a food establishment or retail food store must exhibit a current food permit or an **active letter of exemption from the department** before the local business tax certificate may be issued or renewed.