ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS (ASPCRO)

HISTORICAL RECORD

1975

PRESIDENT:	Charlie Chapman, TX
VICE-PRESIDENT:	Robert McCarty, MS
SECRETARY:	F. R. Du Chanois, FL
TREASURER:	F. R. Du Chanois, FL
LOCATION OF ANNUAL MEETING:	Austin, TX
DATE:	9/23/75 to 9/25/75

EXECUTIVE BOARD MEETING:

**Adoption of Constitution and By-laws

**State Reports

BUSINESS MEETING:

**The Pest Control Industry - Dr. Phillip Hamman, NPCA
**Certification of Applicators and State Plans as Required by FIFRA-James J. Boland, EPA.
**EPA Enforcement Procedures and Activities -Terrell Hunt, EPA.
**The Pest Control Industry -Vernon Walter, Terminix
**Research Activities of the Wood Products and Wood Decay Laboratory -Dr. Michael Haverty, U.S. Forrest Service, Gulfport, MS
**Research and Status of Formosan Termite Control-Ray Beal, U.S. Forest Service, Gulfport, MS.
**Enforcement of State Law-Sam Graham, Texas Assistant Attorney General

RESOLUTIONS:
**Gratitude expressed to Texas Structural Pest Control Board for hosting the meeting.
**Letter of appreciation be sent to all participants.
**Secretary be directed to notify EPA and USDA of ASPCRO's offer to assist in deliberations involving the industries regulated by members of ASPCRO.

MISC: States in attendance were Arizona, Florida, Louisiana, Michigan, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, Tennessee and Texas.

Historical records contain first Constitution and By-Laws of ASPCRO.

The First Annual Meeting of the Association of Structural Pest Control Regulatory Officials (ASPCRO), which formerly met as the National Association of Pest Control Regulatory Officials for fifteen previously consecutive years was held at the Sheraton Crest Inn, Austin, Texas on September 23-25, 1975. The meeting sessions were capably moderated by Mr. Charlie Chapman, President of ASPCRO, and Executive Director of the Structural Pest Control Board of Texas assisted by Mr. Robert McCarty, ASPCRO Vice-President and Assistant Director, Division of Plant Industry, Mississippi Department of Agriculture & Commerce.

Eleven States were officially represented as follows: Arizona, Florida, Louisiana, Michigan, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, Tennessee and Texas.

Program of the

First Annual Meeting

Association of Structural Pest Control Regulatory Officials

Austin, Texas

23-25 September 1975

Tuesday Morning, 23 September

Registration

Introductions - Charlie Chapman, ASPCRO President

Welcome to Texas & Austin - George E. Novy, Member Structural Pest Control Board of Texas

Official Business - Presdentation of Constitution and By-Laws of ASPCRO

The Pest Control Industry - Dr. Philip H. Hamman, Director of Technical Services National Pest Control Association, Vienna, Virginia

Discussion

Official Business

Certification of Applicators and State Plans as Required by FIFRA - James J. Boland, Senior Regional Coordinator, Office of Pesticide Programs, US EPA, Washington D. C.

EPA Enforcement Procedures and Activities - Terrell Hunt, Assistant Director of Enforcement Activities, US EPA, Washington, D. C.

Discussion

Wednesday Morning, 24 September

The Pest Control Industry - Vernon Walter, Technical Director, Terminix International, Memphis, Tennessee

Reports by States of Activities and New Legislation: Arizona, Ms. Betty S. Sisk; North Carolina, Alfred S. Elder; Tennessee, Jimmy R. White and Claude E. Jones; Michigan, Robert L. Mesecher; Missouri, E. C. Houser; New Mexico, Dr. Pat Morrison; Oklahoma, Orin R. Elliott; Mississippi, Robert McCarty; Louisiana, Richard Carlton; Florida, F. R. Du Chanois; Texas, Charlie Chapman.

Wednesday Afternon, 24 September

Research Activities of the Wood Products and Wood Decay Laboratory - Dr. Michael I. Haverty, U.S. Forest Service, Gulfport, Mississippi

Research and Status of the Formosan Termite and Control of Formosan and Subterranean Termites - Ray H. Beal, Entomologist, U.S. Forest Service, Gulfport, Mississippi

Discussion

Enforcement of State Law and Investigation of Complaints - Sam Graham, Assistant Attorney General, of Texas and Jack E. Mercer, Inspector, Texas Structural Pest Control Board

Thursday Morning, 25 September

Final Executive and Business Session

Adoption of Constitution and By-Laws

Meeting Adjourned.

16th 1st Annual Meeting of the

Association of Structural Pest Control Regulatory Officials

SHERATON CREST HOTEL AUSTIN, TEXAS

SEPTEMBER 23 -24 & 25, 1975

Welcome

TUESDAY – SEPTEMBER 23, 1975

8:30 A.M.	**REGISTRATION**
9:00 A.M.	**WELCOME –** Mr. George Novy, Board Member and owner of Texas and Oklahoma Pest Control Service
9:20 A.M.	**RESPONSE –** Vernon Walter, Former Board Member and Technical Director, Terminix
9:30-12:00 Noon	**PRESENTATION OF CONSTITUTION AND BY-LAWS OF ASPCRO –** State Representatives
1:30 P.M.	**"THE PEST CONTROL INDUSTRY" –** Vernon Walter
2:15 P.M.	**"EPA ENFORCEMENT PROCEDURES AND ACTIVITIES" –** Terrell Hunt, Assistant to Director of Enforcement Activities, E.P.A.
3:15 P.M.	**COFFEE BREAK**
3:45 P.M.	**"CERTIFICATION OF APPLICATORS AND STATE PLANS AS REQUIRED BY FIFRA." –** James J. Boland, Assistant to Jim White, Washington
4:30-5:00 P.M.	**"QUESTION AND ANSWER SESSION" –** State Representatives

WEDNESDAY – SEPTEMBER 24, 1975

9:00-12:00 Noon	**"REPORT BY STATES OF ACTIVITIES AND NEW LEGISLATION** State Representatives
1:30 P.M.	**"RESEARCH ACTIVITIES OF WOOD PRODUCTS AND WOOD DECAY LABORATORY"** Dr. Michael Haverty, Acting Project Leader, Wood Products Inspection Laboratory, Gulfport, Mississippi
2:30 P.M.	**"RESEARCH AND STATUS OF FORMOSAN TERMITE AND CONTROL OF FORMOSAN AND SUBTERRANEAN TERMITES." ––** Ray Beale, Principle Research Entomologist, Gulfport, Mississippi
3:30 P.M.	**COFFEE BREAK**
4:00 P.M.	**"ENFORCEMENT OF STATE LAW AND INVESTIGATION OF COMPLAINTS"** Sam Graham, Assistant Attorney General of Texas Jack Mercer, Inspector, Texas Structural Pest Control Board

THURSDAY – SEPTEMBER 25, 1975

8:30 A.M.	**BUSINESS SESSION** **STATE REPORTS** **ADOPTION OF CONSTITUTION AND BY-LAWS** State Representatives
11:00 A.M.	**ADJOURN.**

14 October 1975

MEMORANDUM:

TO: Association of Structural Pest Control Regulatory Officials (ASPCRO)

FROM: F. R. Du Chanois, Secretary-Treasurer (Florida)

SUBJ: Minutes and Notes of First Annual Meeting in Austin, Texas

The First Annual Meeting of the Association of Structural Pest Control Regulatory Officials (ASPCRO), which formerly met as the National Association of Pest Control Regulatory Officials for fifteen (15) previously consecutive years, was held at the SHERATON CREST INN, First at Congress, Austin, the Capitol City of Texas on 23-25 September 1975. The meeting was attended by eleven states represented by nineteen officials, and by fourteen speakers and guests. All aspects of the meeting were extraordinarily well planned and organized, and were highly beneficial in terms of information presented and exchanged, program excellence and objectives accomplished. Technical and business sessions, informal discussions, and social events complemented one another, were informative and concerned, as well as enjoyable, and stand as a real tribute to the host State of Texas and its friendly, hospitable officials and citizens. The meeting sessions were capably moderated by Mr. Charlie Chapman, President of ASPCRO, and Executive Director of the Structural Pest Control Board of Texas, assisted by Mr. Robert McCarty, ASPCRO Vice-President and Assistant Director, Division of Plant Industry, Mississippi Department of Agriculture and Commerce. Program, and meeting and local arrangements were in charge of Mr. Chapman who, with Inspectors Gerald T. Bohmfalk, E. Van Brock, Jr., Joe A. Clark, (unable to attend) John D. Copeland, Fred M. Menton and Jack E. Mercer, did an outstanding job. The disappointing turnout was compensated for by the quality of the program. Copies of the program, rosters of members and guests attending and other papers as indicated are appended.

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MINUTES and NOTES of the FIRST ANNUAL MEETING*

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

Austin, Texas

23-25 September 1975

Tuesday Morning, 23 September

REGISTRATION

Twenty-seven persons including guests and speakers registered for the first session. Eleven states were officially represented as follows: Arizona, Florida, Louisiana, Michigan, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, Tennessee and Texas.

INTRODUCTIONS

ASPCRO President Charlie Chapman presiding opened the meeting at 9:10 A.M., welcomed the members to Texas, and called for introductions.

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*Minutes and Notes are intended for the information and use of ASPCRO members only, and to reflect as accurately and faithfully as possible the proceedings of the meeting. Information presented or opinions expressed by individual members and speakers are their own and not necessarily those of the Association. Neither the Association nor its Secretary assumes any responsibility for errors of commission or omission as they are, if any, unintentional. Corrections will gladly be made in the next issue upon request.

WELCOME TO TEXAS AND AUSTIN

Mr. George E. Novy, Member, Structural Pest Control Board of Texas and owner-operator of TEXAS AND OKLAHOMA EXTERMINATING COMPANY, INC., Dallas, Texas.

After extending a hearty Texas welcome to all in attendance, Mr. Novy commented on the Texas Structural Pest Control Act and allied regulations. The Board is self-supporting from fees, meets monthly and consists of seven members, three from official agencies and four from industry. They have six inspectors in the field. Texas has come a long way in correcting things which needed to be corrected, and they are working hard at professionalizing the industry. The Board holds disciplinary hearings, gives quarterly examinations, and works on revisions to the law and regulations among its other duties. Board Member Novy praised the leadership and work of Mr. Chapman, its Executive Director. The complete text of Mr. Novy's address is appended. (Ed. Note: ASPCRO expresses its sincere appreciation to Mr. Novy for his participation on behalf of the Structural Pest Control Board of Texas).

OFFICIAL BUSINESS: PRESENTATION OF CONSTITUTION AND BY-LAWS OF ASPCRO

At this juncture, President Chapman distributed copies of the proposed ASPCRO Constitution and By-Laws for study by the members and to be considered for adoption at the final business meeting.

The President appointed a Resolutions Committee consisting of Richard Carlton (La.), Chairman, Robert McCarty (Miss.) and Pat Morrison (N.M.).

RESPONSE: The Response programmed at this point was rescheduled for the following day, 24 September, due to conflicting commitments of the speaker, Mr. Vernon Walter. It was announced that Mr. Walter and a delegation from the National Pest Control Association were meeting today with Mr. Russell E. Train, Administrator, EPA, in Washington, D.C.

THE PEST CONTROL INDUSTRY, Dr. Philip H. Hamman, Director of Technical Services, National Pest Control Association, Vienna, Virginia (vice Mr. Vernon Walter).

Dr. Hamman noted that he was pleased that our group (ASPCRO) will be working with the structural pest control (SPC) industry and expressed hope there would be developed a spirit of mutuality, common understanding and free interchange of information and discussion of problems, as ASPCRO develops and grows.

The speaker noted that he served on the first Texas Structural Pest Control Board representing the Head, Entomology Department, Texas A & M University. He believes the Board overcame the image of a policing agency only, to one providing help and service to the industry also. They worked to develop a mutual understanding with the industry and service to the industry rather to restrict and curtail free enterprise of the legitimate operator.

Dr. Hamman related that the SPC industry in America is comparatively small. The National Pest Control Association (NPCA) has about 2,500 member firms, and estimates that there are between 15,000 and 20,000 SPC companies in the United States. There are about 2,300 in the State of Texas alone. Nationwide, the industry employs 30,000 to 40,000 principals and double or triple this number in terms of service employees.

NPCA is about 40 years old. It was formed to meet technical needs of the industry and as a unified voice of the legitimate industry. Although NPCA represents only ten per cent of the industry it influences many more. Pest control is a service industry protecting man's health and property. The industry now does some ten billion

dollars gross revenue in business annually. NPCA is striving to develop and improve the industry's professional image and wants to be able to prove that the SPC industry performs a beneficial and needed service for the public.

Our speaker then turned to current problem issues and industry concerns, as he saw them, saying that prior to 1972 we didn't realize fully we had any problems.

(1) Recertification: He is concerned that a wrong idea may develop in State (EPA) Plans. Most people think this means taking another exam. NPCA feels it is a desirable concept so long as it means keeping up with new and changing technology. This can be achieved by in-house (in-service) industry training programs, and possibly sit-down testing backed up by training.

(2) "Non-commercial applicator category": There is a developing issue of a "non-commercial applicator category". NPCA does not feel there is a need for this additional category. It is not provided for under FIFRA amended.

(3) Structural pests not named on label: Recent changes (under FIFRA) have left the industry high and dry with regard to control of minor pests such as bats. Many states (laws) have used FIFRA wording, "..... use inconsistent with the label". Pesticide Enforcement Policy Statement (PEPS) No. 2 has come from EPA which authorizes control of structural pests not named on labels under certain specific conditions and limitations. Dr. Hamman distributed copies of and explained NPCA Governmental Affairs Letter No. 8 (9-12-75), Subject: Control of Structural Pests Not Named on Labels Permitted by New EPA Policy, (Ed. Note: Copy of this is available from the Secretary on request).

(4) State licensee fees: NPCA believes that the commercial licensee fees of certain states are excessively high compared to the fees for (certification of) private applicators. They suggest a more equitable distribution of the costs of regulation.

(5) Enforcement: The Association is concerned that the states will concentrate and focus enforcement activities on commercial PCO's because of their greater visibility (identifiablility). We may find private and non-commercial applicators in an advantageous, "untouced" position. NPCA feels the industry can get a great amount of help from the public it serves through (more) public information on the legislative and regulatory provisions and requirement such as individual and vehicle identification.

(6) Special local needs: There appears to be a lack of communication and understanding of special local industry needs within states or regions. Dr. Hamman submitted that ASPCRO can help by promoting (or supporting) official label registration of products for special local problems and needs, e.g. 50 per cent DDT tracking powder for control of bats and house mice. Current labels do not cover situations where termites are found <u>above</u> ground (e.g. Formosan termites, isolated subterranean termites) - there is no label coverage. The industry needs help on this.

Dr. Hamman then reviewed briefly what NPCA is currently doing:

(1) Developing ideas, working closely with and providing input to EPA. It took four years of diligent effort to get PEPS No. 2 issued by EPA (see paragraph (3) above).

(2) The industry now has only two pesticides generally available for termite control, (chlordane and heptachlor). We are in a very tenuous position because of EPA's stand on cancer (i.e. certain pesticides as potential carcinogens) which put industry in a very difficult position (Ed. note: The burden of proof that these pesticides are not carcinogenic). The carcinogenicity issue needs to be resolved.

(3) NPCA is developing training publications, including programmed instruction manuals. They have an indication from a study conducted under a grant contract with Purdue University that of 200 individuals involved in the study, a vast number significantly improved their knowledge through self-taught programmed instruction series. NPCA has just completed certification guide Volume IV, Principles and Practices in Pest Control. It covers PCO equipment, pesticide application techniques, safety, storage and disposal. Volumes I to III cover General Household Pests, Wood Destroying Pests and Fumigation. ("Preparing for Applicator Certification" series).

They plan to produce and publish an Encyclopedia of Pest Control based on earlier updated and current NPCA Technical Releases (from 1950 to date), Service Letters and various governmental agency publications.

(4) The Annual Convention will be held in Houston, 19-23 October 1975. The program is built around meeting special needs of PCO's and problem-solving. The convention theme is "Are You Ready?"

COFFEE BREAK

Coffee and soft drinks were supplied during break periods throughout the meeting through the courtesy of VELSICOL CHEMICAL CORPORATION of Chicago, and the personal attention of Mr. Thomas (Tom) L. Proctor, Regional Sales Representative. The Association expresses sincere appreciation to VELSICOL and Mr. Proctor.

DISCUSSION: Mr. Carlton (LA.) asked about the cost of the Encyclopedia of Pest Control. Dr. Hamman (NPCA) replied that the cost had not been set at this time. He added that the publication would bring everybody up to date and provide an effective reference.

Mr. Novy (TX): When will it be ready?
Dr. Hamman: About 1 April 1976.

Mr. Novy: Asked to have PEP releases explained.
Mr. James J. Boland (EPA, Washington, D.C.): PEP releases appearing in the Federal Register are official EPA policy statements but are not signed by the Administrator.

Mr. Morrison (NM): Questioned what was meant by "excessive license fees".
Dr. Hamman: It is difficult to put a figure on this. Fees range from $5 to $200. I feel that the latter figure is excessive.

Mr. Mesecher (MICH.): How frequent should recertification be required and what nature should it take?
Dr. Hamman: We have no objection to recertification as such, but do object to reexamination. NPCA feels this should be accomplished through training to allow PCO's to keep up-dated on new and changing technology. It should be worked out on a state-by-state basis.
Mr. Boland: Commented that EPA would recognize (or is considering doing so) six hours of formalized training every 18 months for renewal of certification. This is discretionary and not mandatory.

OFFICIAL BUSINESS: At this point President Chapman read letters expressing regrets at not being able to attend from ASPCRO members John A. Bloch (Alabama), Albert Cole (West Virginia), John J. Favinger (Indiana), Dean Garwood (Kansas), Gerald King (Arkansas) and Carl Scott (Georgia). Mr. Chapman introduced Dr. Genaro Lopez, Extension Entomologist and SPC Board member representing Texas A & M University, College Station.

Tuesday Noon, Adjourn for Lunch

Tuesday Afternoon, 23 September

President Chapman called the meeting to order and introduced Mr. Kenneth C. Lauderdale, SPC Board Member representing the Texas Commissioner of Health, Austin, and Mr. Jack Bowman, Texas Department of Agriculture (representing Mr. David Ivie of the Texas Commissioner of Agriculture's office).

CERTIFICATION OF APPLICATORS AND STATE PLANS AS REQUIRED BY FIFRA

Mr. James J. Boland, Senior Regional Coordinator, Office of Pesticide Programs, U.S. Environmental Protection Agency, Washington, D.C. (this presentation was originally programmed for 3:45 Tuesday)

Mr. Boland quipped that, "You've got to remember I'm here because I'm crazy, not stupid". The regulations on Approval of State Plans for Certification of Commercial and Private Applicators were published in the Federal Register in October 1974. In November 1974 an EPA committee began reviewing state laws and plans, and comments were sent to state officials. Twenty states have introduced and passed enabling legislation (1974-75). Another 12 states will introduce legislation in 1975. The Attorney Generals of 13 states say their existing statutes are adequate. Some (8?) states had previously passed legislation, and legislation introduced in three states failed to pass.

To date the Agency has approved State Plans for Georgia and Iowa. Category (7), Industrial, Institutional, Structural and Health Related Pest Control, standards are being adopted and subcategories are being established (in some states?). The entire registration scheme will be tied to EPA categorization system (in some states?). Restricted-use pesticides may be tied to individual categories. EPA stands by to assist states in whatever way it can.

The following sketchy notes were taken of Mr. Boland's comments on pending congressional action: The Jones amendment to FIFRA (Federal Law 92-516) would require (allow) certification of private applicators by the applicant signing a register. The Poage-Wampler amendment would establish a review by the Secretary of Agriculture of EPA decisions before such decisions become official. It also provides a one-year extension of time for submitting State Plans. Private applicators would be allowed to certify themselves (under a proposed bill). The Senate Agriculture Committee extended EPA appropriations for another 90 days. The President's budget provides $5 million for Cooperative Agricultural Extension Service for training and $5 million start-up funds for EPA.*

The Georgia and Iowa State Plans are based on "contingency plan" on the assumption that legislation will be passed within one year. EPA's approval of "contingency plans" presumes that the state will pass enabling legislation within one year to agree with and complete the State Plan. The Regional Administrator is the only person who has the authority to approve State Plans. There is no EPA move to establish a category of "non-commercial applicator". A "non-commercial applicator" can only apply restricted-use pesticides on property he owns, rents or leases. DISCUSSION FOLLOWED.

* Ed. Note: Since the ASPCRO meeting the following information was reported in Oct. 1975 issue of Chemically Speaking, Fla. Coop. Ext. Serv., Gainesville, Fla.: "For the second time in a week the House of Representatives rejected an amendment to give USDA veto power over pesticide control actions. On October 9, the House passed HR 8841 which reauthorizes FIFRA for one year. The bill requires EPA to give advance notice to USDA, congressional agricultural committees and a scientific advisory board before it either proposes or finalizes control actions. It also postpones the 1976 deadline for implementation of the law's requirements. An amendment to the bill which was passed
(cont'd on page 17)

EPA ENFORCEMENT PROCEDURES AND ACTIVITIES

Mr. Terrell Hunt, Assistant to Director of Enforcement Activities, U. S. Environmental Protection Agency, Washington, D.C.

Mr. Hunt informed the members he would explain the four elements in EPA's enforcement program.

(1) Prior to the 1972 amendment, FIFRA was primarily concerned with product registration. Now the law is moving toward the use of pesticide products. Forty per cent of EPA's enforcement resources are devoted to product analysis, forty per cent to follow-up use surveillance and the other twenty per cent on administrative time and case preparation. Structural pest control is a distinct part of regional enforcement planned for 1976. The chief problem is misuse of pesticides. EPA will exercise discretion in its follow-up on reported instances of pesticide misuse. As to funding of state enforcement grants, there are no funds budgeted for 1976. They hope to cooperate with the individual states in a cooperative enforcement agreement with them.

(2) Pesticide Misuse Review Committee: This Committee will review cases and determine whether there is misuse and, if so, whether it warrants action and type of action. The legal remedies available are: (a) notice of warning, (b) civil penalty - warning action for a first offense, (c) assessment of civil penalties, and (d) criminal penalties, e.g. maximum fine of $1,000 fine or imprisonment for up to 30 days for private (non-commercial) applicators. A recent example of assessment of criminal penalty involved the use of "Stern's Electric Paste" (phosphorus paste) inconsistent with the label and resulting in the death of a child.

(3) "PEPS" are not regulations and do not have the force of law. They are judgments with which EPA feels it can be bound as policy. They answer questions, explain application of enforcement remedies, answer questions in the area of pesticide use. There are a number of PEPS in preparation and under review. PEPS No. 1* (released): Allows the use of registered pesticides at dosages lower than that directed by the label under certain conditions. PEPS NO. 2 (released): Allows the use of pesticides against unnamed pests (minor pests) under certain conditions. EPA will take action against uses which are clearly contrary to good trade practices.

(4) "Pesticide use" inconsistent with the label: "Pesticide use" is not just application. It has a broad meaning and includes storage, application and disposal. PEPS are designed to retract from strict interpretation and to apply the rule of reason. The Congress said it would leave this to the common sense of the agency. PEPS provide a more flexible standard. Users and uses are expected to follow label instructions as modified by policy statements allowing flexibility.

The speaker made these additional comments: There is (or will be) a Federal-State FIFRA Advisory Committee and subcommittee on enforcement.

Commercial applicators would be subject to $5,000 maximum civil penalty whereas non-commercial applicators to $1,000 maximum fine.

Commercial applicators would be subject to criminal penalty of a maximum fine of $25,000 or imprisonment for not more than one year, or both, whereas private applicators would be subject to maximum fine of $1,000 or imprisonment for not more than 30 days, or both.

* Ed. Note: PEPS No. 1, Use of Registered Pesticides at Less than the Label Dosage Rate has been restated to say that rodenticides, termite control products, or antimicrobial agents such as disinfectants or sanitizers intended for structural, institutional or domestic use remain subject to full dosage requirements. However, agricultural fungicides can be applied at less rates under four specified conditions.(NACA Reguletter, October 16, 1975)

Good trade practices for use of "service containers" were published by NPCA in 1965. (Ed. Note: NPCA Technical Release No. 15-66, "Good Practice in Labeling Service Containers for Pesticides", 6-16-66).

Treatment in the absence of pests such as pretreatment (soil poisoning) or retreatment against termites were mentioned as accepted good industry practices.

COFFEE BREAK

Discussion: Mr. Carlton (LA.) asked about EPA's position on the use of a product calling for the use of one concentration versus another similar product calling for a different concentration. The specific example given was that of two products containing the same concentration (amount) of toxic ingredient and both registered for control of Formosan termites, one product recommending 2.0 per cent, the other 1.0 per cent. Mr. Hunt answered by saying that EPA would enforce the pesticide use rather than the products. The question of uses directed on the (specific) label versus registered uses is being considered.

To another question on enforcement responsibility Mr. Hunt said that EPA would prefer that the states take investigative action and enforcement action.

The session adjourned at 4:00 P.M.

Tuesday evening, 7:00 P.M., Banquet in the Sheraton Crest Inn

Wednesday morning, 24 September

President Charlie Chapman presiding.

THE PEST CONTROL INDUSTRY

Mr. Vernon Walter, Technical Director, TERMINIX INTERNATIONAL, Memphis, Tennessee and former Board Member, Texas SPC Board (this presentation was originally programmed for 1:30 P.M., Tuesday).

Mr. Walter courteously and informatively reported on NPCA delegation's informal face-to-face meeting with Administrator Russell E. Train of EPA in Washington D.C. yesterday. Mr. Walter described the meeting as friendly. He told us he had been engaged in various phases of the pest control industry for 25 years. In the early days PCO's learned by experimentation. This has changed. Industry people want to learn, attend meetings, training courses and increase their knowledge.

The speaker said the meeting with Mr. Train was a very positive, informal one. NPCA's position was that they (the industry) want to find ways to keep and work with pesticides under necessary restriction, not do away with them. There is a definite trend toward cancelations, suspensions and stop orders on pesticides at the manufacturer's level. Because of this trend and increasing law suits, insurance companies are cancelling policies. NPCA delegates represented that they would like to see an Assistant Administrator for Pesticides appointed. This was turned down. They asked for an impartial scientific review of the cancer aspect of the problem by an impartial committee of the National Academy of Sciences (Ed. Note: Provided for under Subsection 6(d) P.L. 92-516).

NPCA advocated more scientific expertise and competence in EPA. Mr. Walter lamented that the PEPS releases are ridiculous because of the red-tape involved (in complying with them). They asked that EPA establish a regional liaison committee

between regional EPA offices and users. They like the Special Administrator's Pesticides Advisory Committee, and hope that it will start to function, will have a meaningful role and not just be window dressing. The speaker cautioned that if we stay with current cancer principles and criteria held by EPA, it would not be possible to register table salt as a herbicide.

Mr. Walter reported that work is going forward on specific "Core Manuals". Manuals 7 - A and B deal with industrial pest control, etc. The pest control industry does not want self-certification, as has been proposed. He thought the pending amendment to FIFRA (H.R. 8841, accompanied by House of Representatives Report No. 94-497 of 9-19-75) might pass because it is mild. Our speaker summed up by saying that the only good thing he could say was that they had Mr. Train's attention.

Ed. Note: The complete outline of NPCA's comments and concerns conveyed to the Administrator, EPA, in Washington, D.C., on 23 September 1975 is appended.

REPORTS BY STATES OF ACTIVITIES AND NEW LEGISLATION (in the order given)

Arizona - Ms. Betty B. Sisk, Executive Secretary, Arizona Structural Pest Control Board.

A summary of Ms. Sisk's report is appended.

North Carolina - Mr. Alfred (Al) S. Elder, State Entomologist, North Carolina Department of Agriculture.

A summary of Mr. Elder's report is appended.

Tennessee - Messrs Jimmy R. White, Assistant Director, (and Claude E. Jones, Pest Control Administrator) Division of Plant Industries, Tennessee Department of Agriculture.

Michigan - Mr. Robert L. Mesecher, Staff Assistant, Michigan Department of Agriculture.

A summary of Mr. Mesecher's report, "Summary of House Bill 5310", is appended.

Missouri - Mr. E. C. (Ted) Houser, Supervisor, Bureau of Pesticide Control, Plant Industries Division, Missouri Department of Agriculture.

The Annual Report of the Missouri Bureau of Pesticide Control to ASPCRO and presented by Mr. Houser is appended.

New Mexico - Dr. Pat Morrison, Pesticide Coordinator, Division of Pesticide Control, New Mexico Department of Agriculture.

A summary of the New Mexico Pesticide Control Act as it relates to the structural pest control industry, and from which Dr. Morrison reported, is appended.

Oklahoma - Mr. Orin R. Elliott, Supervisor, Pesticide Applicator Section, Entomology and Plant Industry Division, Oklahoma Department of Agriculture.

A summary of Mr. Elliott's report is appended. Oklahoma Progress Report - 1972 FIFRA - Amendments Implementation.

The following reports from the states were given on Thursday, 25 September at the beginning of the final business session and are included here for continuity and order.

Mississippi - Mr. Robert McCarty, Assistant Director, Division of Plant Industry, Mississippi Department of Agriculture and Commerce.

A summary of Mr. McCarty's report is appended.

Louisiana - Mr. Richard (Dick) Carlton, State Entomologist, Bureau of Entomology and Plant Industry, Louisiana Department of Agriculture.

Florida - Mr. F. R. (Bob) Du Chanois, Entomologist-Chief Inspector, Bureau of Entomology, Division of Health, Florida Department of Health and Rehabilitative Services.

The Annual Report of the Commercial Pest Control Section, Division of Health, the basis for this report, is appended.

Texas - Mr. Charlie Chapman, Executive Director, Texas Structural Pest Control Board.*

Mr. Chapman reported on implementation of the Plan for Certification of Pesticide Applicators, State of Texas. Copies were distributed to the members and additional copies are available from Mr. Chapman on request. Due to the length of this document, it is not included with this report.

Wednesday afternoon, 24 September

Vice-President Robert McCarty presiding.

RESEARCH ACTIVITIES OF THE WOOD PRODUCTS AND WOOD DECAY LABORATORY

Dr. Michael I. Haverty, Acting Project Leader, Forest and Wood Products Disease Laboratory and Wood Products Insect Laboratory, U. S. Forest Service, Southern Forest Experiment Station, Gulfport, Mississippi.

Dr. Haverty outlined the purpose, mission and principal activities of the laboratory. The purpose of the Laboratory's work is to prevent damage to forest products by wood-destroying organisms. This was an excellent, slide-illustrated presentation. The subject matter was introduced with an audio tape-color-slide presentation of a general introduction to the Wood Products Disease and Insect Laboratory at Gulfport. The speaker illustrated the technical aspects of his subject with a new slide presentation, "Wood-Inhabiting Fungi in Homes" prepared by the Laboratory, and which will be made available to the industry. The complete text of Dr. Haverty's talk is appended.

Following is additional pertinent information given:

A subterranean termite colony more five years old contains kings, queens, workers (pseudergates), soldiers, nymphs and secondary reproductives. A colony is headed by either a pair of primary or secondary reproductives. Nymphs may develop into workers, secondary reproductives, primary reproductives or soldiers (first through pre-soldier stage). Colonies react to the disruption of polymorphic caste structure. A new approach to termite control is the termite's response to juvenile hormone analogues (JHA).

* Mr. Chapman read a resume of certain aspects of Georgia'a State Plan with respect to structural pest control(submitted by Mr. Carl Scott). Mr. White (Tenn.) commented that any simple examination given to grandfathers for certification might present a problem in that any person in the future could demand that he or she be given the same or equal exam. It appeared to be the consensus of members present that reexamination should be avoided in favor of education and training. Resume of Georgia State Plan appended.

Subterranean termite field plot test progress report:

Termiticide	Per cent concn. in soil	Number years effective
Chlordane	1.0	26
Aldrin	0.5	25
Dieldrin	0.5	25
Heptachlor	0.5	22-23

The life cycle of Anobiid powder-post beetles varies from approximately one to five years. Ninety per cent of adult Anobiids emerge between mid-May and mid-June.

RESEARCH AND STATUS OF THE FORMOSAN TERMITE AND CONTROL OF FORMOSAN AND SUBTERRANEAN TERMITES

Mr. Ray H. Beal, Principal Entomologist, Wood Products Insect Laboratory, U. S. Forest Service, Southern Forest Experiment Station, Gulfport, Mississippi.

Our speaker advised that the Laboratory has been looking since 1967 at alternative insecticides for termite control. At least four organophosphorus and three carbamate chemicals have been investigated and some of the test results are encouraging. Two materials, "Baygon" and "Dursban" have held up well at Gulfport for eight years at 1.0 and 2.0 per cent concentrations. In 1971 they put in field tests with Dursban at 1.0 and 2.0 per cent strengths at five other widely geographic locations. They have six or seven materials they are ready to take into the field. They must have at least five years data from several locations before EPA will accept the material for label registration. Some chemicals have now held up for four years. In addition to the stake and ground board tests they have designed a concrete slab-test technique for these newer materials.

The Laboratory has developed a bait block attractant technique, and the tests show promise. Blocks of wood are first partially decayed with certain highly attractant fungi. They are then treated with low concentrations of "Mirex", which acts only as a stomach poison within the termite colony. They have been able to knock out actual home infestations using this technique and feel that it has great promise. It is being tested as a termite suppressant on Midway Island in the Pacific Ocean in cooperation with the U. S. Navy.

Turning to the Formosan termite, Mr. Beal recounted that this highly destructive introduced termite species, Cryptotermes formosanus Shiraki, was first found in the United States in Louisiana and Texas in 1956. It was uncovered in Charleston, South Carolina in 1957, and recently has been taken (identified) more from that area. It is known to have spread out 50 to 60 miles from New Orleans. It occurs in cypress snags in the St. Charles, Louisiana area, feeding on the heartwood of dead bald-cypress. These are heavy infestations. The Formosan termite could, it is believed, survive in all or much of the area in which Reticulitermes is distributed. This termite attacks structures, dead trees, and also in living elm and ash trees where it hollows out the heart. The nest occurs in the base of the tree in the main and lateral roots. It occurs in power transmission line poles in the New Orleans area.

Cryptotermes formosanus swarms about the same time of the evening as some drywood termites. It builds a carton nest in wood above ground such as between wall studs of structures. It is a very destructive insect and works faster and more aggressively

than our native species. Mr. Beal estimated that it would probably do as much damage in three months as Reticulitermes would in a year.

Control and discussion: The same four insecticides used to control Reticulitermes will do a pretty good job. However, it requires a higher concentration of the insecticide in the Canal Zone (and apparently in Louisiana). Coptotermes appear to be able to (more readily) locate and utilize sources of moisture after they are cut off from the ground (contact). As to control with respect to labels, we will have to have something to apply above soil grade. They have tested the bait blocks (described earlier) in carton nests above ground in Hawaii with good control results.

Specimens reportedly collected in North or South Carolina in 1955 were first mistakenly identified as Reticulitermes sp. were later identified as Coptotermes, and according to Mr. Beal (as understood) may have occurred in the area even earlier.

Returning to the bait block technique in answer to a question by F. R. Du Chanois (FL.), Mr. Beal explained that the blocks are decayed for six weeks by fungi, then sterilized to kill the fungi although the active, fungus-produced, attractant principal remains, and finally treated with "Mirex". The latter is used at a very low rate and acts as a stomach poison when carried into the colony nest by workers. The blocks have not remained effective longer than three years in tests to date.

The complete prepared text of Mr. Beal's presentation is appended.

Discussion: Dr. Haverty responded to several questions on the biology of termites. (As understood), the standard terminology (definition) for true nymphs is where the wing pads have started to develop. The (termite) larva develops and molts from the egg through several stages until the nymph is produced with developing wing pads.

(Ed. Note: The complex biology of termites has gradually become more definitively elucidated through the study of many workers over a long period of time). With respect to the Reticulitermes, Dr. Haverty explained there is no true "worker" caste. The wingless individuals of Reticulitermes which are commonly referred to and known as "workers" are actually or more properly "pseudergates", since they are capable of molting and differentiation.

(At this point, Dr. Phil Hamman brought a telephone message from Dr. Philip Spear of NPCA requesting that any of the members having data on the number of termite pretreatments, corrective treatments and powderpost beetle treatments over the last three to five years please send this information to him at NPCA Headquarters).

COFFEE BREAK

ENFORCEMENT OF STATE LAW AND INVESTIGATION OF COMPLAINTS

Messrs Sam Graham, Assistant Attorney General (AG) of Texas, Austin, and Jack E. Mercer, Inspector, Texas Structural Pest Control Board, Sugar Land, Texas.

Mr. Graham constructively outlined step-by-step the investigative and enforcement process by taking us through actual illustrated case histories. He related that he meets regularly with the Board. The investigative process comes first. They have principally three statutes they can use and throw at a violator: The Pest Control Act, the Deceptive Trade Practices Act and the Home Solicitation Act (involving the three-day waiver period).

Outline of Case History:

(1) Letter of referral to AG - from Executive Secretary, Texas SPC Board, seeking temporary injunction against violator.

(2) Types of relief available:

(a) Temporary restraining order - emergency situations; short duration, must be a very serious matter.

(b) Temporary injunction - preserves the status quo or present status; lasts until trial; there is a hearing, evidence put on and you present your case.

(c) Permanent injunction - prohibitory - the violator may not do something; or mandatory - the violator must do something; or both.

(d) Civil penalties - $50 to $1,000/fine per day or per act of violation.

(e) Fines - criminal misdemeanor; not more than $200 per day or per act of violation; taken at local level and generally would not involve AG's office.

(3) Investigation Report - includes case number, complaint, date, location, name of complainant, details of investigation (see appended "Preliminary Report" form).

(4) Submission of evidence - e.g. contracts, receipts, business card, cancelled checks.

The illustrated case is good. Why? Because:

(a) We have copy of written contract and other evidence.

(b) Investigator has secured cooperation of consumer involved (witness) - most important.

(c) Violator made up false pest control license number (icing on the cake).

(d) Defendant's pest control exam results - not passing.

(5) Plaintiff's original petition - must know where to serve process. Must know where defendant can be located for service of process. The petition for injunctive relief is phrased in legal terminology. This is a serious matter as you are taking away a person's means of livelihood.

(a) The petition alleges what the person has done.

(b) Citation of law or rules violated.

(c) Affidavit sworn to by plaintiff's attorney.

(d) Attorney may require investigator or head of agency to swear to correctness of facts.

(6) Default Judgment.

(a) Specifies what person (violator) has been ordered, adjudged and decreed to do or not to do.

(b) End result is a court order, the violation of which can result in the person being in contempt of court and subject to penalty and sentencing by the judge.

(c) In this case you are not stopping a man from going into or doing business properly and legally.

(d) Only one case with evidence is necessary by preponderance of the evidence to show the person (defendant) to be in contempt of court.

INVESTIGATION OF COMPLAINTS

Mr. Jack E. Mercer, Inspector, Texas Structural Pest Control Board.

Inspector Mercer of the Texas SPB staff with many years experience in law enforcement work outlined the investigative process which would. of course, precede the judicial process. He distributed copies of the Texas SPCBPreliminary (Investigation) Report form, copy of which is appended.

Mr. Mercer explained that they try to establish a mode or pattern of operations on suspects, trouble makers. They work with and under the SPC law and regulations primarily, obtain mug shots, descriptions, history of the case and suspects. They also work with the Consumer Fraud Division of the AG's office, and county and local prosecuting attorneys. If possible they attempt to get local authorities to handle (prosecute) the case. The SPC Board inspectors cooperate in making the investigations.

The speaker emphasized that the most important thing is to obtain sufficient physical evidence such as photos, contracts, receipts, canceled checks, soil samples, pesticide samples, etc. Criminal misdemeanor charges are filed with the Justice of the Peace courts; felonies are handled through a grand jury. Mr. Mercer concluded in a way that left no doubt about the importance of his job by relating that he had just received a call from San Antonio of a report of an old widow being ripped-off for $90,000 (ninety thousand dollars). He added, some people don't do a good job because they don't know how; a few don't because they don't want to.

The meeting adjourned at 4:30 P.M., until 8:30 A.M., on Thursday.

Wednesday evening, 24 September

SHRIMP BOIL - a fabulous affair enjoyed by todos los Señores y las Señoras al Rancho de Carlito Chapman y otras amigos. Muchas gratias! Viva la "Shrimp boil"!

Thursday morning, 25 September

FINAL EXECUTIVE AND BUSINESS SESSION
ADOPTION OF CONSTITUTION AND BY-LAWS

The meeting was called to order by President Chapman at 9:00 A.M. He called for State Reports not given on Wednesday due to time limitation. These were given and are included under Wednesday morning in the Minutes and Notes.

President Chapman called for the report of the Resolutions Committee. Mr. Carlton (LA.), Chairman, read the following resolutions:

(1) WHEREAS, The 16th annual meeting of the Association of Structural Pest Control Pest Control Regulatory Officials has been most informative and helpful to all in attendance and,

WHEREAS, The membership has enjoyed the hospitality which has been extended by Charlie Chapman and his fellow workers of the Texas Structural Pest Control Board,

NOW, THEREFORE, BE IT RESOLVED, That the Association of Structural Pest Control Regulatory Officials at its regular meeting in Austin, Texas, September 23/25, 1975, direct the secretary to express our sincere appreciation to the Texas Structural Pest Control Board for the fine job they have done at this meeting.

Adopted September 26, 1975

(2) WHEREAS, the program enjoyed by the membership of the Association of Structural Pest Control Regulatory Officials was most informative and beneficial to all in attendance,

NOW, THEREFORE, Be it resolved that the secretary be directed to write each participant on the program and express our appreciation.

Adopted September 26, 1975

(3) WHEREAS, After 16 years of meeting as an informal organization, the Association of Structural Pest Control Regulatory Officials has now formalized its organization and adopted a constitution and by-laws and,

WHEREAS, This organization represents hundreds of man-years of experience in pest control regulatory work,

NOW, THEREFORE, Be it resolved that the secretary be directed to notify the appropriate officials in the EPA and USDA of our desire to offer our services in agency deliberations which involve the industries regulated by the members of this association.

Adopted September 26, 1975

Motion duly made and seconded to adopt the resolutions as read; carried unanimously (Secy. Note: Copies of appropriate resolutions have been sent to all persons indicated).

President Chapman called for new business.

There was a discussion of annual dues. Mr. Carlton (LA.) moved that, "For the purpose of this meeting dues be set at $15,00 and that the registration fee be considered the dues and those registered states be considered in good standing".

Seconded by Mr. McCarty (MISS.). The motion carried.

President Chapman distributed copies and called for discussion of the proposed Constitution and By-Laws. After appropriate discussion of the Articles and Sections of the Constitution and the passage of six amendments, it was moved by Mr. Carlton (LA.), seconded by Ms. Sisk (ARIZ.) that the Constitution, as amended, be adopted. Motion carried unanimously.

After appropriate discussion of the Articles of the By-Laws, and the passage of two amendments and the addition of Article X, it was moved by Mr. White (TENN.), seconded by Mr. Mesecher (MICH.) that the By-Laws, as amended, be adopted. Motion carried unanimously.

The new Constitution and By-Laws of the Association of Structural Pest Control Regulatory Officials adopted in executive session, 25 September 1975 follow :

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

CONSTITUTION

Article I

Section 1. NAME: This organization shall be known as Association of Structural Pest Control Regulatory Officials.

Section 2. MEMBERS: This association shall be composed of the Chief Structural Pest Control Regulatory Official or equivalent official, or his designee of any of the fifty states.

Article II

Section 1. PURPOSE: The purpose of this organization shall be to promote better understanding and efficiency in the administration of laws and other written documents of regulatory authority between states concerning the control and eradication of pests of structures and their immediate environs. To promote the protection of the health and welfare of the citizens of each state and to promote the protection of the environment against misuse of pesticides and to promote a more professional standard for the structural pest control industry.

Article III

Section 1. VOTING: In the transaction of ASPCRO official business, each member state shall be entitled to one vote which is to be cast by the Chief Structural Pest Control regulatory official or equivalent, or his or her authorized representative from his or her own state.

Section 2. QUORUM: A quorum shall consist of a number of members representing a majority of the member states in good standing.

Section 3. CONDUCT OF MEETINGS: All meetings of the ASPCRO shall be conducted in accordance with Roberts' "Rules of Order" except when there is a conflict with this constitution and by-laws in which case the constitution and by-laws shall prevail.

Article IV

Section 1. OFFICERS: The officers of this organization shall consist of a president, vice-president and secretary-treasurer, to be elected annually. Officers are eligible for re-election.

Section 2. EXECUTIVE COMMITTEE: The executive committee of this organization shall consist of the officers of said organization and a board of four members to be elected by the membership.

Article V

Section 1. AMENDMENTS: The constitution may be amended at any meeting by a three-fourths vote of the members in good standing, provided those present constitute a quorum and providing the proposed amendment or amendments have been submitted to each member in good standing thirty (30) days before the meeting.

BY-LAWS

Article I. DUTIES OF OFFICERS: The duties of the officers shall be such as ordinarily performed by such officers in similar organizations.

Article II. ELECTION OF OFFICERS: The officers and representatives of this organization shall be elected by written ballot.

Article III. EXECUTIVE COMMITTEE DUTIES: The executive committee shall function in all matters for this organization in the interim between meetings. Action of the executive committee shall be communicated to all members of ASPCRO.

Article IV. SELECTION OF COMMITTEE MEMBERS: The president shall appoint members to such committees as deemed necessary to conduct the business of this organization.

Article V. DUES: A sum of money, as determined by ASPCRO, shall be paid by the members to finance its operations. Said money may be paid to the treasury of ASPCRO and also may be made available for paying ordinary expenses of ASPCRO, officers or committee members to special meetings insofar as funds will permit.

Article VI. ANNUAL MEETING TIME & PLACE: The time and place of the annual meeting shall be determined by the executive committee.

Article VII. SPECIAL MEETINGS: Special meetings of ASPCRO shall be called at the discretion of the executive committee or upon the petition of ten (10) or more member states.

Article VIII. EXECUTIVE SESSION: An executive session of this organization shall be called by the president at the request of any member of the organization with the approval of the majority of ASPCRO members present. Members may also have their agency associates attend executive sessions.

Article IX. AMENDMENTS: The by-laws may be amended at any meeting by a three-fourths majority vote of the members in good standing, providing those present constitute a quorum.

Article X. A member in good standing shall be a member whose current dues are paid.

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It was informally suggested that Association dues be set at $25.00 annually. Action was held in abeyance.

Invitations to host the 1976 ASPCRO meeting were graciously extended by Mr. Houser (MO.) and Ms. Sisk (ARIZ.). Mr. Carlton (LA.) suggested that Mr. Carl Scott (GA.) be contacted by the Executive Committee as to the possibility of meeting in Atlanta, Georgia in 1976. Should this fail the Executive Committee will set the location and date of the meeting. ASPCRO appreciates the offers from Missouri and Arizona.

There being no further business it was moved by Mr. Carlton (LA.), seconded by Mr. McCarty (MISS.) that the 1975 meeting be adjourned. Motion carried. President Chapman declared the meeting adjourned at 12:00 P. M. o'clock.

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The officers and members of ASPCRO wish to express and have recorded their sincere appreciation to all speakers and cooperators. The Secretary also wishes to thank Mrs. Margaret Alford and Mrs. Pauline Doane of the Bureau of Entomology, Florida Health Program Office for typing, copying and assembling these "Minutes and Notes".

Continuation of footnote from page 5: "allows EPA to require private applicators to participate in training programs which do not include examinations. The same amendment also allows EPA to require any pesticide dealer who participates in a certification program to be licensed under a state licensing program approved by EPA. (NOTE: Up to this time dealers have not been involved in this program). The bill now goes to the Senate Agricultural Committee where it is believed little opposition will occur."

September 23, 24, 25, 1975

REGISTRATION

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

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Charlie Chapman
Executive Director
Structural Pest Control Board
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September 23, 24, 25, 1975

Guests present at the ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS meeting.

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Jim Boland
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WELCOME ADDRESS 1/

THE FIRST THING I WANT TO SAY TO YOU IS THAT YOU ARE WELCOME TO TEXAS. WE ARE GLAD YOU CHOSE TEXAS AS YOUR MEETING PLACE FOR THIS EVENT. WE WANT TO COMMEND YOU FOR THE WORK YOU HAVE DONE IN THE PAST AND THINK YOU ARE WISE IN ORGANIZING AND FORMALIZING YOUR ORGANIZATION. MUCH GOOD CAN COME FROM YOUR EFFORTS.

WE BELIEVE WE HAVE A GOOD SET-UP IN TEXAS IN THAT WE HAVE A BOARD THAT DOES NOTHING BUT ENFORCE THE PEST CONTROL LAW. WE BELIEVE WE HAVE A GOOD DIRECTOR, IN THAT CHARLIE CHAPMAN HAS HAD OVER TWENTY YEARS EXPERIENCE IN STATE GOVERNMENT AND HAS EXPERIENCE IN PEST CONTROL WORK AND ENFORCEMENT OF LAWS. OUR INSPECTORS WERE CHOSEN BECAUSE OF THEIR BACKGROUND IN INVESTIGATION AND ENTOMOLOGY.

OUR LAW HAS BEEN ON THE BOOKS FOR ONLY FOUR YEARS AND I THINK WE HAVE COME A LONG WAY IN CORRECTING SOME SITUATIONS THAT NEED CORRECTING. I AM VERY OPTIMISTIC ABOUT THE FUTURE OF THE WORK OF THE BOARD AND THE PEST CONTROL INDUSTRY IN TEXAS. WE WANT AN INDUSTRY THAT IS PROFESSIONAL AND RESPECTED AND THAT IS WHAT WE ARE ALL WORKING FOR.

I AM LOOKING FORWARD TO HEARING A DISCUSSION OF THE VARIOUS STATE LAWS, BECAUSE WE CAN GET SOME GOOD IDEAS FROM YOU FOLKS. IT LOOKS LIKE YOU HAVE A FINE PROGRAM OUTLINED FOR THE NEXT COUPLE OF DAYS.

1/ Presented by Mr. George E. Novy, Member, Structural Pest Control Board of Texas, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 23 September 1975.

AGAIN - YOU ARE WELCOME TO AUSTIN. TRY TO VISIT THE CAPITOL BUILDING JUST UP CONGRESS AVENUE - ELEVEN BLOCKS. THE L B J PRESIDENTAL LIBRARY IS ANOTHER VERY INTERESTING PLACE. CHARLIE WILL GET YOU SOME TRANSPORTATION TO THESE OR ANY OTHER PLACE YOU WOULD LIKE TO GO - THAT IS - EDUCATIONAL PLACES.

CHARLIE HAS TOLD YOU THAT I AM IN THE PEST CONTROL BUSINESS. I AM PROUD TO BE IN THIS BUSINESS AND I WANT TO STAY. IT HAS SERVED ME WELL. I HAVE MADE A LIVING, AM IN THE PROCESS OF EDUCATING MY CHILDREN AND ENJOY MY WORK. THE WORK THAT YOU PEOPLE DO CAN HELP ME STAY IN BUSINESS. KEEP UP THE GOOD WORK.

THE TEXAS BOARD MEETS ONCE EACH MONTH. WE HELP CHARLIE SETTLE SOME PROBLEMS WITH PEST CONTROL OPERATORS - WE WORK ON THE BUDGET - WE WORK ON RULES AND REGULATIONS, AND NEEDED CHANGES IN THE LAW. INCIDENTALLY, WE BELIEVE WE NOW HAVE A GOOD LAW AFTER THIS LAST SESSION OF THE LEGISLATURE BECAUSE WE WERE ABLE TO GET IT AMENDED JUST THE WAY WE SUBMITTED IT.

WE OPERATE ON A FEE BASIS HERE IN TEXAS; HOWEVER, WITH OUR LAW AMENDED, WE CAN NOW REQUEST GENERAL FUNDS. WHETHER WE GET MONEY IS SOMETHING ELSE, BUT WE CAN AND WILL ASK.

DURING THE PAST YEAR OUR INSPECTORS MADE OVER 5,000 CONTACTS WITH PEST CONTROL COMPANIES. 1,575 WRITTEN EXAMS WERE GIVEN. 20 CASES, INVOLVING VIOLATIONS OF THE LAW WERE BROUGHT BEFORE THE BOARD. OTHERS WERE HANDLED BY CHARLIE AND THE INSPECTORS.

4 LICENSES WERE REVOKED. 2 PERMANENT INJUNCTIONS WERE GRANTED BY THE COURTS INVOLVING 2 COMPANIES. 8 LICENSES WERE SUSPENDED FOR PERIODS OF 10 DAYS TO 3 MONTHS. BY WORKING WITH THE DISTRICT ATTORNEYS OFFICE, WE WERE ABLE TO GET 2 INDIVIDUALS CONVICTED OF FRAUD AND GIVEN 4 YEAR SENTENCES. WE ARE WORKING ON SOME MORE. WHAT I AM TRYING TO SAY IS - WE WANT TO KEEP THOSE IN BUSINESS THAT ARE GOOD OPERATORS AND SEPARATE THOSE FROM THE BUSINESS THAT DO NOT WANT TO DO A GOOD JOB.

HAVE A GOOD TIME WHILE YOU ARE IN AUSTIN AND I WISH YOU SUCCESS IN THIS MEETING AND MANY OTHERS TO FOLLOW.

THANKS FOR YOUR ATTENTION.

OUTLINE

COMMENTS AND CONCERNS
NATIONAL PEST CONTROL ASSOCIATION
CONVEYED TO THE ADMINISTRATOR
ENVIRONMENTAL PROTECTION AGENCY
SEPTEMBER 23, 1975

I. INTRODUCTION

A. An industry description ---------- Colvert E. Moore, President, NPCA, President, Eastern Chemical Service, Inc.
(What the NPCA is)
(What the role of representatives at this meeting is)

B. Recent Positive Actions by EPA ---------- Richard L. Eldredge, Executive Director, NPCA

1. NPCA participation in various rule-making processes
2. September 10 letter to Chairman, House Agriculture Committee
3. PEPS 2
4. Termite Exemption - Chlordane suspension hearings
5. Special Administrator's Pesticide Advisory Committee

C. The Focus of FIFRA ---------- Vernon Walter, Chairman, GAC, Terminix Int'l.

1. As seen by NPCA
2. As we view EPA's programs and policies

II. AREAS OF CONCERN

A. Industry Input into State Plans ---------- Robert M. Russell, GAC, Orkin Ext. Co.

B. Communications ---------- Philip J. Spear, PhD Sr. Director, Researc NPCA

1. To general public
2. To users and other affected parties
3. With regional EPA offices
4. Internally at EPA Headquarters

C. Adversary Roles vs. Voluntary Compliance ---------- Richard L. Eldredge, Executive Director, NPCA

1. Citations vs. Fines
2. Courtesy Inspections
3. Voluntary Training
4. Regional Liaison Committees

D. Impact on R & D ---------- Roland Rhodes, GAC, President, Rhodes Chemical Company

1. Private
2. Public

E. Decision Making Process

1. Legal vs. Scientific ---------- Richard L. Eldredge, Executive Director, NPCA
   a) registration and experimental use regulations
   b) cancer principles

2. Lack of Assistant Administrator, Pesticides ---------- Philip J. Spear, PhD, Sr. Director, Research NPCA

3. Lack of general scientific expertise ---------- Philip J. Spear, PhD Sr. Director, Research NPCA

F. PEPS 4 ---------- Richard Sameth, GAC, Western Ext. Co.

G. Recommendations ---------- Richard L. Eldredge, Executive Director, NPCA

1. Establish regional liaison committees between regional offices and users

2. Regarding the Special Administrator's Pesticides Advisory Committee, we recommend:

   a) a timetable for implementation be established
   b) a function description be established

c) that it have a meaningful role in shaping pesticide policies and decisions
d) duties and responsibilities of members be specifically outlined
e) users have proper representation on the committee

3. Regarding state plans;

a) states should be required by EPA rulemaking to have open periods of public comment before submitting plans to regional offices
b) industry input at state level should be required by EPA directive

4. Utilize NPCA Newsletter and Pest Control Trade Press to communicate with our industry.

5. Institute Voluntary Compliance Programs as described in Point C.

6. Establish an Assistant Administrator, Pesticides

7. Refer Cancer Principles to a Committee of the National Academy of Sciences as provided in Section 6 (d) of the amended FIFRA.

8. EPA should submit economic impact statements on rules and regulations 60 days in advance of their publication as required by Presidential Order.

EPA should solicit industry input into internally developed economic impact statements.

9. Before making public statements on pesticide suspension and cancellation actions, the Agency should weigh carefully the content and method of such communications to avoid disruption of the marketplace and undo public concern.

Specifically, we recommend that when establishing the Pesticides Advisory Committee should be consulted by EPA before such communications are made.

SUBTERRANEAN TERMITES

by

Raymond H. Beal

No doubt all of you are aware of the EPA ruling on aldrin and dieldrin and Velsicol's present battle with chlordane and heptachlor. Even though the use of these materials for control and/or prevention of subterranean termites is not at stake, we still need to concern ourselves. If all other uses of these materials are stopped, it is possible that they will not be produced, leaving us with no substitute to use for termite control. We had the foresight in 1967 to install some phosphate and carbamate materials in field test at Gulfport to gain efficacy data. We installed Dursban, Baygon, Diazion, Strobane, and Sevin, just to name a few. At the time we installed these studies, we felt that the standard ground-board technique described in our earlier tape-slide talk would not be a true indication of the efficacy of phosphate and carbamate material; therefore, in conjunction with the standard ground-board technique, we also installed these materials under a concrete slab to protect the insecticide from direct weathering. We feel that this method more closely simulates the actual use of the material in preconstruction practices.

Now, after 8 years, 1.0 percent emulsion of both Dursban and Baygon remain 100 percent effective when installed under the protection of a concrete slab. I understand that Dow Chemical Company (producers of Dursban)

Presented by Mr. Raymond H. Beal, Principal Entomologist, Wood Products Insect Laboratory, U. S. Forest Service, Gulfport, Mississippi, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 24 September 1975.

applied for a label registration but was told that efficacy data has to come from more than one location. We have efficacy data on Dursban at four additional sites but only for 4 years; I believe 5-year data is now required.

We are continuing to look at other insecticides as soil treatments. At the present time we have in test, or are in the process of field evaluating, six other compounds which have looked very good in laboratory screening tests.

In addition to the use of soil insecticides for the control and/or prevention of damage by subterranean termites, which works on the principal of putting down a chemical barrier between the structure to be protected and the soil (the normal habitat of the termites), we have been developing an inexpensive, easy to use bait system for attracting and killing termites. Our experiments show that the baits will use less than 1/1000 as much insecticide as other systems.

The key to this new treatment is a small wood block that has been infected with a brown-rot fungus. This bait, attractive to termites, is sterilized to kill the active fungus and then impregnated with a small amount of Mirex, a slow-acting poison which must be eaten by the termites to cause death.

The chemical odor produced by the fungus appears to lure termites that are foraging for food up to as much as 3 feet away from the block. When the termites come to the block and eat some of the wood, they die from the Mirex.

The effectiveness of the bait treatment is dependent upon many things: termite species causing the destruction, amount of contact they have with the baits, and size and social structure of the termite colony at the time of bait contact.

Small scale tests show that termites apparently stop foraging for food within 1 or 2 weeks of bait contact because of the death of a few key workers.

Termite colonies have a highly structured social order--workers and nonworkers and each has a specific role. When some of the foraging workers find the bait and die from the poison, the delicate worker:nonworker ratio in the colony is upset.

Apparently, as the number of worker termites in a colony declines, other termites start to die from such things as starvation. The process accelerates until sanitation breaks down in a colony and unfavorable micro-organisms such as fungi and bacteria increase and eventually destroy the rest of the termites.

So far our trials indicate that the bait protection for a structure will last approximately 3 years and then the decomposed blocks must be replaced. Our limited field study results have been so encouraging that recently we treated over 350 acres (by inserting the blocks just below the soil on a 10-foot grid) and 250 structures (by placing the blocks just below the surface of the soil at 5-foot intervals around the perimeter) on Midway island in the Pacific. The object of this study is to attempt to suppress Coptotermes formosanus Shiraki in an area where there will be little or no opportunity for outside reinfestation. If successful, it may be possible to plan large scale termite suppression programs that would alleviate the termite problem in cities.

The baits are inexpensive; they could be used during normal inspection of a home. Moreover, the small amount of insecticide required, coupled with the fact that the impact of the bait seems almost entirely restricted to the target organisms (the termite), suggest that the bait treatment will be a very minor ecological hazard.

For you that are interested in figures to support the small amount of insecticide used in this bait treatment, the following may be of interest: One block contains 10 mg. of Mirex. At 10-foot intervals we would place 440 blocks per acre for a total of 4400 mg. or 4.4 g. per acre, which is equal to 1/6 oz. or 1/100 of a pound per acre. Remember there are 453.6 g. per pound. Looking at the toxicity of Mirex to man, the figures would look like this:

$$\frac{\text{150 lbs. average man - 68 kg.}}{\text{2.2 lbs. per kg.}}$$

$$\frac{\text{68 kg.}}{\text{X 2000 Dermal } LD_{50} \text{ mg./kg.} =}$$

$$\frac{\text{136,000 mg.}}{\text{10 mg. Mirex per block of wood}} = 13{,}600$$

13,600 - the Mirex in this many blocks would need to be absorbed to have a toxic effect.

3400 - the Mirex in this many blocks would need to be eaten to have an adverse effect.

Coptotermes formosanus, the Formosan subterranean termite, was found in June 1966 in Texas and Louisiana, and in 1967 was found in Charleston, South Carolina.

The Louisiana infestation has increased within the known areas and each year additional buildings are found infested. Houses, treated utility poles, living trees, and shrubs are being attacked in a residential area in New Orleans. Lake Charles and Westlake residential areas, as well as an estimated 3,000 acres of swampy woodland and dead cypress snags, are infested.

In Texas, infestations are limited to one shipyard in Galveston and one shipyard, one residence, two commercial buildings, and a dump in Houston.

The known infestations include only port cities where seagoing ships have docked. This strongly suggests that this termite arrived in the continental United States by ship.

Judging by climates abroad where this insect has been reported, its range in this country could duplicate the range of our native subterranean species, especially along the Pacific and Atlantic coasts. Away from the coast, its distribution would be limited by severe winter temperatures to the southern part of the country.

Like our common subterranean termites, C. formosanus attacks and destroys wood in buildings. However, damage has not been limited solely to this type of wood. The infestation in New Orleans extends to several kinds of live trees and shrubs. These termites were found feeding up the center in the heartwood of live ash and elm, making about a 4-inch cavity within an 8-inch tree. There is no evidence to suggest that this activity will kill the trees but, no doubt, the plants are somewhat weakened. In both

ash and elm the termite nest was found at the base of the trunk, just below the ground line. From this focal point, damage extended out most of the roots and up the trunk 12 to 14 feet in the elm and all the way to the top of the ash tree.

Poles and timbers pressure treated with creosote have been infested by the Formosan subterranean termite. For example, in a residential area in New Orleans a creosote pressure treated pole was found heavily infested. Tubes from which soldiers could be extracted reached the surface of the pole at a number of places within 10 feet of the ground, and when the pole was removed, tubing and damage was found to extend the full length of the pole (55 feet). The pole was cut open and live termites were found working in its full length. The termites entered through the checks and cracks below the ground line into wood with less retention than the surface wood. The penetration of the creosote into the pole, however, was spotty. Most of the feeding by the termites was in areas where little or no creosote was present. Creosote analyses indicate that retention was far less than the required amount. Attack to this pole probably can be attributed to faulty treatment of the pole. No damage resulted to the untreated heart of the pine pole.

The attack and damage to creosote treated poles by Coptotermes are so severe in Hawaii that the Navy and the electrical companies are attempting to limit their replacement poles to waterborne preservatives such as CCA (Chromated copper arsenate) or ACA (Ammoniacal copper arsenite). Both

of these treatments held up much better to termite attack where Coptotermes were found. Attack to treated poles, piling, and timbers located on docks has also been found.

It has been established that this termite was in certain areas of the continental United States for a number of years before it was detected. A queen termite removed from a cypress snag in Lake Charles in 1966 was estimated to be at least 10 years old. The large flight by the swarmers in 1966, which led to its discovery, did not reoccur in May and June of 1967; this indicates conditions were not as favorable in 1967. The swarming usually occurs between dusk and midnight. These weak flying insects are highly attracted to lights. Flights are assumed to be less than 100 yards, making the natural spread by flying adults slow.

The workers forge out from central colonies in search of food (any cellulose material) by extending galleries through the soil. Galleries were traced for distances of 200 to 300 feet through the soil. Whenever these termites extend their galleries out of the soil into material above ground, they usually construct a honeycomb type material referred to as carton nest. An example of this is a house in New Orleans where mud tubes were noted coming through the sheetrock over a door. When the heavily damaged sheetrock was removed, the hollow void between the studs on each side of the door was filled with a carton nest which contained workers, soldiers, nymphs, and eggs. The 2- by 4-inch wooden studs were so heavily fed on and incorporated into this carton material that it was difficult to determine where the studs had been.

Laboratory tests indicate that the Formosan subterranean termite feeds somewhat faster than our native species. According to the literature, colony development for this imported termite is more rapid than native species; therefore, more damage would result over a given period of time. Pine stakes placed in the ground at Lake Charles were heavily damaged in three months, which is much sooner than can be expected from our common species.

The same four insecticides that are presently recommended for our native species (aldrin, chlordane, dieldrin, and heptachlor) are also effective as soil treatments against Coptotermes; however, we feel that the concentrations of the insecticide should be increased.

In both Hawaii and Louisiana, pest control operators are finding that remedial control is not always being achieved with soil treatments alone as this termite appears to be able to find and maintain adequate moisture above grade when their soil connection is broken. The effectiveness of the insecticide is not in question but only that Coptotermes are better able to utilize and find an alternative source of moisture when ground contact is prevented. We have no immediate solution for the problem because in many cases each situation dictates a different solution. It appears that finding and correcting the moisture situation in the structure will remove the termite problem, but as we all know, this is sometimes very difficult and costly.

REVIEW OF RESEARCH CONDUCTED BY THE FOREST AND WOOD PRODUCTS DISEASE LABORATORY AND THE WOOD PRODUCTS INSECT LABORATORY, GULFPORT, MISSISSIPPI

My name is Mike Haverty, and I am here today to represent the Southern Forest Experiment Station of the Forest Service, US Department of Agriculture. Ray Beal and I will briefly review the research conducted at the Forest and Wood Products Disease Laboratory and the Wood Products Insect Laboratory located at Gulfport, Mississippi.

The mission of the disease laboratory is to develop more effective and efficient methods of controlling wood deterioration from harvesting, through storage, processing, and ultimate use. The geographic area of their research responsibility is primarily the southern states. The current scientific staff consists of two plant pathologists and two laboratory technicians. Research has been arranged under four problem areas: micro-biology of water-soaked wood, genetics of economically important wood-destroying fungi, biochemistry and survival mechanisms of brown-rotting fungi and the development of practical controls for deteriorating wood in use. Recently, most of their effort has been in this latter category.

Terry Amburgey is currently field testing a new, nontoxic method of combating wood decay by treating the wood with ammonia during kiln drying or with aqueous ammonium hydroxide under pressure. He is investigating
lide 1 methods of preventing and controlling the discoloration of asphalt roofing shingles, which is caused primarily by a blue-green alga, developing new techniques for bioassaying the effectiveness of wood
lide 2 preservatives against fungi, and investigating the interactions between subterranean termites and wood-inhabiting fungi. He has also been

involved in extension work by giving talks on methods of preventing and controlling wood decay to pest control associations. Recently, he has
de 3 completed a slide-tape presentation entitled "Wood-Inhabiting Fungi in Homes." This will be available to the pest control industry within a few months. Currently, he is coauthoring, with Dr. Arthur Verrall, a manual on the prevention and control of wood-inhabiting fungi in homes. He is also editing a manual on wood-inhabiting insects in homes, a field guide for building inspectors, and a slide-tape presentation to complement the insect and decay manuals. These materials are being prepared as a part of a Department of Housing and Urban Development/Forest Service cooperative agreement and should be available in approximately 2 years.

Rod DeGroot is conducting studies to identify the microorganisms present in southern pine as trees are felled and the changes in microbial populations as the logs are stored under a continuous water spray. The feasibility of using water spray storage of white stock for pilings is being explored in cooperation with the Maryland Department of Natural Resources. In addition, a search is underway for an effective means of biological control of decay fungi. Examples are the investigations of the ability of terpenes to limit the invasion of decay fungi and the ability of a Streptomyces sp. to inhibit the growth of stain and decay fungi in wood.

Along with Tom Popham, a statistician from the Southern Forest Experiment Station, and Ed Dickerhoof, a marketing specialist from the Southeastern Forest Experiment Station, Rod has been trying to document the relative distribution of wood decay problems in single-family houses along the coasts of Alabama and Mississippi.

Slide 4 (16)

You may be particularily interested in their examination of 155 repossessed houses in Mississippi where the developers could be identified. This table indicates the relative performance of individual developers in preventing defects in houses which they have built. Note that no developer is consistently good or not so good. High percentages of speeific problems occur within some developments, but are absent from others. This suggests that builders tend to repeat both positive and negative construction practices.

Slide 5 (17)

Slide 6 (24)

The solution to some wood deterioration problems, therefore, might be achieved through improved quality control. They suggest that building officials do not have to examine every house in order to detect problems. Defects might be more accurately detected if officials conducted detailed inspections of a sample of houses within a development rather than performing cursory inspections of all houses. This would give building officials more time to work with specific builders that are making specific errors within individual developments.

In addition to his research responsibilities, Rod is currently heading up a committee to review the minimum property standards for the Department of Housing and Urban Development.

The mission of the Wood Products Insect Laboratory is to develop chemical, biological, or physical methods of controlling or preventing damage by termites, wood-destroying beetles, and other insects destructive to wood in storage and in use. Our scientific staff consists of five entomologists, three chemists, and eight biological technicians.

As an introduction to our laboratory, I have brought with me a slide-tape presentation which provides a brief introduction to the overall scope of our work. It introduces the four major research areas with which we concern ourselves. Since my arrival in March 1975, I have initiated a fifth area of research. Later I will discuss this problem area, and Ray and I will briefly discuss the results of the four ongoing areas of research.

Before we start with this slide-tape presentation, I would like for you to keep in mind that this was designed to introduce the general public to our laboratory. By necessity, it contains some very general biology of the insects we are studying. Some of this you are probably familiar with.

SLIDE TAPE HERE

Now let's take a look at the results obtained in the four ongoing research areas. First I will discuss the work on wood-destroying beetles, effects of wood extractive on termites, biochemical relationships between termites and their symbiotic protozoa, and the possible interruption of normal caste proportions in termite colonies. Ray will cover recent developments with possible new termiticides and the current status of the Formosan termite problem.

Many studies on wood-destroying beetles have been completed, and results are being compiled and reported as rapidly as possible. These studies include the effects of temperature on the feeding of anobiid beetle larvae, seasonal emergence, and diel activity of anobiid beetle adults as influenced by temperature and humidity, the early survival of anobiid larvae in various woods, the feasibility and effectiveness of microwave radiation for beetle control, the loss in structural strength caused by anobiid larval feeding, and the economic importance of wood products insects in single family dwellings.

Lonnie Williams and Dr. Richard Smythe, the authors of this latter study, are convinced it will be a major contribution to the Forest Service, the pest control industry, and to many groups that design, finance, build, buy, sell, or protect the nation's housing. The second of a series of four papers from this study will make readily available much of the existing information, and much never before compiled information, on treatment costs for wood products insects and specific characteristics of the structures they attack--for example, their value, age, and general construction type. The data is derived from the 11 southern states with the highest incidence of attack. These data will hopefully be expanded to give nationwide damage estimates. Finally, comparisons will be made of research funding and product value for wood products insects with insect pests of four major agricultural crops.

We expect most of the preceding information to be published in the next 2 years. This year Lonnie will begin studies on wood moisture content requirements of anobiid larvae and on the effectiveness of several insecticides for beetle control .

In the past, work at our lab has concentrated on anobiid beetles. In some ways, the anobiid problem is taking care of itself. Slab-type construction, which leaves little or no unfinished wood available to these beetles, and central air-conditioning, which reduces the amount of moist wood available for these beetles, are both responsible.

More attention is now being paid to the problem of beetles in imported hardwoods. Let me cite two recent examples of this problem. The first involves a company which manufactures window and door units. They use imported hardwoods almost exclusively. The wood is imported in log form (one million board ft./month). The importer saws the logs to lumber and claims that they dip this lumber in an antistain solution and then kiln dry it. The manufacturer claims that they process the wood and clean up the scraps rapidly. Many of the door and window units produced by this

company show considerable damage by lyctid beetles. Most of these were assembled in 1971-72 but the company is still getting complaints. They have replaced affected doors or fumigated homes to correct the damage. Thus far they claim to have incurred a loss of from 1/2 to 1 million dollars. Their most expensive job to date has been at Diamondhead, Mississippi, where the cost of fumigation and repair of a home has cost $7,500. The manufacturer is presently involved in a suit with the importer to determine who is liable for the repair of the damage.

The second example involves a door manufacturing company which cuts, saws, and imports its own hardwood lumber (mostly banak). The wood is imported to Savannah, Georgia, and there it is cut into door components. Some of this wood is stored for as long as a year. After shipping the wood up from South America, pallets, dunnage, and crates of South American hardwood were simply dumped in the storage area. These materials were infested with lyctid beetles and apparently infested many of the door components which were in storage.

This company has assembly plants in four states. All plants have had problems with lyctid beetles in about 1/3 of the wood they use. The company, which produces about 35,000 doors per day, is replacing or fumigating doors for which is has complaints. Completed doors and components will now have to be fumigated. It is estimated that the potential loss to this company will be 1/2 million dollars. This is all because of poor sanitation in the importing and storage process.

Both of these problems could have been prevented by knowledge of the dangers of poor warehouse sanitation, more stringent quarantine regulations or dipping freshly cut lumber with boron treatment before drying. At any rate, it exemplifies the severity of the beetle problem in imported hardwoods.

The next research area I'll discuss is the effect of wood extractives on termites. The majority of this work is being conducted under the direction of Miss Fairie Lyn Carter.

Extractive components of wood may affect termites in various ways including attractancy, repellency, toxicity, stimulation or inhibition of feeding and growth, interference with completion of life cycle, enhancement or retardation of caste differentiation, and deleterious effects on symbiotic protozoa. The primary goal of this research is to determine the feasibility of preventing termite damage by choice of woods or use of extractive constituents to develop a new control technique.

Miss Carter has measured feeding and survival responses of Reticulitermes flavipes to materials from 11 US conifers. No survival was observed on blocks and unextracted sawdust from four species and a second source of another species. Removal of the detrimental substances from the five unfavorable woods was most efficient with successive extraction by pentane and a mixture of acetone, hexane, and water (53:44:3). Protozoan populations were generally normal for termites held on favorable test materials, but extracts of unfavorable woods were generally detrimental to the symbiotic protozoa.

Work with native hardwoods is not far advanced, but R. flavipes could not survive more than 3 weeks on heartwood blocks of eight species of the hardwoods studied. Survival of Coptotermes formosanus was determined on unextracted sawdust, solvent-extracted sawdust, and extracts from 24 tropical hardwoods. Termites could not survive 8 weeks on absorbent paper pads treated with extracts from 14 woods. In addition, abnormal protozoan populations were noted in termites surviving on extracts from four other

in the toxic woods
woods. The identification procedures for the detrimental fractions/are in progress.

Termites are dependent on symbiotic protozoa for normal digestion of cellulose. If the protozoa are eliminated the termites soon die. Research in this area is primarily the responsibility of Dr. Joe Mauldin. Because the protozoa cannot be cultured in vitro, he selectively eliminates protozoa from the termite's gut and is studying the ability of abnormally faunated termites to catabolize cellulose and synthesize lipids and proteins. The goal of this research is to determine which protozoa are necessary for normal physiological processes and to evaluate certain chemicals, such as antibiotics or metabolic inhibitors, for use in eliminating critical protozoa.

Joe is studying two species of termites--the eastern subterranean termite, R. flavipes, and the introduced Formosan subterranean termite, C. formosanus. Formosan termites harbor three species of protozoa and R. flavipes harbors at least six. Methods have been developed whereby some or all the protozoa can be eliminated from either species of termite. From his metabolic studies it is evident that C. formosanus lacking only the protozoan Pseudotrichonympha grassii Koidzumi or R. flavipes lacking only the protozoan Trichonympha agilis Leidy cannot survive, feed, or synthesize lipids normally. That is, being without one protozoa is almost like being without all protozoa. The symbiotic protozoa do not seem to be as important for free and protein-bound amino acid synthesis, because levels of these compounds were as high in abnormally faunated termites as in normally faunated termites.

Through these studies we can hopefully develop a method for interrupting the termite-protozoa relationship and thus kill and control

the termites themselves. Some success has been achieved by the use of antibiotics. By incorporating these chemicals in an artificial diet, the number of protozoa in a termite's gut can almost be reduced to zero. Promising antibiotics include the following: azosulfamid, sulfacetamide, actidione, atabrine, and chloroquine phosphate. None of these chemicals have yet been tested in the field. In the future we would like to try these chemicals in attractive baits for control of subterranean termites.

The last major area of research I will discuss is the possiblity of disrupting normal caste proportions in termite colonies (my bag). Termites are social insects which have a highly structured social system. The colonies are headed by either a pair of primary reproductives or many supplementary reproductives. Here is a female supplementary reproductive. These reproductives produce numerous eggs which hatch to become larvae. Larvae may further differentiate along three pathways. They may become "workers." They may progress to the reproductive caste, either primary or secondary. Or they may become soldiers. To do this they must first go through a presoldier stage.

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Termite colonies are known to maintain rather constant proportions of each caste. These proportions are known to fluctuate normally with the seasons as a result of the development and release of numerous winged reproductives. Proportions also vary seasonally with periods of active foraging and increases in egg production.

Abnormal fluctuations can also occur as the results of predation or poisoning of foraging parties. Termite colonies react as a whole to these disturbances to maintain their programmed numerical balance of its polymorphic

caste structure. There are two keys to maintaining this balance. The first is cannabalism. If the proportion of one caste, for example, the soldier caste, becomes too great the "workers" will eliminate the excess
Slide 15 by cannabalism. The second is the flexibility of the"workers!' This is really not a terminal caste. They have the ability to undergo stationary molts to remain"workers"or can differentiate into primary or secondary reproductives or soldiers, depending on colony needs.

What then does this have to do with control? Recent research with juvenile hormone analoges has shown that when "workers" are fed wood or sawdust containing these chemicals they tend to rapidly differentiate into soldiers or soldier-nymph intercastes. Small laboratory groups may
ide 16 & 17 produce as many as 40 percent soldiers after a 2-week exposure to food containing 100 ppm JHA. This is far in excess of 1 to 3 percent found in normal colonies. Theoretically, these excess soldiers and intercastes would be eliminated by the remaining "workers." The remaining workers might next feed on treated wood and the cycle could repeat itself. This would eventually reduce the foraging worker population and would result in the starvation of the dependent larvae and reproductives.

This is a new approach to termite control and it might prove quite useful. At least one JHA has recently been registered for mosquito control. These compounds could easily be incorporated into attractive baits.

Presented by Dr. Michael I. Haverty, Acting Project Leader, Wood Products Disease Laboratory, U. S. Forest Service, Gulfport, Mississippi, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 24 September 1975.

Arizona: Betty B. Sisk, Executive Secretary

The Structural Pest Control Board was established in 1965 and is made up of five members appointed by the Governor. Two of these members are selected from the public, and three members from industry.

The Board is responsible for administering examinations for the licensing of applicators in the following classifications: general pest, wood destroying organisms, fumigation, weed and horticulture. Examination fees at this time are $50.00 (subject to change after hearing October 8, 1975 to $100.00). Applicant may be examined in one or all categories for that fee. After applicant successful and so informed, the board will cause the publication in a newspaper of general circulation, the names of the applicants, and the fact that the board will for twenty days thereafter, consider any objections as to why such applicant should not be qualified by the board for licensing. If no objections are filed, the board will then issue license to applicant after he complies with our rules and regulations as to paying licensing fee in the amount of $100.00 and also submitting proof of financial responsibility. If applicant does not choose to go into business, he may place his license in an inactive status for $25.00. All licenses are renewed annually.

The board collects annual license renewal fees, adopts rules and regulations, and administers applicable statutes. It is also responsible for investigating violations and complaints.

Through a cooperative agreement with the Board of Pesticide Control, the Structural Pest Control Board is also responsible for the examination and certification of the commercial applicators under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended in 1972 (Sec. 4). The areas the Board is responsible for include ornamental and turf pest control, industrial, institutional, structural and health-related pest control. It will also jointly handle aquatic pest control with the Board of Pesticide Control. The Board has determined the fee for certification to be $15.00. The Structural Pest Control Board does not conduct training programs for the licensing or certification. Educational programs have been developed by private or governmental agencies in the State.

The State Plan is being reviewed and to be presented to the Governor by Oct. 21, 1975. The lead agency is the Pesticide Control Board. Cooperating agencies involved are the State Department of Health Services, Pesticide Control Board and Structural Pest Control Board. Each agency was responsible in writing their portion of the State Plan. The State does not anticipate the development or reciprocal agreements with other states at this time.

Arizona presently has over 200 companies licensed and also approximately 85 on the inactive status. The office is staffed by three, including an inspector who checks for safe operation and use of chemicals. The Board holds monthly meetings to conduct regular business as well as handle any consumer complaints.

Address of the Board - Structural Pest Control Board, 2207 S. 48th Street, Suite M, Tempe, Arizona 85282, telephone 271 3664. All board meetings, hearings and examinations are held at this address.

Presented by Ms. Betty B. Sisk, Executive Secretary, Arizona Structural Pest Control Board, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas on 24 September 1975.

PLAN FOR CERTIFICATION OF PESTICIDE APPLICATORS

STATE OF GEORGIA 1/

The Georgia Plan which has been submitted to and approved by EPA states that:

> Those (Structural Pest Control) applicators that were "grandfathered" in 1955 will be required to take a written examination (administered by the Structural Pest Control Commission) on the general and specific standards.
>
> Those (Structural Pest Control) applicators licensed after 1955 were given a written examination based on the standards cited in the (Structural Pest Control Rules) _ _ _. These examinations meet and exceed the specific standards (in the 3 categories - Wood-Destroying Organisms, Household Pest Control, and Fumigation) and a portion only of the general (EPA) standards. Therefore, all (Structural Pest Control) applicators who became licensed based on a written examination since 1955 up to December 31, 1974, will be re-examined based on the (EPA) standards.
>
> Since January 1, 1975, the examinations of this category of (Structural Pest Control) applicators have been redesigned to meet the standards for both.

Prior to final approval of the plan, we met with EPA and discussed the necessary amendments to our Act to bring it into compliance with the Federal Act. A copy of the proposed amendments which have been approved by EPA is attached. Note in number 1 the wording "subject to re-education _ _ _". The original EPA wording was "subject to re-examination". This referred back to the over-all state plan in which EPA required it be stated that re-certification be required for both private and commercial operators every 5 years. With the wording "re-education" we will be able to recertify our SPC applicators on the basis of attendance at our annual short course or other training programs offered.

The examination on EPA general standards has been prepared by EPA and is based on the Guide Manual For Commercial Applicators which has been mailed to every SPC operator in the state.

I have completed the specific category exams which only the "Grandfathers" will be required to take. They contain 35 questions - True-False and Multiple Choice - on each category.

The first of these exams for PCO will be given September 27. Following that date, the exams will be offered at all training and exam sessions that are already scheduled over the state. Also, they will be offered at each of our quarterly state certification exam dates and at the annual short course. By offering it at every opportunity, we feel we can get all of our folks certified before the deadline without making it a big deal and a rush.

1/ Presented on behalf of Mr. Carl M. Scott, Jr., Director, Division of Entomology, Georgia Department of Agriculture, Atlanta, Georgia, by Mr. Charlie Chapman, President, Association of Structural Pest Control Regulatory Officials, at the Annual Meeting of ASPCRO, Austin, Texas, 23 September 1975.

EXHIBIT "F"

Proposed Amendments to the
Georgia Structural Pest Control Act

1. Amend Section 6(e), by inserting after the language "revoked or cancelled for cause" in the second sentence thereof, the language:

"subject to re-education or such other requirements as the Commission may impose by regulation to ensure that applicators continue to meet the needs of changing technology, and to assure a continuing level of competence and ability to operate safely and properly."

2. Amend Section 11(b), by deleting the language "use methods or materials that are not suitable for the purpose contracted for", and substituting in lieu thereof the language:

"use methods or materials that are not suitable, or use any fumigant, insecticide, rodenticide, or repellant in a manner inconsistent with its labeling or other restrictions imposed by the Commission or the Commissioner".

3. Amend Section 16, by inserting after the language "regulations issued hereunder" in the third sentence thereof, the language:

", for conviction or imposition of a final order imposing a civil penalty pursuant to Section 14 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended,"

4. Add an additional section to the Act, to provide as follows:

"Section..... . The Commission and the Commissioner may promulgate such regulations as are necessary to establish, obtain approval of, and implement a Georgia State Plan for Certification of Applicators pursuant to Section 4 of the Federal Insecticide, Fungicide and Rodenticide Act as amended."

To sum it up:

1. The overall state plan has been approved by EPA.

2. The necessary amendments to the law have been determined and approved by EPA.

3. We made revisions to our state certification exams, and as of January 1, 1975, they were approved by EPA as sufficient basis for federal certification.

4. Training programs have been set up and a schedule of training and/or examination dates and locations over the state has been set up and mailed to the PCO's.

5. The exams have been prepared.

Granted, these 5 items were time consuming and at times nerve-wracking, but I feel like we are now over the hump as all that is remaining is to present the proposed law amendments to the Legislature for passage in January and to administer the exams as scheduled.

Carl M. Scott, Jr.

STATE OF FLORIDA
DIVISION OF HEALTH
BUREAU OF ENTOMOLOGY
P. O. BOX 210
JACKSONVILLE, FLORIDA 32201

Laboratory personnel read 13 slides and calculated the mass median diameter of droplets to determine whether ULV machines used by the districts were properly adjusted to deliver insecticides according to label requirements for proper insecticide use.

Approximately 95 miscellaneous insects and other arthropods were identified for county sanitarians, pest control companies or private citizens.

One case of Eastern equine encephalitis occurred in Florida during 1974, a two-month old child in Taylor County; however, no blood sera was submitted until so long after the onset that no attempt was made to collect mosquitoes in the vicinity.

COMMERCIAL PEST CONTROL

For the 27th consecutive year the Bureau carried out its duties and responsibilities to the public, particularly consumers of pest control services, and to the commercial pest control industry itself by authority of the Pest Control Act, Chapter 482 F.S., and allied regulations, Chapter 10D-55 FAC (Table 1). The state legislature amended the statute effective July 1, 1974 providing for annual renewal of licenses and identification cards on a fixed anniversary date. This enables distribution of license renewal workload over the entire year, thus expediting orderly licensure. Other amendments provide for depositing all license fees in the pest control trust fund *vice* the general revenue fund; and also for notification by the licensee of termination of employees and ensuing destruction of identification cards when no longer valid.

The Pest Control Regulations, Chapter 10D-55, (last amended in 1966) were extensively revised, and following meetings with industry representatives, advertised public hearing, meetings with DH Pest Control Advisory Council and its general Advisory Council, they were submitted in final form to the Secretary, DHRS, for review, adoption and filing with the Secretary of State (via the Senate Committee on Rules and Calendar). Perhaps the most significant change was elimination of the requirement for fumigation (site) guards. The rules now make the supervising fumigator responsible for taking such safety precautions additional to those prescribed by the regulations as are reasonably necessary to protect the public health and safety. The amended regulations became effective May 2, 1974.

During calendar year 1974, the Bureau examined 1,019 applicants for pest control operator's certificate and special (fumigation) identification card (compared to 726 in 1973). As a result, DH issued 372 new certifications of which 203 were additions to existing certificates, 131 were new certificates and 38 were new special ID cards. For fiscal year 1973-74 DH renewed 1,140 certificates and 119 special ID cards in force and good standing; acted upon 145 applications for emergency certificates, *vis-a-vis* 94 in 1972-73, to enable firms losing their certified operator to temporarily continue in business; made 254 fumigation inspections; held seven informal disciplinary hearings on violations and applications for reinstatement of credentials; reviewed 1,279 examination applications; and collected and accounted for all fees.

The DH Pest Control Advisory Council met once during the year. Efforts were continued to maximize fumigation safety in particular and proper pesticide usage generally through enforcement, stepped-up field inspections, adoption of stringent, revised safety regulations, and close communication with industry fumigators and Florida Pest Control Association legislative committees. Ways and means of preventing or resolving complaints from home buyers, who discover termites and damage in their newly purchased property, are being explored in cooperation with the industry.

Business licenses and identification cards issued, including change-of-address issues, tallied 915 and 8,677 respectively for fiscal year 1973-74 (a decrease of 3.2 and an increase of 12.6 per cent in that order over 1972-73). On a direct fee basis, these documents yielded $38,949 in general revenue fund receipts, up from $36,623 the previous year. Fee receipts actually deposited in the general revenue fund account during fiscal year 1973-74 were $47,077. In addition, the sum of $55,830 was collected and credited to the Trust Fund Account from certificate and special ID card renewal, examinations, issuance and emergency certificate fees, up from $43,595 in 1972-73. The Legislative Auditors imposed additional exacting fiscal records keeping requirements on the office for reconciling fee receipts with permit document issuance.

Two entomologist-inspectors working in DH headquarters and also serving 21 northeast Florida counties devoted full time to duties involving pest control administration. Effective, essential enforcement and public assistance support came from capable, well-qualified district entomologist-inspectors stationed in Miami, Panama City, Tampa and Winter Park for the full year. Two newly appointed entomologists were stationed in St. Petersburg and West Palm Beach during late 1974. All were engaged in commercial pest

TABLE 1

SUMMARY OF COMMERCIAL PEST CONTROL REGISTRATION AND ENFORCEMENT, FLORIDA, 1970-1974.

REGISTRATION	1970	1971	1972	1973	1974
Pest Control Business Licenses issued	802	800	821*	826*	851
Pest Control Business Change-of-Address Licenses issued	66	65	72	118	64
Pest Control Business Licenses revoked	0	0	0	0	0
Pest Control Business Licenses placed on probation	0	0	0	0	0
Pest Control Certificates revoked, suspended or placed on probation	0	0	0	0	0
Employee Pest Control Identification Cards issued	6,021	6,275*	7,224*	7,397*	8,341
Employee Change-of-Address Identification Cards issued	112	239	322	310	336
Employee Identification Cards revoked or stopped	0	0	7	6	9
Employee Identification Cards placed on probation	0	0	1	0	0
Thermal-Aerosol Certificates of Authorization renewed	2	1	1	1	1
ENFORCEMENT					
Property holder complaints investigated	106*	114*	153*	168	178
Unlicensed illegal pest control operators investigated	34	58	46	35	68
Warrants filed against unlicensed operators**	9	5	0	1	9
Letters of warning issued to unlicensed operators	12	44	15	29	56
Accidental poisonings reported by licensees			17	14	11
Inspections made of licensees			608	868	971
Enforcement miles traveled (Jacksonville office only)	19,939	21,117	12,214	12,166	11,726

*Revised from previous annual reports. **Includes direct informations.

Licenses, identification cards and thermal-aerosol certificates issued are based on licensing (fiscal) years.

All other entries are based on calendar year.

control related duties. Recruitment of the additional entomologist-inspectors made possible realignment of the state into smaller territories and vastly improved services rendered to the public and the industry.

Submitted by F. R. Du Chanois, Florida, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 25 September 1975.

SUMMARY OF HOUSE BILL 5310

Michigan's enabling legislation was introduced in the legislature on June 3, 1975 and referred to the committee on agriculture. There has been no action on the Bill as yet, but we anticipate some action after the legislature reconvenes in October.

The proposed legislation will provide one act to regulate pesticide applicators and the sale of pesticides within the State. The Bill (H.B. 5310) has two provisions making it more restrictive than the amended FIFRA.

1. Dealers who sell pesticides classified for restricted use to the ultimate user must obtain a license for each business location. The license fee is $50.00 and is renewable annually. Application for a license shall be made by a person in charge of each location who shall satisfy the director as to his knowledge of the laws and rules governing the sale of restricted use pesticides. Restricted use pesticide dealers are required to submit a record of all sales showing the kind of pesticide sold, quantity, crop use, and name of the purchaser. Restricted use pesticides may be sold only to certified applicators.
2. Commercial applicators who apply pesticides for hire must obtain a license for each business location and provide proof of liability insurance plus a corporate surety bond. The license fee is $20.00 and is renewable annually. Licensed commercial applicators are required to be certified whether they use a restricted use pesticide or not.

Presented by Mr. Robert L. Mesecher, Michigan, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 24 Septe,ber 1975.

The bill requires private applicators and commercial applicators to be certified to use or supervise the use of pesticides classified for restricted use. To be certified, the applicator must pass a written examination based upon the federal standards for the certification of pesticide applicators. There will be a certification fee of $10.00 for both the private and commercial applicator. The certification shall be valid until revoked or for a period of time to be established by rule by the director. The director shall consider changes in technology or use patterns as the criteria for requiring renewal. The director may enter into reciprocal agreements with other states and federal agencies for the purpose of accepting certification required for pesticide applicators.

The bill further provides that every pesticide distributed, sold, exposed, or offered for sale must be registered with the director. Pesticides must be in the manufacturer's immediate unbroken container and have attached thereto a label conforming to the federal labeling requirements.

The bill gives certain authority to the director including authority to:

1. Declare a pest
2. Determine the toxicity of pesticides to man
3. Determine pesticides which are injurious to the environment
4. Enter into cooperative agreements of enforcement
5. Right of entry

The director also has rule making authority necessary for implementing the act including rules for:

1. Safe handling, storage and disposal of pesticides and their containers.

2. Designating restricted use pesticides for the state or for specified areas within the state.
3. The certification and licensing of applicators and licensing of restricted use pesticide dealers.
4. Certified applicators to maintain records of restricted use pesticide applications.
5. Good practice in the use of pesticides.
6. Certified applicators to use a pesticide in a manner consistent with its labeling including adequate supervision of noncertified applicators.

The bill also provides for an advisory committee to consult with and advise the director in the administration of the act. The advisory committee is composed of the directors' of DNR, Public Health, Bureau of Aeronautics, Cooperative Extension, and the executive secretary of the water resources commission. The director shall appoint 4 additional members to the committee, 1 each representing licensed commercial operators, producers of agricultural commodities, nongovernmental organizations for environmental preservation, and the agricultural industry.

Persons violating any provisions of the act or rules are guilty of a misdemeanor, and upon conviction, subject to a maximum penalty of $500.00. Conviction for a violation under the act or Sec. 14 of FIFRA may subject the applicator's certification or license to suspension or revocation.

ASPCRO Meeting

Austin, Texas

Sept. 23-25, 1975

I. North Carolina Structural Pest Control Law

A. Background information - License(s) and I. D. Cards

(1) Three license phases (P, W, F):

Control of household pests by any method other than fumigation (P license phase)

Control of wood-destroying organisms by any method other than fumigation (W license phase)

Fumigation (F license phase)

(2) Qualifications for licenses (minimum):

Two years experience in phase of work for which license is applied

or

Two years training at college level

(3) Cost of examination:

$25.00 for an examination in each of three license phases; applicant may take one re-examination within one year from date of initial examination without paying additional fees.

(4) Cost of license(s):

$100.00 for first license phase; $50.00 for each additional license phase

(5) Expiration of license(s):

License(s) expire annually on June 30 and must be renewed by August 1. Renewal fee same as issuance fee. Licenses not renewed on or before August 1 of each year, require an additional $10.00 per license phase when renewed. Licenses not renewed within one year from expiration date can not be renewed until holder takes and passes examination covering expired license phase.

Presented by Mr. Alfred S. Elder, North Carolina, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 24 September 1975.

(6) Duplication of license:

Requires $5.00 fee

(7) All employees who are classified as salesmen and servicemen must be registered by licensee, within 75 days of employment, with the Pest Control Division, NCDA. Licensee must remit a fee of $20.00 for each name registered. Upon registration each person issued an operator's identification card. Cards expire annually on June 30.

(8) Duplication of I. D. Card:

Requires $1.00 fee

B. Basic changes made in law by 1975 General Assembly (effective July 1, 1976):

(1) Any person using a restricted use pesticide for structural pest control must qualify as a certified applicator

or

be under the direct supervision of a certified applicator.

Exemptions: Person conducting laboratory research involving restricted use pesticides

and

Doctors of Medicine and Doctors of Veterinary Medicine applying pesticides as drugs or medication

(2) Qualifications for certification:

Pass written examination to determine competency as set forth under guidelines of FIFRA as amended.

Cost: $10.00 for each certification phase (P, W, F). May take one re-examination within a year without paying additional fees.
NOTE: Government agents exempt.

(3) Certification Card:

Cost: $30.00 for 1 or all certification phases.
NOTE: Government agents exempt.

Certification cards expire annually on June 30; if not renewed by October 1, holder must take and pass examination covering phase of work covered by expired card.

Duplication of card: $5.00

Board (Committee) given authority to establish additional categories or sub-categories for certification.

(4) Requalifying certified applicators -

Certified applicators to be certified at intervals no more frequent than that specified by Federal Law (FIFRA).

(5) Grounds for revocation or suspension of certification card and license are same; one new cause added:

Accepting a rebate on a real estate transaction.

(6) Financial Responsibility

Licensee must furnish proof of financial responsibility prior to issuance or renewal of license(s).

Amount of financial responsibility to be determined by Board (Committee).

II. Rules and Regulations

Currently being revised to meet FIFRA. Public hearing on proposed changes in rules and regulations to be held September 30, 1975.

Major changes expected in rules and regulations:

(1) Increase in re-inspection fee:

$10.00 for 1st re-inspection

25.00 for 2nd re-inspection

50.00 for 3rd re-inspection and each additional re-inspection thereafter

(2) Fumigation notice:

Licensee and/or certified applicator must notify Board 5 days in advance of any fumigation of a residential structure.

Board will inspect structure to be fumigated and issue licensee or certified applicator fumigation certificate.

(3) Establish criteria for determining active powder-post beetle and old house borer infestation.

(4) Establish educational credits for re-certification every 5 years - (1.2 C. E. Units to be obtained in 18 mon. period immediately preceding renewal date).

III. Additional Information

All current license holders to be given examination for certification at annual PCO Technician School in Raleigh, during January, 1976.

Training to be conducted by Entomology Extension Staff, NCSU; examination to be administered by Board.

SYNOPSIS

A. MISSISSIPPI PESTICIDE APPLICATION ACT OF 1975

1. New Legislation - requires certification of any user of restricted use pesticides who is not required to be licensed under current state licensing laws - (Mississippi Pest Control Law, Agricultural Aviation Licensing Law, and Hormone Herbicide Licensing Law.)

2. Persons who will be licensed under this law:

   a. Private applicators - farmers, ranchers, nurserymen, etc.

   b. Public applicators - state, federal, county and municipal employees.

   c. Other commercial applicators who do not receive fees for their service.

3. Administration - The Commissioner of Agriculture or his agent.

4. Regulations - may make regulations to carry out provisions of law, subject to approval of Advisory Board.

5. Licensing - After October 21, 1976, it will be unlawful for any person to use a restricted use pesticide without being certified.

   a. Applicant must apply for license.

   b. Applicant must demonstrate competency by:

      1. Pass written or oral examination, or

      2. By such other equivalent procedure which will be acceptable to EPA - (This may be by attendance of a training session or by correspondence course, or other acceptable methods and applies only to the private applicator.)

      3. The commissioner may cooperate with other state, federal, or private agencies in training and certification program.

      4. Expiration dates of licenses may be set by regulation. (If allowed by EPA. I believe licenses may need to be renewed at 3 to 5 years.)

6. Non-residents must secure license, and non-resident commercial applicator must appoint agent for service of process.

7. Licenses may be suspended or revoked for cause.

8. Records - Commercial applicators must keep records of their work, and make reports if requested. Private applicators are not required to keep records.

9. Exemptions - Those persons licensed under existing state laws, and others who may be exempt by federal regulation. (This may include research people.)

10. Information and Cooperation - May cooperate with state, federal, public and private agencies to:

    a. Publish information.

    b. Conduct training courses.

    c. Enforcement.

    d. Secure uniform regulations with other states and EPA.

11. Enforcement and Inspection - Commissioner has authority to enforce provisions of this law.

12. Injunctions - May secure injunctions to stop violation.

13. Penalty for violation - Not more than $500.00 and/or six months in jail.

14. Schedule for implementation:

    a. Regulations may be promulgated after passage.

    b. Training, examination, and certification may begin after passage.

    c. Applicators must be certified by October 21, 1976, or later if permitted by EPA.

15. Advisory Committee - To be appointed by Commissioner from agriculture, agribusiness, and related industries to assist in developing regulations and developing a regulatory program to meet EPA requirements.

16. Fees - No fees proposed.

B. MISSISSIPPI PESTICIDE LAW OF 1975

1. Amendment to revise present law to meet requirements of FIFRA. New authority includes:

   a. Change the term "Economic Poison" to "Pesticide" throughout the bill.

   b. Registration of pesticides for restricted use in order to protect man and the environment. May restrict uses of pesticides which are not restricted by EPA for this purpose.

   c. Makes it unlawful to use a pesticide in a manner inconsistent with its labeling.

   d. Makes it unlawful to dispose of pesticides or their containers in an unsafe manner to man or environment.

   e. Registration of pesticides to meet special local needs - This will require approval of EPA, and will allow us to register pesticides for uses which are not federally registered. EPA may disapprove these registrations within 90 days.

   f. Issuance of Experimental Use Permits. This will require approval of EPA. Experimental Use Permits will allow registrants to do research to obtain data to support registration.

   g. Provides authority for refusal to register a product, or cancellation of registration with approval of Advisory Board.

2. Requires licensing of dealers of restricted use pesticides - This is not required by FIFRA, but it seems that this is a desirable method of having some control over the distribution of these materials - Without some control, persons who are not certified could purchase and use these pesticides. Licensed dealers would not be permitted to sell restricted use pesticides to persons who do not have proof of certification under one of the licensing laws.

a. Restricted use pesticide dealers must apply for a license.

b. Standards and qualifications for dealer license may be set by regulation.

c. Licenses must be renewed annually.

d. Other rules pertaining to licensing of pesticide dealers, including records, may be set by regulation; and license may be suspended or revoked for cause.

e. No licensing fee is proposed.

3. The fee for registration of pesticides is unchanged.

4. Effective date - After passage.

Mississippi

ACTIVITIES UNDER THE MISSISSIPPI PEST CONTROL,
TREE SURGERY AND LANDSCAPING LICENSING ACT

TABLE 3A

LICENSE CATEGORIES

1. Control of termites and other structural pests
2. Control of pests in homes, businesses, and industries
3. Control of pests of ornamental plants, shade trees, and lawns
4. Tree surgery
5. Control of pests of orchards
6. Control of pests of domestic animals
7. Landscape gardening
8. Control of pests of pecan orchards

A. Agricultural weed control
B. Aquatic weed control
C. Forest and right-of-way weed control
D. Ornamental and turf weed control
E. Industrial weed control
F. Soil Fumigation

TABLE 3A
(Continued)

LICENSING ACTIVITIES

License Category	Passed Exams	Failed Exams	New Licenses Issued	Licenses Current June 30, 1974
1	29	4	11	205
2	20	11	14	214
3	8	4	4	58
4	4	0	7	70
5	0	0	0	15
6	0	0	0	3
7	9	8	9	269
8	2	0	1	6
A	0	0	0	5
B	0	0	0	5
C	0	0	0	5
D	6	0	3	13
E	5	0	2	10
F	1	1	1	1

Number of new identification cards issued to employees of licensed companies ---------- 656

STRUCTURAL PEST CONTROL TREATMENTS REPORTED BY LICENSED COMPANIES

KIND OF TREATMENT		KIND OF STRUCTURE	
Termite	15,070	Crawl Space	8,287
Beetle	2,186	Slab	6,610
Other	1,027	Combination Crawl & Slab	639
		New Construction	6,449

Inspections made of properties treated for structural pests	1,321
Treatments found to be satisfactory	960
Treatments found to be unsatisfactory	361
Houses inspected that had not been treated	111
Chemical samples collected from pest control operators while properties were being treated for termites	9
Samples found to be satisfactory	9
Samples found to be unsatisfactory	0
Action taken against person in court	3
Amount the three persons paid in fines (dollars)	527
Pest Control Operators Attending Pest Control Workshops	275

STATE LAWS & REGULATIONS

Summary of the New Mexico Pesticide Control Act as it Relates to the Structural Pest Control Industry

The New Mexico Pesticide Control Act became effective June 15, 1973. This Act repealed all previous pesticide use and application laws in New Mexico. The New Mexico Department of Agriculture, under the direction of the Board of Regents, New Mexico State University, was designated as the agency responsible for administering and enforcing the new Act. The New Mexico Pesticide Control Act is designed to closely parallel the Federal Environmental Pesticide Control Act of 1972.

All structural pest control operators are required to become certified as commercial pesticide applicators. Certification means the applicator has passed a written examination and provided proof of financial responsibility. A commercial pesticide applicator is defined as any person engaged in the business, or who carries on or causes to be carried on, with the purpose of direct or indirect benefit to him, the application of pesticides to land not owned or occupied by him.

Structural pest control operators wishing to apply for a commercial applicator's license must do so with the New Mexico Department of Agriculture. There are presently no residency or specific education requirements. Applicants are required to pass written examinations on pesticide safety, label, laws and regulations, and the specific categories in which they wish to be licensed. The specific categories are:

1. Fumigation,
2. Structural Pests (includes both general household and wood-destroying pests), and
3. Vertebrate Animal Pests.

Commercial applicators must demonstrate proof of financial responsibility before a license can be issued. This can be achieved either by filing a financial responsibility liability insurance certificate, a certified copy of the insurance policy or a surety bond. The minimum amount required for a surety bond is $50,000. Liability insurance requirements are $10,000 each person/$25,000 each occurrence bodily injury or $50,000 single limit bodily injury and property damage. The maximum amount of deductible is $250. The Department of Agriculture must receive a written notice 10 days prior to any reduction or cancellation of a surety bond or liability insurance. The applicator license shall, whenever the surety bond or insurance policy of the licensee is reduced below the requirements of the Pesticide Control Act, be automatically suspended until the surety bond or insurance policy again meets these requirements.

The New Mexico Pesticide Control Act provides for an annual inspection of any apparatus used for the application of pesticides. Equipment is classified as either ground or manual. Ground apparatus means any equipment that is operated on the ground and is self-propelled or is mounted, drawn or transported by a vehicle. Manual apparatus includes any equipment in which the person who applies the pesticide is the source of power, or any pressurized equipment which is carried or drawn by the person who applies the pesticide. If the equipment is found to be in good condition, a decal is affixed to it. The annual inspection fee for equipment is $10 for each ground apparatus but no charge is made for each manual apparatus. ~~The fee for all manual apparatuses normally carried in one vehicle shall not exceed $15 per vehicle per license year regardless of the additions or replacements made during that year.~~

Servicemen are individuals who use pesticides as an employee of a commercial applicator. These individuals are required to pass an examination on pesticide safety and labeling. Servicemen can perform service only in those categories for which their employer (a commercial pesticide applicator) has been licensed.

The annual license fee for a commercial applicator is $35 whereas the annual fee for a serviceman's license is $15. New applicants for any license are required to take the appropriate examinations and pay a $5 examination fee. This fee covers all separate tests taken by an applicant at any one testing session. Any license issued under the Pesticide Control Act expires on December 31 following issuance unless it has been revoked or suspended prior thereto by the department. If the license is not renewed by March 1 of each year, the licensee is required to be reexamined.

Commercial pesticide applicators are required to keep records for a period of 2 years from the date of application. Upon written request these records shall be made available to the customer and/or the New Mexico Department of Agriculture. Such records shall include:

1. Date, location and name of person for whom pesticide was applied,
2. Supplier, common name and concentration of pesticide applied, and
3. Apparatus number and name of applicator/serviceman applying the pesticide.

The New Mexico Pesticide Control Act lists 16 violations for which a commercial applicator

may have his license denied, suspended or revoked. These violations are as follows:

1. Made false or fraudulent claims through any media, misrepresenting the effect of material or methods to be utilized;
2. Made a pesticide recommendation or application not in accordance with uses approved by the United States Environmental Protection Agency and the department;
3. Applied known ineffective or improper materials;
4. Operated faulty or unsafe apparatus;
5. Operated in a faulty, careless or negligent manner;
6. Refused or, after notice, neglected to comply with the provisions of the Pesticide Control Act, or the rules or regulations adopted thereunder;
7. Refused or neglected to keep and maintain the records or to make reports when and as required by the Pesticide Control Act or regulations adopted thereunder;
8. Made false or fraudulent records, invoices or reports;
9. Engaged in the business of applying a pesticide on the land of another without having a licensed applicator or operator in direct "on the job" supervision;
10. Operated an unlicensed apparatus or an apparatus without a license plate or decal issued for that particular apparatus;
11. Used fraud or misrepresentation in making an application for a license or renewal of a license;
12. Refused or neglected to comply with any limitation or restrictions on or in a duly issued license or permit.
13. Aided or abetted a licensed or an unlicensed person to evade any provision of the Pesticide Control Act, conspired with a licensed or an unlicensed person to evade the provisions of the Pesticide Control Act or allowed one's license to be used by an unlicensed person;
14. Made false or misleading statements during or after an inspection concerning any infestation or infection of pests found on land;
15. Impersonated any state, county or city inspector or official; or
16. Is not qualified to perform the type of pest control under the conditions and in the locality in which he operates or has operated, regardless of whether or not he has previously passed an examination.

In addition to those 16 violations relating specifically to commercial applicators and servicemen, there are other unlawful acts which apply to anyone (applicators, dealers, consultants, etc.) involved in the application, distribution or sale of pesticides. It is unlawful to use:

1. Any pesticide which has not been registered with the New Mexico Department of Agriculture in accordance with the Pesticide Control Act;
2. Any pesticide, unless it is in the unbroken immediate container of the registrant or manufacturer and there is affixed to the container a label bearing the information required in the Pesticide Control Act;
3. Any pesticide which has not been colored or discolored as required by the Pesticide Control Act;
4. Any pesticide which does not meet the professional standard of quality, as expressed on the labeling under which it is sold, or in which any substance has been substituted wholly or in part for the pesticide, or if any valuable consitutent has been wholly or in part abstracted or if any contaminant is present in an amount determined by the dpeartment to be a hazard.

It is also unlawful:

5. To distribute a restricted use pesticide to any person not licensed under the Pesticide Control Act to use or purchase restricted use pesticides;
6. For any person to detach, alter, deface or destroy any label or labeling or to add any substance to, or take any substance from, a pesticide in a manner that may defeat the purpose of the Pesticide Control Act;
7. For any person to use or cause to be used any restricted use pesticides contrary to directions on the label or to regulations of the board;
8. For any person to handle, transport, store, display, distribute or use pesticides in such a manner as to endanger man and his environment or to endanger food, feed or any other products that may be transported, stored, displayed or distributed with such pesticides; or
9. For any person to dispose of, discard or store any pesticides or pesticide containers in a manner that may cause injury to humans, vegetation, crops, livestock, wildlife, pollinating insects or to pollute any water supply or waterway.

All motor vehicles used by a commercial pesticide applicator for distributing pesticides, devices or apparatuses, or for the purpose of

soliciting business to apply pesticides, must be marked. The marking must be visible on both the right and left sides of the vehicle and include:

1. Name of the firm,
2. Business address, and/or unit number
3. Telephone number, and
4. Commercial pesticide applicator's license number.

Each person to whom a license is issued must notify the Department of Agriculture of any change of business status within 10 days. This includes any change in the status or authority of officers or representatives of the firm, any change in the business name or address or any other pertinent information in the application. Commercial pesticide applicator licenses are not transferable. No fee is required for a change of business name if the application for such change is accompanied by a declaration that there is no change of ownership.

A commercial pesticide applicator can apply only those pesticides registered for use in New Mexico. Furthermore, all applications must follow directions, rates and precautions stated on the approved label and labeling. Application or use of a pesticide in a manner inconsistent with the label directions will constitute an illegal use of the pesticide.

Commercial applicators are required to make protective equipment available to their employees. This equipment should be decontaminated and in proper working order. Employees should be advised in the use of protective equipment to meet the safety requirements on pesticide labels.

For the purpose of carrying out the provisions of the Pesticide Control Act, the New Mexico Department of Agriculture is authorized, either with the consent of the owner or by court order, to enter any public or private premises in order to:

1. Inspect land or property to which pesticides have been applied or are being applied,
2. To inspect any pesticide apparatus, and
3. To inspect storage or disposal areas.

The Department of Agriculture is also authorized to sample pesticides being applied by commercial applators, to sample or monitor any premises for pesticide residues and to investigate any complaints of injury to humans, animals or land.

Any person suffering damage resulting from the use or application of any pesticide by a pest control operator may file with the department a report of damage or loss. The department will investigate damages whenever possible. If it is determined that the complaint has sufficient merit, a complete report of the department's investigation will be sent to both the person claiming damage and the commercial applicator. If the investigation reveals that the applicator was in serious violation of one of the 16 acts for which a license may be denied, suspended or revoked, a hearing may be held to determine the action warranted in that particular case.

Any person violating any provision of the Pesticide Control Act or its regulations shall be guilty of a petty misdemeanor. The department, acting as a law enforcement officer, is authorized to file a criminal complaint in a magistrate court for violations of the Pesticide Control Act. If the department plans instituting proceedings against any person, that person will be notified in writing and will be given an opportunity to present his views, either orally or in writing, with regard to the contemplated action. It is the duty of the district attorney to whom any violation of the Act is reported to institute appropriate proceedings and to prosecute in a court of competent jurisdiction without delay. However, the department is not required to report minor violations of the Act for prosecution when the department believes that the public interest will be best served by a notice of warning in writing.

This section of the study manual presents only a brief synopsis of the New Mexico Pesticide Control Act and its regulations as they apply to pest control operators and their employees. Each applicator and serviceman should be fully aware of all aspects of the laws and regulations which govern the pest control industry. Therefore, we urge all applicators to study the full text of the Pesticide Control Act and its current regulatory order.

Copies of the law and current regulations can be obtained from:

New Mexico Department of Agriculture
Division of Pesticide Control
P.O. Box 3189
Las Cruces, New Mexico 88003
Telephone: 646-2133

Presented by Dr. Pat Morrison, New Mexico, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 24 September 1975.

ANNUAL REPORT

MISSOURI BUREAU of PESTICIDE CONTROL

ASSOCIATION of STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

Austin, Texas
September 25, 1975

PESTICIDE USE LAW:

The Missouri Pesticide Act of 1974 was signed into law in March of 1974 to become effective on October 21, 1976. Due to the continuous rule making of the EPA, it is already out-of-date. Proposed amendments are to be submitted to the Missouri General Assembly for the next session which will convene during January of 1976.

The act provides for:

(1) Issuance of rules and regulations by the Direcotr of the Missouri Department of Agriculture (hereafter referred to as the Director);

(2) Adoption of a restricted use pesticide list by the Director;

(3) Classification of applicator categories;

(4) Certification and licensing of commercial applicators, private applicators and public operators;

(5) Issuance of private applicator permits for the single purchase of restricted use pesticides;

(6) Licensing of retail dealers of restricted use pesticides;

(7) Keeping of records of pesticide use by commercial applicators, and the keeping of records of restricted use pesticide sales by pesticide dealers;

(8) Renewal of licenses subject to additional training as deemed necessary by the Director;

(9) Denial, suspension, revocation or modification of the provisions of any certification, license or permit;

(10) Submission of proof of financial responsibility by commercial applicators;

(11) Issuance of licenses for applicators on a reciprocal basis;

(12) Proper disposal, storage and transportation of pesticides and pesticide containers;

(13) Provision for civil penalties for commercial applicators who operate without certification and license, and for dealers who make available

restricted use pesticides to unauthorized persons;

(14) Issuance of stop sales;

(15) Training of applicators; and

(16) Authority to act in cooperation with other agencies and institutions, for the purpose of securing uniform regulations, cooperative enforcement, training of applicators, pesticide monitoring, submission of state plans, and receiving grants-in-aid.

REGULATIONS:

Regulations to be issued under the Missouri Pesticide Act of 1974 have been written and submitted to the Director for approval prior to being distributed throughout the state for comment. The regulations are only the minimum we feel are absolutly required by the act.

It is to early to discuss these regulations in detail here, but some of the more important points are:

(1) Additional definitions to clairify the intent of the law, and additional definitions to bring the Missouri act into closer compliance with the amended FIFRA and some of the regulations promulgated by the EPA;

(2) A provision to automatically place federally restricted pesticides and pesticide uses on the Missouri restricted list;

(3) The classification of applicator certification categories using the basic EPA categories with a few changes in terminology;

(4) Examination requirements;

(5) Clarification of to whom licenses and certification will be issued in that the certified license holder will be the individual rather than the business per se;

(6) A description of records to be maintained by applicators and dealers;

(7) A description of the certification requirements for applicators and dealers; and

(8) Provisions which make misuse of a pesticide and the falsification of records a violation of the Act.

STATE PLAN:

The Missouri state plan for certification of applicators was submitted on June 27, 1975. Due to discrepancies between the Missouri Act and the rules and regulations promulgated by the EPA since the passage of the Missouri Act, we are sure our state plan will not be approved unless the EPA changes the regulations

for the submission and approval of state plans, or the Missouri General Assembly drastically amends the Missouri Pesticide Act of 1974. Neither seems probable in the near future.

PROPOSED AMENDMENTS TO THE ACT:

Proposed amendments to the Missouri act are now being prepared, and are to be submitted to the Missouri General Assembly for consideration during the next session. The proposed amendments are extensive in that nearly every major section of the act will be affected. These proposed amendments will not be discussed here since they are as yet incomplete. They will be included in the 1976 annual report to this association.

PESTICIDE INCIDENT REPORTING SYSTEM:

The Missouri Department of Agriculture has accepted a grant from the EPA for the purpose of developing a pesticide incident reporting system for the state of Missouri. Hopefully, this system will allow us to verify all reported pesticide accidents in our state. If so, we will not have to rely on extrapolated data of doubtful validity for an indication of the extent of pesticide accidents or pesticide misuse in our state. We are now two and one-half months into a twelve month study. I hope to have a full report on our success, or lack of success, for our next annual meeting.

Presented by Mr. E. C. Houser, Missouri, at the Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Austin, Texas, 24 September 1975.

OKLAHOMA

STATE DEPARTMENT OF AGRICULTURE

122 STATE CAPITOL
OKLAHOMA CITY, OKLAHOMA 73105
ENTOMOLOGY & PLANT INDUSTRY DIVISION
September 19, 1975

Oklahoma Progress Report - 1972 FIFRA
Amendments Implementation

Gentlemen:

The State of Oklahoma is presently operating under Nine State laws which govern the registration and use of Pesticides. It has done so for many years.

When the Department of Agriculture was designated as the lead agency by the Governor on October 27, 1972 the Entomology & Plant Industry Division began to draft legislation which it felt would meet the requirements of the 1972 FIFRA Amendment. The first draft was completed in the spring of 1973. Since that time it has been discussed with over 50 Agricultural commodity and industry organizations and groups. Input from these groups was incorporated into the proposed legislation.

The proposed legislation was introduced onto the floor of the 1975 Session of the House of Representatives and was referred to the House Agriculture Committee for consideration. The Bill was held over for consideration in the 1976 Session.

In February of 1974 the Entomology & Plant Industry Division completed what it considered to be Oklahoma's State plan and submitted it concurrently with a proposal for a pilot study of Private and Commercial applicator certification methods.

On June 28, 1974 the Division received a contract to conduct a pilot study of certification methods for Private Applicators. To date over 8,000 Oklahoma citizens have participated in the volunteer program.

This program has utilized primarily two teaching methods. A one and one half hour slide and tape cassette presentation or a self-programmed instruction manual are used. Each individual is tested at the conclusion of the program and data indicates that a significant increase in knowledge is obtained as a direct result of the presentation.

The Environmental Protection Agency optioned not to accept Oklahoma's original proposal as our State plan. Therefore, a new State Plan is in the process of being developed.

Development of training materials for the Commercial aspects of FIFRA is still in its infancy but work is progressing.

We are continuing to prepare for all implementation contingencies, but we also feel that we have fulfilled our obligations and that it is time to wait and see what the will of industry, our citizens and the legislature is going to be.

Sincerely,

Orin R. Elliott, Supervisor
Pesticide Applicator Section

TEXAS STRUCTURAL PEST CONTROL BOARD
313 East Anderson Lane
Chevy Chase III
Austin, Texas 78752

PRELIMINARY REPORT

Print or Type

Case No.

(1) Offense: Operating Without A License		(2) Complainant: Stephen Jones		
(3) Address: Street: 827 Borden Street		City: Bay City	State: Texas	
(4) Bus. Phone: 495-6707	(5) Res. Phone: 465-6837	(6) Age: 47	(7) Sex: M	(8) Race: W
(9) Reported By: Same	(10) Address: Same			(11) Phone: Same
(12) Date of Offense: Sept. 11, 1975	(13) Time: 10:00 AM (AM / PM)	(14) Location of Offense: 827 Borden St.		
(15) Type Premise: Slab Home	(16) How: Door to Door Sales	(17) Motive: Personal Gain		
(18) Received By: Bill Smith, Inspector	(19) Date: 9/12/75	(20) Time: 9:00 AM	(21) How Received: Phone	
(22) Preliminary Investigation By: Bill Smith, Inspector		(23) Time Arrived: 9:30 AM	(24) Time Left: 11:00 AM	
(25) Description of Suspect (A): Joe Smith W/M 35	(25) (B): W/M, 6'0", 200, Blk/Blue	(25) (C):		
Address Unknown				
(26) Description of Vehicle(s): 1969 or 1970 Chevy Pickup Blue		(27) Tools Used: Spray Rig - Red		
(28) Description of Property: Slab Home - approximately 1500 sq. ft. - Brick Siding, Cedar Roof				
(29) Value of Property: 18,400.00 approximately		(30) Property Damage: Nine		

Remarks

Number one (1) subject rang door bell and advised the complainant that they were in the area making termite inspections. Inspections were free and would only take a few minutes. Subject (1) went to attic for approximately 20 minutes and reported finding termites. Subject number (2) then told the owner that it would cost 22.00/gallon to treat for termites and would take approximately 30 gallons. Complainant agreed to have work done. Subject (1) told Mr. Jones they would need minor repairs in attic. Both subjects went to attic with a hose and stayed approximately 20 minutes. They presented Mr. Jones a bill for $840.00 for spraying and repair of structure. Mr. Jones gave subjects check no. 1976 in amount of $840.00 on Houston State Bank. Check dated 9/11/75. Receipt for work attached. Mr. Jones crawled attic and could smell no chemical and found no new repair of structure. Mr. Jones called inspector for investigation. Upon inspection inspector found no indication of repair or treatment nor did he find any sign of termites. Mr. Jones advised that they told him to leave and he was gone for approximately 15 minutes and when he returned the subjects were waiting for him, and wanted their money.

On September 12, 1975, at approximately 2:00 PM subjects were located in same neighborhood, and arrested by local officers, Ross and Taylor, and charges filed in Judge Matlocks court for Operating Pest Control Business without Valid State License. Subjects were fined $200.00 each by Judge Matlock.

Inspector: _____ Date: _____

CONSTITUTION

ADOPTED SEPTEMBER 25, 1975

ARTICLE I

Section 1. NAME: This organization shall be known as Association of State Structural Pest Control Regulatory Officials.

Section 2. MEMBERS: This association shall be composed of the Chief Structural Pest Control Regulatory Official or equivalent official, or his designee of any of the fifty states.

ARTICLE II

Section 1. PURPOSE: The purpose of this organization shall be to promote better understanding and efficiency in the administration of laws and other written documents of regulatory authority between states concerning the control and eradication of pests of structures and their immediate environs. To promote the protection of the health and welfare of the citizens of each state and to promote the protection of the environment against misuse of pesticides and to promote a more professional standard for the structural pest control industry.

ARTICLE III

Section 1. VOTING: In the transaction of ASPCRO official business, each member state shall be entitled to one vote which is to be cast by the Chief Structural Pest Control regulatory official or equivalent, or his or her authorized representative from his or her own state.

Section 2. QUORUM: A quorum shall consist of a number of members representing a majority of the member states in good standing.

Section 3. CONDUCT OF MEETINGS: All meetings of the ASPCRO shall be conducted in accordance with Robert's "Rules of Order" except when there is a conflict with this constitution and by-laws in which case the constitution and by-laws shall prevail.

ARTICLE IV

Section 1. OFFICERS: The officers of this organization shall consist of a president, vice-president and secretary-treasurer, to be elected annually. Officers are eligible for re-election.

Section 2. EXECUTIVE COMMITTEE: The executive committee of this organization shall consist of the officers of said organization and a board of four members to be elected by the membership.

ARTICLE V

Section 1. AMENDMENTS: The constitution may be amended at any meeting by a three-fourths vote of the members in good standing, provided those present constitute a quorum and providing the proposed amendment or amendments have been submitted to each member in good standing thirty (30) days before the meeting.

BY-LAWS

Article 1. DUTIES OF OFFICERS: The duties of the officers shall be such as ordinarily performed by such officers in similar organizations.

Article II. ELECTION OF OFFICERS: The officers and representatives of this organization shall be elected by written ballot.

Article III. EXECUTIVE COMMITTEE DUTIES: The executive committee shall function in all matters for this organization in the interim between meetings. Action of the executive committee shall be communicated to all members of ASPCRO.

Article IV. SELECTION OF COMMITTEE MEMBERS: The president shall appoint members to such committees as deemed necessary to conduct the business of this organization.

Article V. DUES: A sum of money, as determined by ASPCRO, shall be paid by the members to finance its operations. Said money may be paid to the treasury of ASPCRO and also may be made available for paying ordinary expenses of ASPCRO, officers or committee members to special meetings insofar as funds will permit.

Article VI. ANNUAL MEETING TIME & PLACE. The time and place of the annual meeting shall be determined by the executive committee.

Article VII. SPECIAL MEETINGS: Special meetings of ASPCRO shall be called at the discretion of the executive committee or upon the petition of ten (10) or more member states.

Article VIII. EXECUTIVE SESSION: An executive session of this organization shall be called by the president at the request of any member of the organization with the approval of the majority of ASPCRO members present. Members may also have their agency associates attend executive sessions.

Article IX. AMENDMENTS: The by-laws may be amended at any meeting by a three-fourths majority vote of the members in good standing, providing those present constitute a quorum.

Article X. A member in good standing shall be a member whose current dues are paid.