It's been said that the presence of shiners isn't always an indication that the roof sheathing isn't fastened per code, so we can't cite Florida Building Code- Residential § 803.2.3.1 because it actually MIGHT be attached properly. I have a problem with that type of thought because the misplaced nails are the only evidence we have at the time of inspection. I'll continue to cite 803.2.3.1 because the preponderance of the evidence leads me to believe that it isn't properly attached- this is our legal requirement- our only legal requirement.

However, if you want another reason to cite shiners you can still cite §R803.2.3.1 along with the NDS as listed in R301.1.1 and specifically called out in **R802.2 Design and construction.** Wood roof framing shall be in accordance with Section R301.2.1.1 or ANSI AWC 0000000000NDS.

Florida Building Code- Residential § R803.2.3.1 Sheathing fastenings. Wood structural panel sheathing shall be fastened to roof framing in accordance with Table R803.2.3.1. Where the sheathing thickness is 15/32 inches and less, sheathing shall be fastened with ASTM F1667 RSRS-01 (2-3/8"x 0.113") nails. Where the sheathing thickness is greater than 15/32 inches, sheathing shall be fastened with ASTM F1667 RSRS-03 (2-1/2" x 0.131") nails or ASTM F1667 RSRS-04 (3" x 0.120") nails. RSRS-01, RSRS-03 and RSRS-04 are ring shank nails meeting the specifications in ASTM F1667.

National Design Specification for Wood Construction as referenced in Florida Building Code-Residential § R301.1.1

§12.1.6.4 The minimum length of nail or spike penetration, p_{min}, including the length of the tapered tip where part of the penetration into the main member for single shear connections and the side members of double shear connections shall be 6D.

0.113 x 6 = 0.678 (> 5/8")
0.131 x 6 = 0.786 (> ¾")
0.120 x 6 = 0.72 (>11/16")

In each of these cases the required embedment exceeds the dimensions of the sheathing.

Simply put each and every shiner is a code violation.