



Charlie Crist  
Governor

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
DECLARATION OF PUBLIC HEALTH EMERGENCY  
SUPPLEMENTAL ORDER # 02**

As a consequence of confirmed cases of Swine Influenza (swH1N1) in Florida, the potential for disease to further spread throughout the State of Florida, and after consultation with Governor Charlie Crist and public health officials within the Department of Health, I, Ana M. Viamonte Ros, M.D., MPH, State Surgeon General, pursuant to the authority vested in me under section 381.00315(1)(b), Florida Statutes, determined on May 1, 2009 that a public health emergency exists in the State of Florida involving swH1N1 that has the potential to result in substantial injury or harm to the public health.

In order to protect the public health and to cope with this emergency, I have determined it is necessary for the Department of Health to suspend, and do hereby suspend, the wholesale distribution permit requirements of Chapter 499 Part I, Florida Statutes, to allow the wholesale distribution of the antiviral prescription drugs Tamiflu and Relenza needed to cope with this emergency, as follows:

1. Florida's wholesale distribution permit requirements are hereby suspended as to establishments located outside of Florida, provided that any establishment from which these drugs are distributed into Florida must hold appropriate permits to engage in the wholesale distribution of these antivirals in the state where the establishment is located; and,
2. Florida's wholesale distribution permit requirements are also suspended as to Florida retail pharmacies licensed under Chapter 465, Florida Statutes, which may under this Supplemental Order distribute, as defined in Chapter 499, Florida Statutes, the antivirals Tamiflu and Relenza to persons authorized by Florida law to purchase prescription drugs.

This Order shall expire 60 days from May 1, 2009 unless amended, rescinded, or renewed with the concurrence of the Governor.

Executed this 5 day of May, 2009 in Department of Health offices, Tallahassee, Leon County, Florida.

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General  
Florida Department of Health

OFFICE OF THE CLERK  
2009 MAY - 5 AM 9:00  
DEPARTMENT OF HEALTH