

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS (ASPCRO)

HISTORICAL RECORD

1981

PRESIDENT:	Barry Patterson, NM
VICE-PRESIDENT:	Neil Ogg, SC
SECRETARY:	F.R. Du Chanois, FL
TREASURER:	None
LOCATION OF ANNUAL MEETING:	Tampa, FL
DATE:	10/5/81 to 10/7/81

HIGHLIGHTS OF MEETING:

- \*\*Structural and Industrial Fumigation Update-Vern Walter
- \*\*Structural Fumigation Demonstration, Pre-Fumigation, Fumigant Release, Monitoring, Post Fumigation Procedures, Takedown
- \*\*Regulatory Forum, Cracker Barrel Session-John Mulrennan Jr., Warren Frazier, Moderators--Special guest, Barbara Ann Dell McPherson, Esq.
- \*\*Wood Destroying Organism Update-Ray Beal
- \*\*Wood Infestation Inspections and Reports, Panel Discussion
- \*\*US EPA Update, Enforcement-Roy Clark
- \*\*Field Trip to Busch Gardens
- \*\*State Reports

RESOLUTIONS:

- \*\*ASPCRO expressed appreciation to Hosts and Sponsors
- \*\*That ASPCRO urge EPA to exclude termiticides from FIFRA 2(ee).

MISC: Historical records contain the minutes of the meeting. States attending the meeting were: Arizona, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nevada, New Mexico, New York, North Carolina, Oklahoma, Ontario (Canada) South Carolina, Tennessee, Texas, and Virginia. Records contain a roster of registrants for this meeting.

## PROGRAM PERSONNEL

Scott E. Askins, Entomologist-Inspector,  
Office of Entomology, DHRS, St. Petersburg  
John A. Barfield, Realtor, TamBay Realty,  
Inc., Tampa, Florida  
Raymond "Ray" H. Beal, Principal Entomolo-  
gist, Forest Service, U.S. Dept. of  
Agriculture, Gulfport, Mississippi  
James "Jim" H. Bond, Entomologist, Office  
of Entomology, DHRS, Jacksonville, Fla.  
Alvin "Al" L. Burger, Owner-Operator,  
"Bugs" Burger Bug Killers, Inc., Miami, FL  
Roy P. Clark, Chief, Pesticides & Toxic  
Substances Branch, U.S. Environmental  
Protection Agency, Atlanta, Georgia  
William "Bill" C. Bargren, Entomologist  
Inspector, Office of Entomology, DHRS,  
Tampa, Florida  
Warren T. Frazier, Entomologist, Office of  
Entomology, DHRS, Jacksonville, Florida  
A. Jack Grimes, Director, Government  
Affairs, National Pest Control Assoc.,  
Vienna, Virginia  
Richard E. Grimm, Asst. Secretary for  
Operations, Department of Health and  
Rehabilitative Services, Tallahassee, Fla.  
A. D. "Art" Leasure, Account Manager,  
Agricultural Products, The Dow Chemical  
Company, Tampa, Florida  
Barbara Ann Dell McPherson, Staff Attorney,  
District V, DHRS, Clearwater, Florida  
John A. Mulrennan, Jr., Director, Office  
of Entomology, DHRS, Jacksonville, Fla.  
Barry Patterson, President, ASPCRO; Chief,  
Division of Pesticide Management, New  
Mexico Dept. of Agriculture, Las Cruces  
Dennis Sullivan, Pest Control Supervisor,  
Busch Gardens, Tampa, Florida  
Lloyd M. Tuchon, Jr., Owner-Operator,  
Brandon Pest Control, Inc., Valrico, Fla.  
Vernon "Vern" E. Walter, Regional Manager,  
The Industrial Fumigant Company, Olathe,  
Kansas

\* \* \* SPONSORS \* \* \*

THE DARK CONTINENT - BUSCH GARDENS  
Tour of Pest Control Program  
On the Afternoon of October 6th

\* \* \*

NEELCO INDUSTRIAL EQUIPMENT

SOUTHERN MILL CREEK PRODUCTS

STEPHENSON CHEMICAL COMPANY

WOODBURY CHEMICAL COMPANY

Dinner at The Old Swiss House  
Busch Gardens  
On the Evening of October 6th  
&  
After Hours Hospitality Suite

\* \* \*

THE DOW CHEMICAL COMPANY  
"VIKANE" Fumigation Demonstration  
on the Mornings of October 5th and 6th

\* \* \*

FLORIDA PEST CONTROL ASSOCIATION

MOBAY CHEMICAL CORPORATION

Coffee and Pastries  
During Breaks

\* \* \*

ORKIN EXTERMINATING COMPANY, INC.

Hospitality Hour - Reception  
On the Evening of October 5th

\* \* \*

TERMINIX INTERNATIONAL, INC.  
Hospitality Hour - Reception  
On the Evening of October 4th

\* \* \*

## ASSOCIATION

OF

STRUCTURAL PEST CONTROL

REGULATORY OFFICIALS

\* \* \*

21st

ANNUAL MEETING

OCTOBER 5, 6, & 7, 1981

\* \* \*

ADMIRAL BENBOW INN

1200 North Westshore Blvd.

TAMPA, FLORIDA

\* \* \*

1981 ASPCRO OFFICERS

Barry Patterson . . . President

Neil Ogg . . . . . Vice President

F. R. Du Chanois . . . Secretary

\* \* \*

PROGRAM COORDINATORS

William C. Bargren

F. R. Du Chanois



\* \* \* P R O G R A M \* \* \*

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

21st ANNUAL MEETING

October 5, 6, & 7, 1981

ADMIRAL BENBOW INN, 1200 NORTH WESTSHORE BLVD.

TAMPA, FLORIDA

\* \* \*

SUNDAY, OCTOBER 4, 1981

2:00 - 6:00 P.M. . . . Registration

7:00 P.M. . . . Hospitality Hour

\* \* \*

MONDAY, OCTOBER 5

A.M.

7:30 Registration . . . Lobby . . . Regis. Fee \$25

8:20 Call to Order - Pledge of Allegiance to the Flag  
. . . Bill Bargren

8:30 Welcome & Introduction of Members & Guests  
. . . John Mulrennan, Jr.

8:40 Preliminary Business Session, Announcements  
. . . Pres. Barry Patterson

9:00 Structural & Industrial Fumigation Update  
. . . Vern Walter

10:00 Refreshment break \* \* \*

10:15- Structural Fumigation Demonstration: Pre-fumigation  
12:00 Procedures, Fumigant Release, Monitoring . . .  
Field Trip . . . Art Leasure

P.M.

12:00 Luncheon . . . Dutch treat . . . Admiral Benbow Inn

Noon

1:00 State Reports . . . State Officials

2:30 Refreshment break \* \* \*

2:45- State Reports Continued . . . State Officials  
5:00

6:00 Hospitality Hour - Reception . . . Dinner break

8:30 Regulatory Forum - Cracker Barrel Session  
. . . John Mulrennan, Jr., & Warren Frazier . . .  
Moderators . . . Special Guest, Barbara Ann Dell  
McPherson, Esq.

--- Hospitality Suite Open . . . Admiral Benbow Inn

TUESDAY, OCTOBER 6

A.M.

8:00 Structural Fumigation Demonstration cont'd:  
Post-fumigation Procedures, Monitoring, Takedown,  
Clearance . . . Field Trip . . . Art Leasure

9:45 Refreshment break \* \* \*

10:00 Wood-Destroying Organism Control Update  
. . . Ray Beal

11:00 Wood-Infestation Inspections & Reports . . . Panel-  
Discussion . . . Real Estate, PCO, Regulatory &  
Legal aspect panelists . . . Jim Bond, Moderator

P.M.

12:00 Luncheon . . . Dutch treat . . . Admiral Benbow Inn

Noon . . . Guest Speaker, Asst. Secretary Richard Grimm

1:00 U.S. EPA - Update, Pesticide Use Enforcement  
. . . Roy Clark

2:00- Guided Tour of BUSCH GARDENS Pest Control Program

6:00 . . . Dennis Sullivan

6:00 Buffet Dinner at BUSCH GARDENS, The Old Swiss House

--- Hospitality Suite Open . . . Admiral Benbow Inn

WEDNESDAY, OCTOBER 7

A.M.

7:15 Group Breakfast . . . Admiral Benbow Inn

8:15 Final Business Session, Regulatory Officials  
. . . Pres. Barry Patterson

9:45 Refreshment break \* \* \*

10:00 NPCA - Industry Update . . . Jack Grimes

11:00 Pest Control & Sanitation in Food Service  
Facilities . . . Alvin Burger

12:00 Adjournment . . . Au Revoir, have a safe trip home

\* \* \*

# Association of Structural Pest Control Regulatory Officials

23 February 1982

## MEMORANDUM

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

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

SUBJ: Minutes and Notes of 21st Annual Meeting in Tampa, Florida,  
5-7 October 1981

With apologies for the delay this issue of Minutes and Notes is dated exactly four months later than it was for the 1980 meeting. The 21st Annual Meeting of ASPCRO was held in the ADMIRAL BENBOW INN, 1200 North Westshore Boulevard, Tampa, Florida, the "Cigar Capital of the World", during 5-7 October 1981.

Representatives of the Florida Department of Health and Rehabilitative Services (DHRS), Office of Entomology, organized, produced and directed the meeting for the host state, Florida. Judging from all reports and comments the meeting was well received.

The meeting was attended by 20 states and Canada (Ontario Ministry of Environment) represented by 37 regulatory officials and associates, and 29 speakers, industry sponsors and guests. States represented were: Arizona, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nevada, New Mexico, New York, North Carolina, Oklahoma, Ontario (Canada), South Carolina, Tennessee, Texas and Virginia. The state of Delaware was unable to attend but submitted a report which, together with all state reports submitted, is inclosed.

The educational and technical sessions were moderated by Dr. John A. Mulrennan, Jr., Director, Office of Entomology, DHRS (Florida). Business sessions were presided over by ASPCRO President Barry Patterson (New Mexico). The officers and members of ASPCRO express their sincere appreciation to the speakers, program participants, industry sponsors and to all others who contributed in any way to the success of the meeting. Special recognition is due the Program and Local Arrangements Coordinators.

Copies of the meeting program, reports submitted by the individual states, resolutions adopted, list of attendees, mailing list of states, and available program presentations are appended.

MINUTES and NOTES of the 21st ANNUAL MEETING \*  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
Tampa, Florida  
5-7 October 1981

Sunday, 4 October

REGISTRATION, 2:00-6:00 P.M.

~~-----~~ HOSPITALITY HOUR - RECEPTION, 7:00 P.M.

Courtesy and compliments of TERMINIX INTERNATIONAL, Memphis, Tennessee

Monday morning, 5 October

REGISTRATION, 7:30 - 8:20 A.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE TO THE FLAG, 8:20 A.M.

William C. Bargren, Entomologist-Inspector, Office of Entomology,  
DHRS, Tampa

WELCOME & INTRODUCTION OF MEMBERS & GUESTS, 8:30 A.M.

Dr. John A. Mulrennan, Jr., Ph.D., Director, Office of Entomology,  
Florida Dept. of Health & Rehabilitative Services (DHRS), Jacksonville

PRELIMINARY BUSINESS SESSION- ANNOUNCEMENTS, 8:40 A.M.

Barry Patterson, President, Association of Structural Pest Control  
Regulatory Officials, New Mexico

President Patterson appointed the following Committees:

Nominating Committee:

Chairman Robert McCarty, Mississippi, & Charlie Chapman, Texas

Resolutions Committee:

Chairman Neil Ogg, South Carolina; Betty Sisk, Arizona; and  
John Hagan, Missouri, Members.

\*Minutes and Notes are intended for the information and use of ASPCRO members, only; and to reflect proceedings of the meeting as accurately as possible from longhand transcription, and from submitted reports and papers. Information presented or opinions expressed by individual members and speakers are their own and not necessarily those of the Association, nor do they necessarily express or imply the official views or policies of the agencies, firms or organizations represented. Neither ASPCRO nor its Secretary assumes any responsibility for errors of omission or commission, if any, as they are unintentional. Corrections will gladly be made in the next issue upon request to the Secretary.

STRUCTURAL & INDUSTRIAL FUMIGATION UPDATE, 9:00 A.M.

Mr. Vernon (Vern) E. Walter, Regional Manager, The Industrial Fumigant Company, McAllen, Texas (home office Olathe, Kansas)

Mr. Walter presented up-to-date information and developments on the various fields of fumigation and modern fumigants. He stressed the types of knowledge, training and techniques needed to perform safe, effective fumigation work. The current status of individual fumigants was reviewed. The speaker surveyed the many diverse and specialized areas of fumigation practice with respect to site of application: tent (structural), ship and barge, mill, farm commodity, vehicle (railcars, trucks, vans, piggy-back loads) and spot fumigations.

The speaker noted that he was undertaking a safety study of the history of fumigation. Pesticide incident monitoring indicates one-fourth of all fumigation claims involve tent fumigation. The single most common and serious tent fumigation injuries are from lifting, e.g. carrying tarps up ladders, lifting cylinders etc. There is a real need to teach, train and examine on knowledge of (proven) fumigation techniques. It was Mr. Walter's observation that state exams should be up-dated and kept so to measure knowledge and competence of the fumigator.

The excellent technical review publication, "Fumigating Safely and Effectively" by Donald A. Wilbur, Jr., President, THE INDUSTRIAL FUMIGANT COMPANY, Olathe, Kansas, complements Mr. Walter's presentation and is appended with permission and courtesy of the author.

COFFEE BREAK, 10:00 A.M.

Refreshments during all coffee breaks were provided through the courtesy of the FLORIDA PEST CONTROL ASSOCIATION, INC., and the MOBAY CHEMICAL CORPORATION.

STRUCTURAL (TENT) FUMIGATION DEMONSTRATION:

Pre-fumigation Procedures, Fumigant Release, Monitoring...Field trip,  
10:15 - 12:00 A.M.

Mr. A. D. (Art) Leasure, Account Manager, Agricultural Products,  
Dow Chemical Company, Tampa, Florida

This actual "live" field demonstration was moderated by Mr. Art Leasure with the cooperation of CROSS PEST CONTROL of Tampa, Mr. Keelan Dendy, Certified Fumigator in charge. Handout packets describing and explaining the complete operation and related literature were made available to all members and guests attending the demonstration.

ADJOURN FOR LUNCH, 12:00 Noon

Monday afternoon, 5 October

REPORTS FROM THE STATES, 1:00 P.M.

President Patterson called the meeting to order and called upon representatives from states attending to present the State's Report. Copies of all State Reports submitted to the Secretary, and also including states in absentia (Delaware), are included with these Minutes and Notes.

The States reported in the following order at this time:

NEW MEXICO - Barry Patterson

NORTH CAROLINA - Rudolph E. Howell

MISSOURI - John R. Hagan

NEVADA - Lawrence E. Blalock

ARIZONA - Betty Sisk

TEXAS - Charlie Chapman

GEORGIA - James P. Harron

VIRGINIA - Charles G. Rock

COFFEE BREAK, 2:30 P.M.

REPORTS FROM THE STATES, cont'd., 2:45 P.M.

PROVINCE OF ONTARIO - Doug W. Wilson

LOUISIANA - James A. Arceneaux

MISSISSIPPI - Jim Haskins

ILLINOIS - Harvey J. Dominick

MARYLAND - David Shriver

TENNESSEE - Knox Wright

ARKANSAS - Donald Alexander

OKLAHOMA - Orin Ray Elliott

NEW YORK - Raymond J. Malkiewicz

ADJOURN, 5:15 P.M.

Monday evening, 5 October

HOSPITALITY HOUR - RECEPTION, 6:00 P.M.

Courtesy and compliments of the ORKIN EXTERMINATING COMPANY, INC. , Atlanta, Georgia

REGULATORY FORUM - CRACKER BARREL SESSION, 8:30 P.M.

Dr. John A. Mulrennan, Director, and Mr. Warren T. Frazier, Entomologist, Office of Entomology, DHRS, Jacksonville, moderators, and special guest, Barbara Ann Dell McPherson, Esq., Staff Attorney, DHRS, Clearwater, Florida

HOSPITALITY SUITE OPEN, 10:00 P.M.

TUESDAY MORNING, 6 October

STRUCTURAL (TENT) FUMIGATION DEMONSTRATION, cont'd.:

Post-fumigation Procedures, Monitoring, Takedown, Clearance (for reentry and reoccupancy)...Field trip, 8:00 - 9:45 A.M.

Mr. Art Leasure, the Dow Chemical Company

The members and guests were afforded an opportunity to observe an actual residential, tent fumigation operation for control of drywood termites. The procedures, techniques and equipment involved in monitoring the fumigation in progress to insure effectiveness of the job, and in clearing the structure of fumigant to insure safe reoccupancy were demonstrated.

COFFEE BREAK, 9:45 A.M.

WOOD-DESTROYING ORGANISM CONTROL UPDATE, 10:00 A.M.

Mr. Raymond (Ray) H. Beal, Principal Entomologist, Southern Forest Experiment Station, Forest Service, U.S. Dept. of Agriculture, Gulfport, Mississippi

Mr. Beal reported on recent research and development work of the Gulfport Laboratory. In a letter to the Past-Secretary dated 15 October 1981, copy of which is appended, Mr. Beal wrote, "Our research mission within the U.S. Forest Service is to develop chemical, biological, or physical methods of controlling or preventing damage by termites, wood-destroying beetles, and fungi to wood in storage and in use." The speaker developed his informative presentation along the lines outlined in this letter.

"1. Devise specific control methods for wood-destroying beetles through regulation of moisture content and development of insecticidal or other direct treatments."

Powder-post beetle control research is being carried on by Mr. Lonnie Williams. There were approximately 53,000 beetle control treatments in 11 southern states in 1970. The most frequently encountered problem is caused by Lyctus brunneus, the "brown powder-post beetle", (Coleoptera: Lyctidae).

"2. What types of behavioral responses are elicited in subterranean termites by wood-destroying fungi, and what factors influence the production of metabolites that cause these responses?"

The speaker discussed research on termite-fungus relationships with special reference to the application of this knowledge to termite control and prevention. One of the organisms being studied is the brown-rot fungus, Gloeophyllum trabeum.

"3. Can certain antibiotics, wood extractives, or growth regulators be used to control subterranean termites?"

Investigations along these lines are being conducted by Ms. Fairie Lyn Carter. Both softwoods and hardwoods are studied for degree of attack by termites. Active repellent principles are recovered by means of various extractives (solvents). Work on insect growth regulators has shown that methoprene ("Altosid") increases the production of soldiers in the termite colony. The effects of certain antibiotics such as chlorotetracycline (aureomycin) on symbiotic protozoa found in the termite's alimentary tract are also being studied.



"4. Develop new and improved chemical methods for termite control."

Mr. Beal conducts research on chemical control. Subterranean termites will go to wood decayed up to 15 per cent by certain fungi. Partially decayed bait blocks or strips to which insecticide is added are being tested. Since Mirex, used in the earlier tests, was lost they are trying other materials to replace Mirex which was effective for 3 years.

Work is continuing on chemical barriers, slow-acting insecticides, ground board and concrete slab testing techniques. Test results to date show that chlordane at 1.0 per cent concentration is still effective after 32 years, and aldrin, deildrin, heptachlor and a chlordane-heptachlor mixture all at 0.5 per cent concentration remain effective after 29 years.

Materials other than organochlorine compounds which look promising are chlorpyrifos ("Dursban", DOW) propoxur ("Baygon", ICI) and bromadan (?) (MOBAY).

DISCUSSION: Mr. Robert Mc Carty (Mississippi) pointed out the critical need of state regulatory agencies for valid (relevant and meaningful) termiticide soil residue levels, soil (residue) sampling procedures and standardized analytical procedures. Mr. Beal agreed that there is a need for research to establish acceptable (adequate) termiticide levels in treated soil. He noted that the Gulfport Laboratory has a study plan on hand but it had to be put aside due to other priorities. He submitted that 100 ppm is adequate for good control, and (as understood) this level should be in the treated soil for at least 16 years (if label recommendations are followed). Mr. Beal suggested that any request or proposal for research should go to the Director of Southern Forest Experiment Station, New Orleans. (Ed. note: See Resolution No. IV adopted at the Tampa meeting and appended).

WOOD-DESTROYING ORGANISM INSPECTIONS & REPORTS, PANEL - DISCUSSION, 11:00 A.M.

Panel members: Mr. Scott E. Askins, Entomologist-Inspector, Office of Entomology, DHRS, St. Petersburg; Mr. John A. Barfield, Realtor, TamBay Realty, Inc., Tampa; Mr. James H. Bond, Entomologist, Office of Entomology, DHRS, Jacksonville, Moderator; Barbara Ann Dell McPherson, Esq., Staff Attorney, DHRS, District V, Clearwater; and Mr. Lloyd M. Tuchon, Jr., Owner-Operator, Brandon Pest Control, Inc. Valrico, Florida

Termite and other wood-destroying organism inspections and inspection reports were examined from the realtor's, pest control operator's, regulatory inspector's, and legal viewpoints.

ADJOURN FOR LUNCH, 12:00 noon

The members and guests assembled at the Admiral Benbow Inn for an enjoyable luncheon and informal remarks by guest speaker, Deputy Assistant Secretary for Operations Susanne Casey, DHRS, Tallahassee. Ms. Casey conveyed the personal greetings and welcome from Florida's Governor Bob Graham, and expressed the agency's appreciation and encouragement of ASPCRO's accomplishments and goals.

Tuesday afternoon, 6 October

U.S. ENVIRONMENTAL PROTECTION AGENCY UPDATE, 1:00 P.M.

Mr. Roy P. Clark, Chief, Pesticides & Toxic Substances Branch, Region IV, U.S. Environmental Protection Agency, Atlanta, Georgia

Mr. Clark presented excerpts from remarks by the Honorable Anne M. Gorsuch, newly-appointed EPA Administrator, to a Congressional Committee at the time of appointment confirmation. (Ed. note: On 4 May 1981 the Senate Environment and Publics Works Committee unanimously confirmed Ms. Gorsuch, a Colorado attorney and former state representative, to head the Environmental Protection Agency. The Committee also unanimously confirmed the appointment of Dr. John W. Hernandez, Jr., formerly a professor of civil engineering at New Mexico State University, to serve as EPA's Deputy Administrator). The complete text of Mr. Clark's presentation is appended courtesy of the speaker.

GUIDED TOUR OF THE DARK CONTINENT - BUSCH GARDENS PEST CONTROL PROGRAM, 2:00 - 6:00 P.M.

Courtesy of the Anhauser-Busch Companies, Inc., Mr. Dennis Sullivan, Pest Control Supervisor, Busch Gardens, Tampa, Florida, in charge

The members, their wives and guests enjoyed a memorable tour of The Dark Continent - Busch Gardens park. Those attending were escorted in small groups through the grounds where they were able to view at close range the many beautiful exotic birds, and also the many mammals living and managed in their natural, ecological habitats. Mr. Sullivan gave a pre-tour overview of their Pest Control Program, and throughout the tour he and his professional staff explained or demonstrated first-hand the specialized, and in many respects unique, operations and techniques involved. There was a splendid equipment exhibit, and the professional staff was present to answer questions. Refreshments were served at the conclusion of the tour.

BUFFET DINNER AT THE OLD SWISS HOUSE, BUSCH GARDENS, 6:00 P.M.

Courtesy of NEELCO INDUSTRIAL EQUIPMENT, INC., Cocoa, Florida; SOUTHERN MILL CREEK PRODUCTS, INC., Tampa, Florida; STEPHENSON CHEMICAL COMPANY, INC., College Park, Georgia; and WOODBURY CHEMICAL COMPANY, INC., Princeton, Florida

HOSPITALITY SUITE OPEN, 9:00 P.M.

Courtesy of the industry sponsors noted above.

Wednesday morning, 7 October

GROUP BREAKFAST, Admiral Benbow Inn, 7:15 A.M.

Courtesy "BUGS" BURGER BUG KILLERS, INC., Miami, Florida

REPORTS FROM THE STATES, concluded, 8:15 A.M.

The following states reported at this time:

INDIANA - Dave Scott

MICHIGAN - Robert Mesecher

SOUTH CAROLINA - Neil Ogg

FLORIDA - F. R. Du Chanois

FINAL BUSINESS SESSION, 8:30 A.M.

Call to order by President Barry Patterson (New Mexico).

The President called for a report of the standing Uniform Policies Committee Report. The Committee is composed of Messrs Larry Blalock (Nevada), Chairman, Charlie Chapman (Texas), John Hagan (Missouri), and Ms. Betty Sisk (Arizona). Chairman Blalock presented the Committee's Report, "Suggestions for Implementation by ASPCRO", copy of which is appended. (Ed. note: The Committee is to be commended for a job well done).

The President called for a report of the Resolutions Committee composed of Mr. Neil Ogg (South Carolina), Chairman, Mr. John Hagan (Missouri) and Ms. Betty Sisk (Arizona).

The report consisted of four resolutions all of which are appended in final form as adopted. Chairman Ogg presented the report.

Mr. Ogg read Resolution I of the Report and moved its adoption. Seconded by Barry Patterson (New Mexico). Discussion. Motion carried unanimously.

Mr. Ogg read Resolution II of the Report and moved its adoption. Seconded by Ray Elliott (Oklahoma). Discussion. Motion carried unanimously.

Mr. Ogg read Resolution III of the Report and moved its adoption. Seconded by F. R. Du Chanois (Florida). Discussion. Motion was carried unanimously.

Mr. Ogg read Resolution IV of the Report and moved its adoption. Seconded by David Shriver (Maryland). Discussion. Motion carried unanimously.

The President then called for a Report of the Nominating Committee composed of Messrs. Robert McCarty (Mississippi), Chairman, and Charlie Chapman (Texas).

Chairman McCarty presented the report and placed the following slate of officers in nomination:

For President - Neil Ogg (South Carolina)

For Vice-President - James (Jimmy) A. Arceneaux (Louisiana)

For Secretary-Treasurer - Don Alexander (Arkansas)

There being no nominations from the floor, it was moved by (not recorded) seconded by (not recorded) that nominations cease and the Secretary be instructed to cast a unanimous ballot for the nominees. The motion carried. (Ed. note: F. R. Du Chanois (Florida), most regretfully, declined renomination for the office of Secretary (and Treasurer) of the Association, in which office he has served for 21 years, due to anticipated retirement).

OLD BUSINESS: None

NEW BUSINESS:

Mr. Robert Mesecher (Michigan) and Mr. Doug Wilson (Ontario, Canada) extended an invitation to meet in Detroit, Michigan, for the 22nd Annual Meeting, the meeting to be jointly sponsored and hosted by the State of Michigan and the Province of Ontario of our good neighbor to the north, Canada. It was agreed unanimously to accept this very cordial invitation.

Mr. Patterson (New Mexico) graciously offered to host the 1983 ASPCRO meeting in the State of New Mexico.

President Ogg appointed Mr. Robert McCarty (Mississippi) and requested Mr. Robert (Bob) Russell, Orkin Exterminating Company, Atlanta, Georgia, to work together and form a State-Industry Relations Committee.

There being no further business, the final business meeting was adjourned at 9:45 A.M.

COFFEE BREAK, 9:45 A.M.

NATIONAL PEST CONTROL ASSOCIATION - INDUSTRY UPDATE, 10:00 A.M.

Mr. A. Jack Grimes, Director, Government Affairs, National Pest Control Association, Inc., Vienna, Virginia

Mr. Grimes reported on the major problems and concerns of the NPCA and individual PCO's. He pointed out specific objectives and needs the Association and the industry need to focus upon. He related what the NPCA is doing to meet the needs and challenges of the future.

1. Improved technology and resources. Dr. Richard Carr, NPCA Research Director, is studying ways the industry can move forward to improve technology. He noted the formation of the Philip J. Spear Research Fund. The NPCA Research Council and Scientific Advisory Council, made up of members from within and outside the Association, both work directly with the Research Director.

2. Improved educational/training methods and materials are needed. The Association now publishes Pest Management Magazine, the official voice of the NPCA. Each state pest control regulatory official (or state?) will receive a complimentary subscription. The speaker invited comments and input from state regulatory officials. Plans are being made by NPCA to initiate a department of professional education, the Institute of Pest Management Training.

As understood, the Institute will develop continuing education (certification) training, and will develop certification guidelines and standards. It is not intended to provide certification training per se. It will provide advanced levels of accomplishment and recognition over and above certification. They expect to develop good teaching methods for training the trainer, and thus help the certified applicator/operator do a better job of training. Here again Mr. Grimes welcomes input from the states.

3. NPCA plans to develop a solid information data base on pesticide risks and benefits, e.g. they would focus upon the risk/benefit sides of what is happening in the area of subslab treatments. So far the benefit side looks good. The RPAR on termiticides is being watched. They invite ASPCRO members to join them in gathering information.

In addition, NPCA will conduct a survey of all PCO's. A questionnaire will go out in early 1982. NPCA, the National Arborist Association, American Association of Pesticide Control Officials (AAPCO) and the U.S. EPA are jointly sponsoring a national survey of urban pesticide applicators. The survey will be conducted under the direction of a committee composed of one designated representative from each sponsoring organization. The purpose is stated to be the collection of information needed by and to be provided to both industry and government. The survey will encompass businesses providing lawn and turf; tree and ornamental; and structural institutional and industrial pest control services. The committee will request a list of operators from each state.

4. Positive legislative/regulatory provisions: Among the areas needing special attention, Mr. Grimes mentioned adequate continuing education and training (EPA certification and training grants); minimum allowable concentrations (MAC) set by AAPCO; and less severe, more flexible penalties than revocation or suspension (by the States). The speaker noted that NPCA supports civil penalties.

Some type of experience requirements is being recommended, e.g. a minimum of one year's experience for certification eligibility. As to service technicians, the certified applicator/operator would certify that he/she had provided the service technician with "core" training. NPCA would like to see the establishment of industry professional advisory committees within the states to assist regulatory agencies.

NPCA is in favor of lessening of government (pest control) competition with the private sector. Pest control services should be provided by the most economical means. The Association is working on amendments to FIFRA, e.g. to provide an opportunity for minimizing (?) cost of pesticide use to the public and to avoid duplication. The speaker reported there is an indication by Federal officials concerned with reducing Federal regulations to obtain greater industry input in the regulatory process; setting priorities and evaluating programs are facing close review.

#### PEST CONTROL AND SANITATION IN FOOD SERVICE FACILITIES 11:00 A.M.

Mr. Alvin (Al) L. Burger, Owner-Operator, "BUGS" Burger Bug Killers, Miami, Florida

Mr. Burger gave a hard-hitting, straight-talk "lecture" exhorting the need, benefits and merits of greater professionalism, competence, training and pride within the industry. He stressed results to be expected and obtained by individual initiative, excellence and skill in job performance. (Ed. Note: The speaker left little doubt that his talk was different).

#### ADJOURNMENT

There being no further business or proceedings, the 21st Annual Meeting was adjourned at 12:15 P.M.

23 February 1982. Respectfully submitted. FRDC, Past-Secretary.

Personal note: It has been a distinct pleasure and privilege to serve as your Secretary these many years. I would like to express my humble and most sincere appreciation to all the members - my friends - for your encouragement and cooperation. My very best wishes go to each of you, to the Officers and to ASPCRO. With your help ASPCRO has a bright future. I know each of you join me in extending the very best wishes for my successor, Don Alexander. I know that you will support him well, as you have me. Last but not least I would like to thank Mrs. Shirley Hofacker, my Secretary, for typing these and past Minutes and Notes and to acknowledge with deep appreciation her invaluable aid and assistance with ASPCRO affairs. FRDC



RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA

5 - 7 OCTOBER 1981

RESOLUTION I

WHEREAS, the 21st Annual Meeting of the Association of Structural Pest Control Regulatory Officials was outstandingly successful, and the success is attributable to the generosity of our hosts, the Florida Department of Health and Rehabilitative Services, Office of Entomology, and its very capable staff, particularly Mr. W. C. Bargren, Mr. F. R. Du Chanois, and Dr. J. A. Mulrennan, Jr., Director, in providing excellent facilities, program content and entertainment; and

WHEREAS, the Admiral Benbow Inn, 1200 North Westshore Boulevard, Tampa, Florida, provided excellent facilities and hospitality contributing to the success of the meeting; and

WHEREAS, the Dow Chemical Company provided the excellent fumigation demonstration, including bus transportation and the actual expenses of the fumigation, and in so doing significantly contributed to the overall success of the meeting; and

WHEREAS, Cross Pest Control allowed the Association meeting attendees to witness an excellent example of structural fumigation; and

WHEREAS, the management of Busch Gardens provided a most informative and delightful tour of The Dark Continent, Busch

Gardens, and of their outstandingly excellent Pest Control Program; and

WHEREAS, Neelco Industrial Equipment Company, Southern Mill Creek Products Company, Stephenson Chemical Company and Woodbury Chemical Company provided a most pleasant dinner at The Old Swiss House, Busch Gardens, and after hours hospitality refreshment; and

WHEREAS, the Florida Pest Control Association and Mobay Chemical Corporation kindly provided the refreshments during program breaks; and

WHEREAS, Terminix International, Inc., and Orkin Exterminating Company, Inc., provided the excellent reception hospitality hours on October 4 and 5 respectively; and

WHEREAS, "Bugs" Burger Bug Killers, Inc., provided the most enjoyable breakfast on October 7, 1981; all of which has contributed to the success of this meeting;

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials, through written appreciation of these individual and joint contributions to this meeting and through each of its officers and members, express its sincere thanks and gratitude to all those parties and individuals for an excellent meeting and a very pleasant stay in the State of Florida.

Done this 7th Day of October 1981, A.D.

RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA

5 - 7 OCTOBER 1981

RESOLUTION II

WHEREAS, the September 30, 1978, amendments to the Federal Insecticide, Fungicide and Rodenticide Act, Section 2(ee), state that the term "to use any registered pesticide in a manner inconsistent with its labeling" shall not include applying a pesticide at any dosage, concentration, or frequency less than that specified on the labeling; and

WHEREAS, the Association of Structural Pest Control Regulatory Officials state that application of any registered termiticide at any dosage, concentration or frequency less than that specified on the labeling would result in less than effective control of the target pests;

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials solicit the Environmental Protection Agency's full cooperation and urge that immediate, appropriate action be taken to insure that termiticides be excluded from the 1978 2(ee) amendment.

Done this 7th Day of October, 1981, A.D.

RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA

5 - 7 OCTOBER 1981

RESOLUTION III

WHEREAS, the Association of Structural Pest Control Regulatory Officials is with each passing year achieving greater impact on both state and federal agencies, industry, and national and state associations; and

WHEREAS, the Association of Structural Pest Control Regulatory Officials is the only regulatory agency which specifically addresses regulatory and other issues of pressing importance to the structural pest control industry;

NOW, THEREFORE, BE IT RESOLVED: That special emphasis be provided in 1981-1982 to broaden the membership base of the Association of Structural Pest Control Regulatory Officials by actively recruiting attendance and affiliation of those states that do not now attend and participate, thus strengthening the Association for the challenges that lie ahead. Each member attending this most informative meeting be directed to communicate with its neighboring states not attending to do so hereafter, and other appropriate written notification to states not attending be provided to encourage future attendance.

Done this 7th Day of October, 1981, A.D.

RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA

5 - 7 OCTOBER 1981

RESOLUTION IV

WHEREAS, the current Association of Structural Pest Control Regulatory Officials members are actively involved in the important task of termiticide residue sampling, analysis and establishing relevant termiticide residue levels; and

WHEREAS, the Southern Forest Experiment Station, United States Forest Service, Gulfport, Mississippi, provides a critical, much appreciated research service to pest control operators, consumers, and state and federal regulatory officials in their research efforts;

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials, as an allied and supportive friend of the Southern Forest Experiment Station, request consideration and implementation of a research project which would establish meaningful termiticide residue levels, standard analytical procedures, and sampling techniques for termiticide residues. It is understood that the Association of Structural Pest Control Regulatory Officials members would cooperate in every way possible to assist in this project.  
Done this 7th Day of October, 1981, A.D.



Mr. John R. Hagan, Supervisor (314-751-4310)  
Bureau of Pesticide Control  
Missouri Department of Agriculture  
Post Office Box 630  
Jefferson City, Missouri 65101

Mr. James P. Harron (404-656-3641)  
Supervisor of Inspections  
Division of Entomology  
Georgia Department of Agriculture  
Agriculture Building, Capitol Square  
Atlanta, Georgia 30334

Mr. Jim Haskins, Supervisor (601-325-3390)  
Pest Control Section  
Division of Plant Industry  
Mississippi Department of Agriculture and Commerce  
Post Office Box 5207  
Mississippi State, Mississippi 39762

Mr. Fredrick A. Hassut, Jr. (305-647-7010)  
Entomologist-Inspector  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
Wintergate Square, Suite 111  
1350 Orange Avenue  
Winter Park, Florida 32789

Mr. Phillip R. Helseth, Jr. (904-354-3961 Ext. 3228)  
Entomologist-Inspector  
Office of Entomology  
Post Office Box 210  
Jacksonville, Florida 32231

Mr. Rudolph E. Howell (919-733-6100)  
Director  
Structural Pest Control Division  
North Carolina Department of Agriculture  
Post Office Box 27647  
Raleigh, North Carolina 27611

Mr. Robert H. McCarty (601-325-3390)  
Assistant Director  
Division of Plant Industry  
Mississippi Department of Agriculture and Commerce  
Post Office Box 5207  
Mississippi State, Mississippi 39762

Mr. David S. McLeod, Esquire (919-733-6100)  
Chairman  
North Carolina Structural Pest Control Committee  
North Carolina Department of Agriculture  
Post Office Box 27647  
Raleigh, North Carolina 27611

Ms Barbara Ann Dell McPherson, Esquire (813-536-5911 Ext. 321)  
Staff Attorney  
District V  
Florida Department of Health and Rehabilitative Services  
Post Office Box 5046  
Clearwater, Florida 33518

Mr. Raymond J. Malkiewicz (518-457-7482)  
Director  
Bureau of Pesticides Management  
New York Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233

Mr. Robert L. Mesecher (517-373-8033)  
Staff Assistant  
Michigan Department of Agriculture  
Lewis Cass Building  
Lansing, Michigan 48913

Dr. John A. Mulrennan, Jr. (904-354-3961 Ext. 3223)  
Director  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
Post Office Box 210  
Jacksonville, Florida 32231

Mr. L. O. Nelson (317-749-2391)  
Pesticide Administrator  
Office of the Indiana State Chemist  
Department of Biochemistry  
Purdue University  
West Lafayette, Indiana 47907

Mr. Neil Ogg (803-656-3006)  
President, ASPCRO  
Division of Regulatory and Public Service Programs  
South Carolina Plant Pest Regulatory Service  
212 Barre Hall  
Clemson University  
Clemson, South Carolina 29631

Mr. William E. Page (904-482-7203)  
Entomologist-Inspector  
Florida Department of Health and Rehabilitative Services  
Post Office Box 1552  
Marianna, Florida 32446

Mr. Barry Patterson (505-646-2133)  
Chief  
Division of Pesticide Management  
New Mexico Department of Agriculture  
Post Office Box 3 AQ  
Las Cruces, New Mexico 88003

Mr. Thomas A. Preve (305-625-0744)  
Entomologist-Inspector  
Office of Entomology  
Department of Health and Rehabilitative Services  
5190 NW 167th Street, Suite 210  
Miami, Florida 33014

Mr. Charles G. Rock (804-786-3162/3798)  
Assistant Supervisor  
Pesticide, Paint & Hazardous Subs. Section  
Division of PAIR, Room 403  
Virginia Department of Agriculture & Consumer Services  
Post Office Box 1163  
Richmond, Virginia 23209

Mr. David Shriver (301-269-2776)  
Chief  
Pesticide Regulation Section  
Maryland Department of Agriculture  
Parole Plaza Office Building  
Annapolis, Maryland 21401

Mr. David Scott (317-749-2391)  
Office of the Indiana State Chemist  
Department of Biochemistry  
Purdue University  
West Lafayette, Indiana 47907

Ms. Betty Sisk (602-255-3664)  
Executive Director  
Arizona Structural Pest Control Board  
2207 South 48th Street, Suite M  
Tempe, Arizona 85282

Mr. Doug W. Wilson (416-965-2401)  
Pesticides Control Section  
Pollution Control Branch  
Ontario Ministry of the Environment  
40 St. Clair Avenue, West  
Toronto, Ontario, Canada M4V 1M2

Mr. Knox Wright (615-741-1551)  
Pest Control Inspection Supervisor  
Division of Plant Industries  
Tennessee Department of Agriculture  
Post Office Box 40627, Melrose Station  
Nashville, Tennessee 37204

REGISTRANTS  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
21st ANNUAL MEETING IN TAMPA, FLORIDA  
5 - 7 OCTOBER 1981

SPEAKERS, SPONSORS & GUESTS

John A. Barfield  
Tam-Bay Realty, Inc.  
4606 Spruce Street  
Tampa, FL 33607

Ray H. Beal  
Southern Forest Experiment Station  
Forest Service  
U.S. Department of Agriculture  
Post Office Box 2008, GMF  
Gulfport, MS 39503

Michael G. Baessler  
Terminix International  
Post Office Box 4340  
Clearwater, FL 33518

Robert L. Blevins  
Terminix International  
3432 South Dale Mabry Hwy.  
Tampa, FL 33609

Alvin L. Burger  
"Bugs" Burger Bug Killers  
Post Office Box 524064  
Miami, FL 33152

Roy P. Clark  
Chief  
Pesticides & Toxic Substances Branch  
Region 4  
U.S. Environmental Protection Agency  
345 Courtland Street  
Atlanta, GA 30308

John Craft  
Terminix International  
Post Office Box 17167  
Memphis, TN 38117

Bill Davis  
Woodbury Chemical Company  
Post Office Box 238  
Brandon, FL 33511

Paul Deets  
Woodbury Chemical Company  
Post Office Box 1075  
Mt. Dora, FL 32757

Gordon Dobbs, Jr.  
Woodbury Chemical Company  
Post Office Box 5016  
Tampa, FL 33675

Charles (Chuck) Furr  
Agricultural Products  
The Dow Chemical Company  
Midland, MI 48640

Norman K. Goldenberg  
Florida Pest Control Association  
c/o Alert Lear Pest Control Company, Inc.  
Post Office Box 381777  
Miami, FL 33138

Martin L. (Marty) Griffin  
Southern Mill Creek Products Company  
Post Office Box 1096  
Tampa, Florida 33601

A. Jack Grimes  
Director of Government Affairs  
National Pest Control Association, Inc.  
8150 Leesburg Pike, Suite 1100  
Vienna, Virginia 22180

L. Arnold Hamm, Sr.  
Fumigators, Inc.  
Post Office Box 3562  
Wilson, N.C. 27893

Carlton R. Layne  
Consumer Safety Officer  
Pesticide Branch  
U.S. Environmental Protection Agency  
Federal Building, Room B2  
124 South Tennessee Avenue  
Lakeland, FL 33801

SPEAKERS, SPONSORS & GUESTS cont'd

A. D. ("Art") Leasure  
Sales Representative  
Agricultural Products  
Dow Chemical Company U.S.A.  
Post Office Box 22300  
Tampa, FL 33622

Stanley Olstein  
District Manager  
Orkin Exterminating Company  
4010 West Waters Street  
Suite 2700  
Tampa, FL 33614

Ms. Frances O'Melia  
Agricultural Products  
The Dow Chemical Company  
Midland, MI 48640

Gary W. Rollins  
President  
Orkin Exterminating Company  
2170 Piedmont Road, NE  
Atlanta, GA 30324

R. M. Russell  
Vice-President, Government Relations  
Orkin Exterminating Company  
2170 Piedmont Road, NE  
Atlanta, GA 30324

David E. Schneider  
Technical Development Manager  
PCO Specialist  
Velsicol Chemical Corporation  
341 East Ohio Street  
Chicago, IL 60611

Dennis Sullivan  
Pest Control Supervisor  
Busch Gardens  
Post Office Box 9158  
Tampa, FL 33674

John W. Sullivan  
Terminix International  
Post Office Box 4340  
Clearwater, FL 33518

Gordon C. Shaw  
Terminix International  
3432 South Dale Mabry Highway  
Tampa, FL 33609

Linda A. Tuchon  
Brandon Pest Control  
Post Office Box 1488  
Brandon, FL 33511

Lloyd M. Tuchon, Jr.  
Brandon Pest Control  
Post Office Box 1488  
Brandon, FL 33511

Vern E. Walter  
Regional Coordinator  
The Industrial Fumigant Company  
1421 Westway  
McAllen, TX 78501

Paul Wyckoff  
c/o Arizona Structural Pest Control Board  
2207 South 48th Street, Suite M  
Tempe, AZ 85282



ASSOCIATION OF STRUCTURAL PEST CONTROL  
REGULATORY OFFICIALS (ASPCRO)  
MAILING LIST (1981)

Members:

Dr. John A. Bloch, Director  
Ag Chemistry and Plant Industry Division  
Department of Agri. & Industries  
P. O. Box 3336  
Montgomery, Alabama 36193

Mr. Richard Stokes  
Pesticide Program Supervisor  
Dept. of Environmental Conservation  
419 Sixth Street  
Juneau, Alaska 99801

Mrs. Betty B. Sisk  
Executive Director  
Arizona Structural Pest Control Board  
2207 South 48th Street, Suite M  
Tempe, Arizona 85282

Mr. Don Alexander, Head (501-371-1021), Secretary, ASPCRO  
Commercial Pest Control  
Arkansas State Plant Board  
P. O. Box 1069  
Little Rock, Arkansas 72203

Mr. Rodney Stein, Registrar (916-920-6323)  
Structural Pest Control Board  
1430 Howe Avenue  
Sacramento, California 95825

Mr. Doug W. Wilson, Supervisor (416-965-2401)  
Pesticides Control Section  
Pollution Control Branch  
Ministry of The Environment  
40 St. Clair Avenue, West.  
Toronto, Ontario, Canada M4V 1M2

Mr. Ron Turner, Chief  
Pesticide Section  
Dept. of Agriculture  
State Service Bldg.  
1525 Sherman Street  
Denver, Colorado 80203

Dr. Stephen W. Hitchcock  
Pesticide Compliance  
Dept. of Environmental Protection  
State Office Bldg.  
Capital Avenue  
Hartford, Connecticut 06115

Mr. H. Grier Stayton  
Pesticide Compliance Supervisor  
Dept. of Agriculture  
P. O. Drawer D  
Dover, Delaware 19901

Mr. F. R. DuChanois (904-354-3961,  
Supervisor Ext. 3218)  
Commercial Pest Control  
Office of Entomology  
Dept. of Health and  
Rehabilitative Services  
P. O. Box 210  
Jacksonville, Florida 32231

Mr. James P. Harron (404-656-3641)  
Supervisor of Inspections  
Division of Entomology  
Dept. of Agriculture  
Agriculture Bldg., Room 304  
Capitol Square  
Atlanta, Georgia 30334

Mr. Charles K. Yasuda, Head  
Division of Plant Industry  
Dept. of Agriculture  
1428 South King Street  
Honolulu, Hawaii 96814

Mr. Alfred E. Miller, Supervisor  
Pesticide Enforcement  
Dept. of Agriculture  
P. O. Box 790  
Boise, Idaho 83701

Mr. Harvey J. Dominick (217-782-4674)  
Entomologist  
Environmental Health & Sanitation  
Dept. of Public Health  
535 West Jefferson Street  
Springfield, Illinois 62761

Mr. L. O. Nelson (317-749-2391)  
Pesticide Administrator  
Office of State Chemist  
Dept. of Biochemistry  
Purdue University  
West Lafayette, Indiana 47907

Mr. C. E. McCoy, Manager (317-749-2391)  
Applicator Certification & Licensing  
Office of Indiana State Chemist & Seed Commissioner  
Department of Biochemistry  
Purdue University  
West Lafayette, Indiana 47907

Ext. 3222)  
Dr. John A. Mulrennan, Jr. (904-354-3961,  
Director  
~~Office of Entomology~~ Services  
Florida Dept. of Health & Rehabilitative/  
P. O. Box 210  
Jacksonville, Florida 32231

Mr. David Scott  
Applicator Certification and Licensing  
Office of Indiana State Chemist & Seed  
Commissioner  
Department of Biochemistry  
Purdue University  
West Lafayette, Indiana 47907

Mr. Myron R. VanCleave  
Supervisor, Pesticides Section  
Dept. of Agriculture  
Henry A. Wallace Bldg.  
East Seventh St. and Court Ave.  
Des Moines, Iowa 50319

Mr. H. Dean Garwood, Director (913-296-3016)  
Division of Entomology  
State Board of Agriculture  
Tenth Floor  
State Office Bldg.  
Topeka, Kansas 66612

Mr. Thurman R. Measel, Coordinator (502-564-7274)  
Structural Pest Control  
Division of Pesticides  
Dept. of Agriculture  
Capital Plaza Tower  
Frankfort, Kentucky 40601

W.  
Dr. John/Impson (504-925-3769)  
State Entomologist  
Dept. of Agriculture  
P. O. Box 44153, Capitol Station  
Baton Rouge, Louisiana 70804

Mr. James A. Arceneaux, Vice President, ASPCRO  
Assistant Director  
Structural Pest Control Commission  
Louisiana Department of Agriculture  
P. O. Box 44153  
Baton Rouge, Louisiana 70804

Mr. John R. Stevens, Supervisor  
Division of Inspections  
Dept. of Agriculture  
State Office Bldg.  
Augusta, Maine 04330

Mr. David Shriver, Chief (301-269-2776)  
Pesticide Regulation Section  
Dept. of Agriculture  
Parole Plaza Office Bldg.  
Annapolis, Maryland 21401

Mr. George Michael, Director  
Division of Food & Drugs  
Dept. of Public Health  
305 South Street  
Jamaica Plain, Massachusetts 02130

Mr. Robert L. Mesecher (517-373-8033)  
Staff Assistant  
Dept. of Agriculture  
Lewis Class Bldg.  
Lansing, Michigan 48913

Mr. Howare M. Deer  
Dept. of Agriculture  
2133 Mount View Avenue  
Minneapolis, Minnesota 55405

Mr. Robert McCarty (601-325-3390)  
Assistant Director  
Division of Plant Industry  
Dept. of Agriculture & Commerce  
P. O. Box 5207  
Mississippi State, Mississippi 39762

Mr. Jim Haskins (601-325-3390)  
Supervisor  
Pest Control Section  
Division of Plant Industry  
Mississippi Dept. of Agriculture & Commerce  
Post Office Box 5207  
Mississippi State, Mississippi 39762

Mr. John R. Hagan, Supervisor (314-751-4310)  
Bureau of Pesticide Control  
Dept. of Agriculture  
P. O. Box 630  
Jefferson City, Missouri 65102

Mr. Gary Gingery, Administrator  
Environmental Mgmt. Division  
Agricultural Livestock Bldg.  
Helena, Montana 59601

Mr. Marvin Sitorius, Chief  
Bureau of Plant Industry  
Dept. of Agriculture  
P. O. Box 4756  
Lincoln, Nebraska 68509

Mr. Lawrence E. Blalock  
Pesticide Specialist  
Division of Plant Industry  
Dept. of Agriculture  
P. O. Box 11100  
Reno, Nevada 89510

Mr. Murray L. McKay  
Pesticide Control Supervisor  
Pesticide Control Division  
Dept. of Agriculture  
State House Annex  
Concord, New Hampshire 03301

Mr. George L. Beyer, Jr. (609-292-0717)  
Office of Pesticide Control  
Dept. of Environmental Protection  
380 Scotch Road  
West Trenton, New Jersey 08628

Mr. Barry Patterson (505-646-2133)  
(President ASPCRO)  
Chief  
Division of Pesticide Management  
Dept. of Agriculture  
Box 3AQ  
Las Cruces, New Mexico 88003

Mr. John Wainwright (518-457-7482)  
Bureau of Pesticides Management  
Dept. of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233

Mr. Raymond J. Malkiewicz (518-457-7482)  
Director  
Bureau of Pesticides Conservation  
New York Department of Environmental/  
50 Wolf Road  
New York, New York 12233

Mr. Rudolph E. Howell, Director (919-733-6100)  
Structural Pest Control Division  
Dept. of Agriculture  
P. O. Box 27647  
Raleigh, North Carolina 27611

Mr. Robert Olheiser  
Food Commissioner & Chemist  
State Laboratories Dept.  
Box 937  
Bismark, North Dakota 58505

Mr. Oren W. Spillser  
Specialist In Charge  
Division of Plant Industry  
Dept. of Agriculture  
Reynoldsburg, Ohio 43068

Mr. Ray Elliott, Supervisor (405-521-3871)  
Plant Industry Division  
Dept. of Agriculture  
122 State Capitol  
Oklahoma City, Oklahoma 73105

Mr. Tom Harrison, Supervisor  
Pesticides, Feed & Fertilizer  
Dept. of Agriculture  
635 Capitol Street, N. E.  
Salem, Oregon 97310

Dr. Gerald J. Florentine  
Pesticide Operations Coordinator  
Bureau of Plant Industry  
Dept. of Agriculture  
2301 North Cameron Street  
Harrisburg, Pennsylvania 17120



Mr. Arline R. de Gonzales, Director  
Analysis and Registration  
Agriculture Materials Laboratory  
P. O. Box 10163  
Santruce, Puerto Rico 00908

Mr. Rudolph D'Andrea, Chief  
Division of Agriculture  
83 Park Street  
Providence, Rhode Island 02903

Mr. Neil Ogg (803-656-3006)  
President, ASPCRO  
Pesticide Coordinator  
Plant Pest Regulatory Service  
212 Barre Hall  
Clemson University  
Clemson, South Carolina 29631

Mr. Ron Stee, Director  
Division of Agriculture  
Regulations & Inspections  
Anderson Bldg.  
Pierre, South Dakota 57501

Mr. Knox Wright (615-741-1551)  
Pest Control Inspection Supervisor  
Division of Plant Industries  
Dept. of Agriculture  
P. O. Box 40627, Melrose Station  
Nashville, Tennessee 37204

Mr. Charlie Chapman  
Executive Director  
Structural Pest Control Board of Texas  
5555 North Lamar  
Bldg. H, Suite 123  
Austin, Texas 78751

Mr. Ray J. Downs, Director  
Division of Plant Industries  
Dept. of Agriculture  
147 North 200 West  
Salt Lake City, Utah 84113

Mr. Philip R. Benedict, Director  
Plant Pest Control Division  
Dept. of Agriculture  
State Office Bldg.  
116 State Street  
Montpelier, Vermont 05602

Mr. Charles G. Rock (804-786-3798/3162)  
Assistant Supervisor  
Pesticide, Paint & Hazardous Subs. Section  
Division of PAIR, Room 403  
Virginia Dept. of Agriculture & Consumer Services  
P. O. Box 1163  
Richmond, Virginia 23209

Mr. Art Losey, Supervisor  
Grain & Chemical Division  
Dept. of Agriculture  
406 General Administration Bldg.  
Olympia, Washington 98504

Mr. John D. Perdue  
Field Representative  
Pesticide Use & Application  
Plant Pest Control Division  
Dept. of Agriculture  
Building 1-E, 103  
Charleston, West Virginia 25305

Mr. W. E. Simmons, Chief  
Pesticide Use & Control  
Plant Industry Division  
Dept. of Agriculture  
801 West Badger Road  
Madison, Wisconsin 53713

Mr. Bill Gentle  
Pesticide Coordinator  
Plant Industry Division  
Dept. of Agriculture  
2219 Carey Avenue  
Cheyenne, Wyoming 82002

ASSOCIATION OF STRUCTURAL PEST CONTROL  
REGULATORY OFFICIALS (ASPCRO)  
MAILING LIST (1981)

Members:

Dr. John A. Bloch, Director  
Ag Chemistry and Plant Industry Division  
Department of Agri. & Industries  
P. O. Box 3336  
Montgomery, Alabama 36193

Mr. Richard Stokes  
Pesticide Program Supervisor  
Dept. of Environmental Conservation  
419 Sixth Street  
Juneau, Alaska 99801

Mrs. Betty Sisk (602-255-3664)  
Executive Director  
Structural Pest Control Board  
2207 South 48th Street, Suite M  
Tempe, Arizona 85282

Mr. Don Alexander, Head (501-225-1598)  
Commercial Pest Control  
Arkansas State Plant Board  
P. O. Box 1069  
Little Rock, Arkansas 72203

Mr. Rodney Stein, Registrar (916-920-6323)  
Structural Pest Control Board  
1430 Howe Avenue  
Sacramento, California 95825

Mr. Doug W. Wilson, Supervisor (416-965-2401)  
Pesticides Control Section  
Pollution Control Branch  
Ministry of the Environment  
135 St. Clair Avenue, West, Suite 100  
Toronto, Ontario M4V1P5

Mr. Ron Turner, Chief  
Pesticide Section  
Dept. of Agriculture  
State Service Building  
1525 Sherman Street  
Denver, Colorado 80203

Dr. Stephen W. Hitchcock  
Pesticide Compliance  
Dept. of Environmental Protection  
State Office Bldg.  
Capital Avenue  
Hartford, Connecticut 06115

Mr. H. Grier Stayton  
Pesticide Compliance Supervisor  
Dept. of Agriculture  
P. O. Drawer D  
Dover, Delaware 19901

Mr. F. R. DuChanois (904-354-3961, Ext. 3218)  
Chief Inspector  
Office of Entomology  
Dept. of Health and Rehabilitative Services  
P. O. Box 210  
Jacksonville, Florida 32231

Mr. James P. Harron (404-656-3641)  
Supervisor of Inspections  
Division of Entomology  
Dept. of Agriculture  
Agriculture Bldg., Room 304  
Capitol Square  
Atlanta, Georgia 30334

Mr. Charles K. Yasuda, Head  
Division of Plant Industry  
Dept. of Agriculture  
1428 South King Street  
Honolulu, Hawaii 96814

Mr. Alfred E. Miller, Supervisor  
Pesticide Enforcement  
Dept. of Agriculture  
P. O. Box 790  
Boise, Idaho 83701

Mr. Harvey J. Dominick (217-782-4674)  
Entomologist  
Environmental Health & Sanitation  
Dept. of Public Health  
535 West Jefferson Street  
Springfield, Illinois 62761

Mr. L. O. Nelson (317-749-2391)  
Pesticide Administrator  
Office of State Chemist  
Dept. of Biochemistry  
Purdue University  
West Lafayette, Indiana 47907

Mr. Myron R. VanCleave  
Supervisor, Pesticides Section  
Dept. of Agriculture  
Henry A. Wallace Bldg.  
East Seventh St. and Court Avenue  
Des Moines, Iowa 50319

Mr. H. Dean Garwood, Director (913-296-3016)  
Division of Entomology  
State Board of Agriculture  
Tenth Floor  
State Office Bldg.  
Topeka, Kansas 66612

Mr. Thurman R. Measel, Coordinator (502-564-7274)  
Structural Pest Control  
Division of Pesticides  
Dept. of Agriculture  
Capital Plaza Tower  
Frankfort, Kentucky 40601

Dr. John W. Impson (504-925-3769)  
State Entomologist  
Dept. of Agriculture  
P. O. Box 44153, Capitol Station  
Baton Rouge, Louisiana 70804

Mr. John R. Stevens, Supervisor  
Division of Inspections  
Dept. of Agriculture  
State Office Bldg.  
Augusta, Maine 04330

Mr. David Shriver, Chief (301-269-2776)  
Pesticide Regulation Section  
Dept. of Agriculture  
Parole Plaza Office Bldg.  
Annapolis, Maryland 21401

Mr. George Michael, Director  
Division of Food & Drugs  
Dept. of Public Health  
305 South Street  
Jamaica Plain, Massachusetts 02130

Mr. Robert L. Mesecher (517-373-8033)  
Staff Assistant  
Dept. of Agriculture  
Lewis Class Bldg.  
Lansing, Michigan 48913

Mr. Howare M. Deer  
Dept. of Agriculture  
2133 Mount View Avenue  
Minneapolis, Minnesota 55405

Mr. Robert McCarty (601-325-3390)  
Assistant Director  
Division of Plant Industry  
Dept. of Agriculture & Commerce  
P. O. Box 5207  
Mississippi State, Mississippi 39762

Mr. John R. Hagan, Supervisor (314-751-4310)  
Bureau of Pesticide Control  
Dept. of Agriculture  
P. O. Box 630  
Jefferson City, Missouri 65102

Mr. Gary Gingery, Administrator  
Environmental Mgmt. Division  
Agricultural Livestock Bldg.  
Helena, Montana 59601

Mr. Marvin Sitorius, Chief  
Bureau of Plant Industry  
Dept. of Agriculture  
P. O. Box 4756  
Lincoln, Nebraska 68509

Mr. Lawrence E. Blalock  
Pesticide Specialist  
Division of Plant Industry  
Dept. of Agriculture  
P.O. Box 11100  
Reno, Nevada 89510

Mr. Murray L. McKay  
Pesticide Control Supervisor  
Pesticide Control Division  
Dept. of Agriculture  
State House Annex  
Concord, New Hampshire 03301

Mr. George L. Beyer, Jr. (609-292-0717)  
Office of Pesticide Control  
Dept. of Environmental Protection  
380 Scotch Road  
West Trenton, New Jersey 08628

Mr. Barry Patterson (505-646-2133)  
Chief  
Division of Pesticide Management  
Dept. of Agriculture  
Box 3AQ  
Las Cruces, New Mexico 88003

Mr. John Wainwright (518-457-7482)  
Bureau of Pesticides Management  
Dept. of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233

Mr. Rudolph E. Howell, Director (919-733-6100)  
Structural Pest Control Division  
Dept. of Agriculture  
P. O. Box 27647  
Raleigh, North Carolina 27611

Mr. Robert Olheiser  
Food Commissioner & Chemist  
State Laboratories Dept.  
Box 937  
Bismark, North Dakota 58505

Mr. Oren W. Spillser  
Specialist in Charge  
Division of Plant Industry  
Dept. of Agriculture  
Reynoldsburg, Ohio 43068

Mr. Ray Elliott, Supervisor (405-521-3871)  
Plant Industry Division  
Dept. of Agriculture  
122 State Capitol  
Oklahoma City, Oklahoma 73105

Mr. Tom Harrison, Supervisor  
Pesticides, Feed & Fertilizer  
Dept. of Agriculture  
635 Capitol Street, N.E.  
Salem, Oregon 97310

Dr. Gerald J. Florentine  
Pesticide Operations Coordinator  
Bureau of Plant Industry  
Dept. of Agriculture  
2301 North Cameron Street  
Harrisburg, Pennsylvania 17120

Mr. Arline R. de Gonzales, Director  
Analysis and Registration  
Agriculture Materials Laboratory  
P. O. Box 10163  
Santruce, Puerto Rico 00908

Mr. Rudolph d'Andrea, Chief  
Division of Agriculture  
83 Park Street  
Providence, Rhode Island 02903

Mr. Neil Ogg (803-656-3006)  
Pesticide Coordinator  
Plant Pest Regulatory Service  
212 Barre Hall  
Clemson University  
Clemson, South Carolina 29631

Mr. Ron Stee, Director  
Division of Agriculture  
Regulations & Inspections  
Anderson Bldg.  
Pierre, South Dakota 57501

Mr. Claude E. Jones (615-741-1551)  
Pest Control Administrator  
Division of Plant Industries  
Dept. of Agriculture  
P.O. Box 40627, Melrose Station  
Nashville, Tennessee 37204

Mr. Charlie Chapman  
Executive Director  
Structural Pest Control Board of Texas  
5555 North Lamar  
Bldg. H. Suite 123  
Austin, Texas 78751

Mr. Ray J. Downs, Director  
Division of Plant Industries  
Dept. of Agriculture  
147 North 200 West  
Salt Lake City, Utah 84113

Mr. Philip R. Benedict, Director  
Plant Pest Control Division  
Dept. of Agriculture  
State Office Bldg.  
116 State Street  
Montpelier, Vermont 05602



Mr. Charles Rock, Assistant Supervisor (804-786-3162/3798)  
Pesticides, Paint, and Hazardous Substances Section  
Division of Product & Industry Regulations  
Dept. of Agriculture & Consumer Services  
1204 East Main Street  
Richmond, Virginia 23219

Mr. Art Losey, Supervisor  
Grain & Chemical Division  
Dept. of Agriculture  
406 General Administration Bldg.  
Olympia, Washington 98504

Mr. John D. Perdue  
Field Representative  
Pesticide Use & Application  
Plant Pest Control Division  
Dept. of Agriculture  
Building 1-E, 103  
Charleston, West Virginia 25305

Mr. W. E. Simmons, Chief  
Pesticide Use & Control  
Plant Industry Division  
Dept. of Agriculture  
801 West Badger Road  
Madison, Wisconsin 53713

Mr. Bill Gentle  
Pesticide Coordinator  
Plant Industry Division  
Dept. of Agriculture  
2219 Carey Avenue  
Cheyenne, Wyoming 82002

Non-Members:

Mr. David E. Schneider, Editor  
PEST CONTROL  
P. O. Box 6951  
Cleveland, Ohio 44101

Mr. R. D. Loftus, Editor  
PEST CONTROL TECHNOLOGY  
Cincinnati, Ohio 45212

Dr. George Rambo  
Director of Technical Operations  
National Pest Control Association, Inc.  
8150 Leesburg Pike, Suite 1100  
Vienna, Virginia 22180

Mr. Jack Grimes  
Director, Government Affairs  
National Pest Control Association, Inc.  
8150 Leesburg Pike, Suite 1100  
Vienna, Virginia 22180

Mr. R. M. Russell  
Vice President  
Government Relations  
Orkin Exterminating Company, Inc.  
2170 Piedmont Road, N.E.  
Atlanta, Georgia 30324

Mr. Charles J. Hromada  
Senior Vice President  
Terminix International, Inc.  
P. O. Box 17167  
Memphis, Tennessee 38117

RESOLUTION ADOPTED  
AT  
THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
TAMPA, FLORIDA  
5 - 7 OCTOBER 1981

RESOLUTION I

WHEREAS, the 21st Annual Meeting of the Association of Structural Pest Control Regulatory Officials was outstandingly successful, and the success is attributable to the generosity of our hosts, the Florida Department of Health and Rehabilitative Services, Office of Entomology, and its very capable staff, particularly Mr. W. C. Bargren, Mr. F. R. Du Chanois, and Dr. J. A. Mulrennan, Jr., Director, in providing excellent facilities, program content and entertainment; and

WHEREAS, the Admiral Benbow Inn, 1200 North Westshore Boulevard, Tampa, Florida, provided excellent facilities and hospitality contributing to the success of the meeting; and

WHEREAS, the Dow Chemical Company provided the excellent fumigation demonstration, including bus transportation and the actual expenses of the fumigation, and in so doing significantly contributed to the overall success of the meeting; and

WHEREAS, Cross Pest Control allowed the Association meeting attendees to witness an excellent example of structural fumigation; and

WHEREAS, the management of Busch Gardens provided a most informative and delightful tour of The Dark Continent, Busch

Gardens, and of their outstandingly excellent Pest Control Program; and

WHEREAS, Neelco Industrial Equipment Company, Southern Mill Creek Products Company, Stephenson Chemical Company and Woodbury Chemical Company provided a most pleasant dinner at The Old Swiss House, Busch Gardens, and after hours hospitality refreshment; and

WHEREAS, the Florida Pest Control Association and Mobay Chemical Corporation kindly provided the refreshments during program breaks; and

WHEREAS, Terminix International, Inc., and Orkin Exterminating Company, Inc., provided the excellent reception hospitality hours on October 4 and 5 respectively; and

WHEREAS, "Bugs" Burger Bug Killers, Inc., provided the most enjoyable breakfast on October 7, 1981; all of which has contributed to the success of this meeting;

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials, through written appreciation of these individual and joint contributions to this meeting and through each of its officers and members, express its sincere thanks and gratitude to all those parties and individuals for an excellent meeting and a very pleasant stay in the State of Florida.

Done this 7th Day of October 1981, A.D.

RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
TAMPA, FLORIDA  
5 - 7 OCTOBER 1981

RESOLUTION II

WHEREAS, the September 30, 1978, amendments to the Federal Insecticide, Fungicide and Rodenticide Act, Section 2(ee), state that the term "to use any registered pesticide in a manner inconsistent with its labeling" shall not include applying a pesticide at any dosage, concentration, or frequency less than that specified on the labeling; and

WHEREAS, the Association of Structural Pest Control Regulatory Officials state that application of any registered termiticide at any dosage, concentration or frequency less than that specified on the labeling would result in less than effective control of the target pests;

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials solicit the Environmental Protection Agency's full cooperation and urge that immediate, appropriate action be taken to insure that termiticides be excluded from the 1978 2(ee) amendment.

Done this 7th Day of October, 1981, A.D.

RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA

5 - 7 OCTOBER 1981

RESOLUTION III

WHEREAS, the Association of Structural Pest Control Regulatory Officials is with each passing year achieving greater impact on both state and federal agencies, industry, and national and state associations; and

WHEREAS, the Association of Structural Pest Control Regulatory Officials is the only regulatory agency which specifically addresses regulatory and other issues of pressing importance to the structural pest control industry;

NOW, THEREFORE, BE IT RESOLVED: That special emphasis be provided in 1981-1982 to broaden the membership base of the Association of Structural Pest Control Regulatory Officials by actively recruiting attendance and affiliation of those states that do not now attend and participate, thus strengthening the Association for the challenges that lie ahead. Each member attending this most informative meeting be directed to communicate with its neighboring states not attending to do so hereafter, and other appropriate written notification to states not attending be provided to encourage future attendance.

Done this 7th Day of October, 1981, A.D.

RESOLUTION ADOPTED

AT

THE 1981 ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
TAMPA, FLORIDA  
5 - 7 OCTOBER 1981

RESOLUTION IV

WHEREAS, the current Association of Structural Pest Control Regulatory Officials members are actively involved in the important task of termiticide residue sampling, analysis and establishing relevant termiticide residue levels; and

WHEREAS, the Southern Forest Experiment Station, United States Forest Service, Gulfport, Mississippi, provides a critical, much appreciated research service to pest control operators, consumers, and state and federal regulatory officials in their research efforts;

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials, as an allied and supportive friend of the Southern Forest Experiment Station, request consideration and implementation of a research project which would establish meaningful termiticide residue levels, standard analytical procedures, and sampling techniques for termiticide residues. It is understood that the Association of Structural Pest Control Regulatory Officials members would cooperate in every way possible to assist in this project.  
Done this 7th Day of October, 1981, A.D.

SUGGESTIONS FOR IMPLEMENTATION BY ASPCRO \*

1. Establish a liaison with AAPCO, or possibly meeting with AAPCO.
2. Attempt to increase membership, possibly by the forming of regional groups.
3. Have the yearly program prepared by either a program committee or the officers of ASPCRO.
4. Establish some guidelines/definitions for the VA/HUD Wood Destroying Insect Report and/or State reports.
5. Establish uniform standards in regards to control practices of specific pests by certified/licensed applicators.
6. Establish uniform qualification requirements for certification and licensing of structural pest control applicators.
7. Establish uniform educational standards for certified/licensed applicators.
8. Establish uniform regulations for certified/licensed applicators.
9. Establish uniform reciprocity agreements among States.
10. Establish the following committees:
  - a. Executive - for handling resolutions and other matters affecting ASPCRO.
  - b. Legislative - to inform members of structural pest control statutes/regulations in other States.
  - c. Grievance - to hear grievances and inform members of problems that arise.
  - d. Limitations - to establish guidelines to avoid lawsuits.
  - e. Publicity - to make the public aware of the efforts and duties of ASPCRO.

\* Presented at 21st Annual Meeting, Association of Structural Pest Control Regulatory Officials, Tampa, Florida, 7 October 1981, by Mr. Lawrence E. Blalock, Nevada.



Environmental Protection Agency Update \*

You have requested an update on the goals, objectives and policy of the Environmental Protection Agency. As you are aware, Ms. Anne Gorsuch has recently been selected as the new Administrator of EPA. The following excerpts have been selected from her remarks and grouped to provide an introduction to the Administrator's thinking on key subjects and hopefully fulfill your request of an update.

"Changes within EPA

"Our way of doing business at EPA will change. First, our staff at all levels - consonant with the direction of the new Administration - will conduct business with State and local officials with the presumption of good faith and regularity on their part, and a pledge to openness on our part.

"EPA staff will return to the field with a set of management principles in keeping with the goals of the Reagan Administration. The first of these goals is consistency, blended with a deep respect for the internal decision-making process of the Agency. It is certainly inconsistent for EPA staff to send conflicting signals by premature disclosure of unsubstantiated scientific studies, improper lobbying of Congressmen or State Legislators at budget time, or flashy press releases that upstage our State and local partners.

more

\* Presented by Mr. Roy P. Clark, Chief, Pesticides & Toxic Substances Branch, Region IV, U. S. Environmental Protection Agency, Atlanta, Georgia, at the 21st Annual Meeting of the Association of Structural Pest Control Regulatory Officials, Tampa, Florida, on 6 October 1981.

"Secondly, in the Administration our aim is to ensure the principle of accountability. No one is to represent our Agency unless they know what they are talking about, can speak with authority, and are willing to keep their commitments. All decisions of the Agency must be based on sound scientific research and the best technical information available. This has become a priority management goal in my administration.

"By streamlining our regulations and procedures without sacrificing our environmental goals, our Agency can become a model of efficient and good government for the entire Nation.

#### "Better Organization for Greater Productivity

"Further, I intend to develop a management program that utilizes the highly capable civil service professionals at EPA to more efficiently and successfully protect the public health, welfare and environment. My objective, of course, is not to turn the programs of EPA 'upside down', but I will certainly make whatever management changes are necessary to efficiently, expeditiously, and intelligently protect the public health and environment in a manner which is, to the extent permitted by law, in accordance with other national objectives.

more

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"Other management issues at EPA include:

"Making rules and regulations more understandable to the general public.

"Developing early and substantial State and local input into the regulatory process, and returning programs to willing and able States as Congress intended.

"Simplifying and streamlining the regulatory process.

"Coordinating the effective attainment of our Nation's environmental objectives as prescribed by law.

"My total efforts and talents will be committed to restoring, preserving and protecting the environmental heritage that is a critical, integral part of the legacy our children and grandchildren must inherit if they are to know the same freedoms, and enjoy the same choices, that we have known.

"Each of us should strive for improved initiative and personal productivity, creating a more efficient agency even with scaled-down budget . . . we must avoid the adversary role when dealing with the public and other Federal, State and local agencies . . . we as EPA employees must remind ourselves each day that we are public servants, paid each two weeks by the American public to serve them in their very important mutual efforts of attaining environmental goals.

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"The Environmental Protection Agency of the 1980s will hopefully evolve into a changed but more efficient and thrifty organization than its predecessor of the last decade. But in the protection of the health and surroundings of our citizens we will remain dutifully unchanged in our pursuit of those goals.

"What I ask is that we work together to make this a 'result-oriented' operation, and thus confirm the confidence that the President places in each of us.

"I am convinced that within our organization lies the creative potential to . . . make EPA even more responsive to its mandate and to the people whom we serve.

#### "Decentralization

"Because I place such a high priority on building State/Federal partnerships to administer the environmental statutes, I can assure the Committee that this is a matter I will tackle immediately upon assuming the Office of Administrator. My goal is to make the Regional system work to the benefit of EPA and the States.

more

"EPA/State Relationships

"I stated that I want to establish a new era of cooperation with the States. Returning program responsibility to the willing and able State will be a priority of my management of EPA.

"To the extent allowed by statute and in consideration of the capabilities of the States, I want to see these responsibilities returned to the States.

"Because this Administration also supports increased responsibility on the part of the States in setting priorities and developing control programs. . . I will emphasize working with the States to facilitate their assumption of these responsibilities to the maximum extent contemplated by the statutes.

"We can and must restore the State/Federal partnership envisaged by Congress. We can establish a new era of cooperation and consistency. We can solicit early and substantial State and local input into the regulatory process; return programs to willing and able States, and allow them the flexibility to achieve results in the most effective manner. I am confident we will find that our Federal (and State) dollars can provide far greater protection of public health and the environment when they do not have to be applied unnecessarily to resolve contentious State/Federal confrontations.

"My thoughts as to management priorities are as follows: I intend to assure that Regional Administrators will provide genuine assistance and cooperation to the States they serve. I am confident that a cooperative and consistent working relationship with the States will encourage the development of the State/Federal partnership that Congress originally envisioned.

"We shall restore the States to their rightful place as partners with the Federal government in policymaking as well as policy implementation. Rather than asking States to effectively enforce programs in which they have had little meaningful input, we will open clear lines of communication to the Governors, Legislators and State environmental agencies, so that their concerns can be considered early in the regulatory process.

"I believe that EPA can contribute greatly by seizing the initiative in two specific areas of regulatory reform and the new federalism. In the future, EPA will contribute to the new federalism by constantly watching for ways to shift the decision-making process from the banks of this local, now much cleaner Potomac, to the local courthouse and state capitals. We will desert an adversary role, and EPA will seek to bring State governments in as full and active partners in the achievement of our environmental efforts.

### "Enforcement

"EPA is committed to a strong enforcement doctrine. But success in enforcement will no longer be judged simply by counting beans - that is, by the number of suits or orders filed. Instead we will look for results - for real clean-up and the 'best environmental bang for our buck.'

### "New Regulations

"We can and must improve the scientific and technical basis for the standards and regulations developed. A policy change to require peer review earlier and more frequently in the process could make a tremendous difference.

"We can and must simplify and streamline the regulatory process. Rules too complex to be understood serve only to alienate the public from the mission of EPA, and that mission is too important to be left solely to the regulated and the regulators.

### "Regulatory Reform

"Through regulatory reform, efficiencies can be promoted that produce savings in the products and services purchased by American consumers. We should work together to keep a lid on

more

those unnecessary regulations which have created hardships on our national industries, driving up the cost of consumer goods. America's farms, and in the steel mills, on the auto assembly lines and as Americans search for domestic energy resources, EPA should move in accordance with the President's stated goals for our country without sacrificing the important environmental considerations of cleaner air, cleaner water and more productive land.

#### "Public Awareness

"I will work to assure that the Agency's programs and scientific research are available to and understood by the public.

"The public is fully committed to environmental protection, while simultaneously aware of the need to improve our economy and develop affordable domestic energy resources. A delicate balance must emerge.

#### "Cost-Benefit Analysis

"I support the use of cost-benefit analysis in setting pollution standards wherever that is permitted by statute. My position is the same as the President's Executive Order 12229. If cost-analyses are prohibited by statute, I will, of course, abide by Congress' judgment.



### "The Budget

"The budget increases of the 70s have turned into the necessary cutbacks of the 80s, and EPA is asked to share in the battle to fight inflation and enhance economic recovery. But just as President Reagan has asked us to run a tighter ship, it is the job of every crew member aboard EPA not to lose sight of what it means to be a public servant.

"Certainly we must take our share of the budget cuts and serve within the framework of efficient austerity. But the President has asked EPA to take much less of an operational reduction than many agencies. This fact alone merely underscores his commitment to the mission of this agency, which continues to be the enhancement of our environment.

### "EPA's Responsibilities

"I recognize three responsibilities of paramount importance: the protection of public health and welfare through restoration, preservation, and enhancement of the quality of our environment; faithful implementation of the intent of Congress as expressed in our environmental protection statutes; and the development of policies that accommodate the national objectives articulated by the President."

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I have not had the privilege of meeting Ms. Gorsuch yet, but from talking to others, she is expected to be a strong Administrator. She is expected to reach her goals and implement her programs. You may wish to consider how you, as State officials, can best work with Ms. Gorsuch in achieving our mutual goals and participate in the State/Federal partnership envisaged by Congress.

Thank you for allowing me to convey this message.

Roy P. Clark

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
SOUTHERN FOREST EXPERIMENT STATION

P. O. BOX 2008, GMF  
GULFPORT, MISSISSIPPI 39503

RECEIVED  
OCT 19 1981

OFFICE OF ENTOMOLOGY.

1600  
October 15, 1981

Mr. F. R. Du Chanois  
Department of Health  
and Rehabilitative Services  
P.O. Box 210  
Jacksonville, FL 32231



Dear Bob:

I would like to thank you for inviting me to Tampa to meet with the Regulatory Officials. It was a very enjoyable experience for me and I was glad to meet so many of my friends again.

Our research mission within the U.S. Forest Service is to develop chemical, biological, or physical methods of controlling or preventing damage by termites, wood-destroying beetles, and fungi to wood in storage and in use.

Within this framework our approach to the problem is as follows:

1. Devise specific control methods for wood-destroying beetles through regulation of moisture content and development of insecticidal or other direct treatments.
2. What types of behavioral responses are elicited in subterranean termites by wood-destroying fungi, and what factors influence the production of metabolites that cause these responses?
3. Can certain antibiotics, wood extractives, or growth regulators be used to control subterranean termites?
4. Develop new and improved chemical methods for termite control.

Hopefully, this information will be useful to you and if you need any additional information, please feel free to give me a call.

Sincerely,

RAYMOND H. BEAL  
Principal Entomologist

# Fumigating safely and effectively

By DONALD A. WILBUR JR.\*

The purpose of this article is to bring to mind some of the important differences between fumigants and other pesticides, as well as trying to develop some of the absolute minimum safety procedures necessary for safe use of fumigants. In addition, the author wants to bring to mind some of the factors involved in selecting the proper fumigant for a specific job.

Fumigation differs rather dramatically from other types of pesticide application. First of all, fumigation is the process of using a pesticide which becomes a gas during the actual fumigation. The fumigant is designed to penetrate and kill all stages of an insect population without leaving a harmful pesticide residue after the fumigation is completed. Thus, only the pests exposed to the fumigant will be affected and there will be no long-lasting killing effects after the fumigant is evacuated from the structure.

Because fumigants become a gas, the containment of this gas to the desired area is essential. These fumigant gases differ dramatically from other types of pesticides; consequently, a whole new set of rules must be followed in order to apply fumigants safely and effectively.

## Safe Usage

Fumigants are basically highly toxic; however, when used properly they can be used safely. The old saying that "all things are toxic and nothing is toxic" truly has a bearing. We know, for example, that chlorine is a deadly gas, yet it is used to make our drinking water safe. We also know that water is essential for human life, yet we can drown in it. Consequently, pesticides in general and fumigants specifically can be applied

safely when label recommendations are followed, but violations of the safety rules can cause accidents. "There are no old careless fumigators."

The key formula to any successful fumigation is to maintain a predetermined minimum *concentration* "C" of fumigant gas for a specified *time* "T" period. This is called the CT factor and will vary with each fumigant. If, for some reason, concentration isn't high enough due to sorption, low dosage, leaky structure, high winds, or it is not maintained for the prescribed time period, the fumigation will not produce the desired efficacy.

In all fumigations, the fumigant is the only constant. All other factors will vary. Consequently, a thorough knowledge of the structure, the commodities to be fumigated, the properties of the various fumigants, weather conditions, commodity temperatures, outside temperature, and moisture content of the commodity and ambient air, among others, are essential.

An absolute knowledge of the fumigant is a prime prerequisite, for these fumigants are formulated and designed to cope with specific situations.

For example, some fumigants are extremely quick killing, some extremely slow. Some have an extremely-high degree of penetration, while others have virtually none. Some are readily sorbed by fine materials such as foreign materials or grain dust; others aren't. Some are affected by high moisture content. Some kill germination, thus are excellent soil sterilants but are ruinous to seeds. Some fumigants may combine chemically with the commodities fumigated to create an off-odor or off-taste or leave an undesirable residue. Last, and certainly not least, fumigants are labeled for specific types of situations or fumigations.

Basically, we can categorize fumigations into the following categories:

Space fumigations

Tarpaulin fumigations

Grain fumigations: Upright; flat storage; transit fumigations—railcar, truck (static only); (there are no fumigants labeled for transit truck fumigations); ship.

Processed food fumigations: Bulk, transit.

Spot fumigations: The fumigation of equipment (such as a conveyor, boot, or leg) within a process area; vacuum chamber fumigations; soil fumigations.

## Use Is Restricted

Because of the immediate toxicity of fumigants, along with the distinct characteristics of each fumigant, EPA has classified most fumigants as restricted use pesticides. This means that they must be applied by persons who have been certified or working under the direct supervision of a certified applicator. This simply means that, for fumigants to be applied safely, they must be applied by people who have been trained for that specific application.

*The prime law of any fumigation is the label.* The label dictates where a fumigant can be used, on what, when, by whom, dosage, exposure period, what insects are affected, safety, first aid, as examples. Therefore, applicators should re-read the label before each fumigation. In addition to the laws of the label, fumigators must be certain that they are in compliance with all other federal, state, and local regulations which might apply.

The most-important factor in any successful fumigation is pre-fumigation planning. The planning groundwork af-

fects safety, application equipment, application methods, proper sealing of a structure, arranging for guards, monitoring of the fumigation, posting the structure, notification of police and fire departments, presentation of fumigant safety and first aid information to the closest hospital emergency room, preparation of the aeration procedures, and finally cleanup and proper disposal of the fumigant containers. The following is a pre-fumigation checklist which should be followed to the last detail for all types of fumigations.

### Planning Check List

#### *Pre-fumigation:*

- 1) Determine problem pests (insect, rodent, bacteria).
- 2) Determine size or volume of structure to be fumigated.
- 3) Determine fumigant to be used.
- 4) Preparation of structure (what sealing must be done and what materials are required to accomplish the sealing).
- 5) Assemble all materials (to include sealing material, safety equipment, monitoring devices).
- 6) Notification of authorities (stating what is to be fumigated and with what fumigant): Plant personnel, police, fire, doctor, guard service, other authorities required by state and local regulations.
- 7) Placement of unopened fumigant containers in the release area.
- 8) Restrict entry to the structure to be fumigated to only those involved in fumigation.
- 9) Prepare guard of structure (this includes indoctrination and special instructions).
- 10) Prepare route of fumigators to be used during fumigant release.
- 11) Check safety equipment.
- 12) Review fumigation process with team of fumigators (*fumigators always work in teams of at least two*).
- 13) Review aeration technique *before* fumigant is released.

#### *Actual fumigation:*

- 1) Make certain fumigation area is vacated and all persons are accounted for before the release of fumigant is performed.
- 2) Put on or have "at the ready" safety equipment.
- 3) Secure structure so that there is only one entrance. (A separate locking

system should be used, with the only keys available to the guards and fumigator).

- 4) Placard structure with fumigation warning signs at all entry points.
- 5) Post guards.
- 6) Release fumigant.
- 7) Monitor fumigation to make certain sufficient concentration is maintained.
- 8) Check surrounding area for leaks.

#### *Post-fumigation procedures:*

- 1) Aerate building
- 2) Monitor area to make certain all toxic quantity of gas is evacuated.
- 3) Check on efficacy.
- 4) Dispose of fumigant containers and/or residues.
- 5) Notify authorities that fumigation is over and that structure is safe for re-entry (police, fire department, plant personnel).
- 6) Take down warning signs.

In retrospect, fumigation is a technical process which can be safely and effectively consummated if the fumigator knows and understands the fumigants; the structure to be fumigated; the commodities to be fumigated; the federal, state, and local laws and regulations regarding fumigation; the safety factors of the fumigant of choice, and safety equipment necessary for that fumigant; procedures for monitoring gas concentration during and after fumigation.

The fumigation process is an expensive procedure, but can be an economical choice when problems develop that cannot be corrected by good sanitation practices or other pesticide application.

The accompanying table can serve as a quick guide for fumigant usage.

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*\*Donald A. Wilbur Jr. is chairman & president of Industrial Fumigant Co., PO Box 1200, Olathe, Kan. 66061. Telephone 913-782-7600.*

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*Reprinted from GRAIN AGE October, 1980.*

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**— FUMIGANTS FOR THE FOOD INDUSTRY —**

	HYDROGEN PHOSPHIDE PH <sup>3</sup>	METHYL BROMIDE CH <sup>3</sup> Br	HYDROGEN CYANIDE HCN	ETHYLENE OXIDE [CH <sup>2</sup> ] <sub>2</sub> O	CARBON TETRACHLORIDE CCl <sub>4</sub>	ETHYLENE DIBROMIDE EDB	ETHYLENE DICHLORIDE EDC	CARBON DISULPHIDE CS <sup>2</sup>	DICHLOROVOS DDVP
MAJOR USES	Space Grain Vehicle Food & Commodity Feed	Space Grain (Vehicle Static) Spot Food Commodity	Space Commodity Grain	Commodity Sterilizing Agent-Vacuum fumigation	Grain Spot Mixed with Other fumigants	Spot Grain	Spot Grain	Grain	Space (logging) strips spray
GAS EVOLVED FROM	Tablets Pellets Sachets Discs	Cans Cylinders	Cylinder with aid of Compressed Air	Natural Pressure From Cylinders	Liquid	Liquid	Liquid	Liquid	Liquid Plastic Strips
SPEED OF KILL	Slow	Quick	Very Quick	Slow	Slow	Slow	Slow	Slow	Fairly Quick
PENETRATION	Excellent	Good	Fair	Fair	Poor	Poor	Poor	Poor	Very Poor
EASE OF AERATION	Excellent	Good	Fair	Good	Slow	Slow	Slow	Slow	Dissipates during exposure period
MIXED WITH OTHER GASES	No	EDB in spot Chloropicrin for non- food uses only	No	CO <sup>2</sup> or other non- flammable gases	Yes Rarely Used Alone	Yes Normally in Mix- ture	Yes Normally in Mix- ture (a flammable)	Yes with C Cl <sub>4</sub> to reduce Flamma- bility	No
SORPTION	Negligible	Yes	Yes	High in Presence of water	High	High	High	High	Low
MOLECULAR WEIGHT	34.04	94.94	27.03	44.05	153.84	187.88	98.97	76.13	221
SPECIFIC GRAVITY AIR = 1	1.214	3.27 @ 0°C	9	1.521	5.32	6.487	3.42	2.64	7.6
SOLUBILITY IN WATER	Very Slightly Soluble in cold H <sub>2</sub> O	Very Slight 1.5g/ 100g @ 20°C	Infinite at all tempera- tures	Infinite at 0°C	.08g/100 ml @ 20°C	.431g/100 ml @ 30°C	.869g/100 ml @ 20°C	.22g/100 ml @ 22°C	Slight Hydrolyzes Quickly
LATENT HEAT OF VAPORIZATION cal/g	102.6	61.52	210	139	464	46.2	85.3	84.1	—
ODOR	Carbide Garlic Ammonia	None at low conc. Sweet Musty at high conc.	Almonds	Mustard like, irritating	Distinctive above 70ppm (TLV only 10ppm)	Chloroform like above 25 ppm (TLV only 20 ppm)	Chloroform like above 50 ppm	Sweetish Sulphur Odor	Vinegar-like
BOILING POINT	- 87.4°C - 125.32°F	3.8°C 38.48°F	26°C 78.8°F	10.7°C 51.26°F	76.8°C 170.24°F	131.6°C 268.88°F	83.5°C 182.3°F	46.3°C 115.34°F	120°C/14mm 170°F (1mm)
SKIN ABSORP- TION	Negligible	Yes slight	Yes Rapid	Yes	Yes	Yes	Yes	Yes	Yes
CHRONIC POISON (ALL ARE ACUTE)	No	Yes	NO	NO	Yes	Yes	Yes	Yes	Possible
THRESHOLD LIMIT VALUE	<del>3ppm</del> 3ppm	<del>5ppm</del> 5ppm	<del>10ppm</del> 10ppm	<del>10ppm</del> 10ppm	<del>5ppm</del> 5ppm	<del>None suggested</del> None suggested	<del>10ppm</del> 10ppm	<del>10ppm</del> 10ppm	350 @ 80% Trichloroethene solvent 1 mg/1000 cu. ft. DDVP (0.1ppm)
SKIN BLISTERING	No	Yes	No	Yes	Yes	Yes	Irritating to Skin	Yes	No
FLAMMABILITY	Self Combustible over 1.79% in air 17,900ppm (rare)	No, but can form acid	Yes 6-41% by volume	Yes 3-80% by Volume	Non Flammable	Non Flammable	Yes 6.2-15.9% by volume	Yes	No Solvent may be
AFFECT ON GERMINATION	None known	Variable with crop & moisture content	Safe for most seeds at low moisture content	Affects many seeds	None on most Seeds	Variable High oil content seeds susceptible	None on most Seeds	Dry seeds not usually affected Avoid prolonged exposure	None known but not usually used on seeds.
REACTS WITH	Copper, gold, silver 3M copy paper	Sulphur comp. see list Also Aluminum when CH <sup>3</sup> Br. Liquid	Levulose in dried fruits under certain conditions	Certain Vitamins Salt Rubber	Heat to form Phosgene gas Affects rubber	Some Paints Aluminum	Corrosive to aluminum magnesium and other alloys		Corrosive black iron and mild steel
DETECTION	Detector Tubes	Detector Tubes Fumiscopes Halide Leak Detector	Detector Tubes Benzidine co. acetate or methyl orange papers	Detector Tubes Do not use Halide Leak Detectors	Thermal conductivity difficult in mixtures Halide Interference Refractometer	Draeger Halide	Halide Detector	Thermal Conductivity after calibration for CS <sup>2</sup>	Difficult under field condi- tions
REMARKS	Most Penetrating fumigant	Good Penetration Short time fumigation (24 hr)	Seldom used	Mixtures with CO <sup>2</sup> used at very high rate, i.e., 30#/100 cu. ft.	Very hazardous to heavy drinkers	Suspected carcinogen may be cancelled	Soluble in fats and oils		
GAS MASK CANISTER (Check with manufacturer for latest recommendations)	For Phosphine & organic Vapor yellow- grey stripe	Organic vapor Black	Acid gas white with green stripe	Organic Vapor Black	Organic Vapor Black	Organic Vapor Black	Organic Vapor Black Canister not adequate in high concentrations	Organic Vapor Black	Yellow

\* Because DDVP has some properties similar to fumigants and because of its recent increased usage we are including it in this chart.

Sources for above chart:  
Manual of Fumigation for Insect Control by E H U. Monro, Food & Agricultural Organization of the U.N.  
Manufacturer's Safety Data Sheets.

# STATE OF ARIZONA

## ANNUAL REPORT 1980-1981 STRUCTURAL PEST CONTROL BOARD

For the 16th consecutive year, the Structural Pest Control Board carried out its duties and responsibilities to the public, in particular consumers of structural pest control, by authority of the Structural Pest Control Act, Chapter 32 ARS 32-2301, et. seq. (adopted 1965).

The Board is appointed by the Governor with 5 members; 3 from the industry and 2 from the public. By law the Board is required to meet twice a year, however, with the volume of work involved, the Board has met once or even twice a month in each of the 16 years. The functions of the Board are as follows:

1. Licensing and inspection of the structural pest control operator.
2. Adopt reasonable rules and regulations to carry out the provisions of the law.
3. Investigate violations.
4. Answer consumer complaints.
5. Certification of all users of restricted use pesticides in categories of Ornamental & Turf, Industrial, Structural and Health Related Pest Control and Aquatic in Non-Agricultural Waters.

### Staff

We have 3 office staff and 2 inspectors.

### Licensing

All applicants for a Structural Pest Control Board license must demonstrate a knowledge, within the classification, of the laws, rules and safety practices as well as a knowledge of structural and household pests and of the use, storage and application of chemicals and other devices used in the eradication of structural and household pests by passing a written examination administered by the office of the Board.

### License Examinations Administered - 1980 - 1981

Total Individuals Examined	- - - - -	79
Total Individuals Licensed	- - - - -	41
General Pest Exams Administered	- - - - -	64
Termite Exams Administered	- - - - -	50
Fumigation Exams Administered	- - - - -	5
Weed Exams Administered	- - - - -	11
Horticulture Exams Administered	- - - - -	5

### Licensed Companies

New Companies Licensed in 1980 - 1981 - - - -	41
Total Companies Licensed - - - - -	322
General Pest Licenses - - - - -	299
Termite Licenses - - - - -	171
Fumigation Licenses - - - - -	21
Weed Licenses - - - - -	81
Horticulture Licenses - - - - -	13

### Fees

The fee for examination still remains at \$100.00 per examination and \$100.00 for the license. The fee includes any or all of the following categories; general pest control, termite, weed, fumigation or turf and ornamental horticulture pest control. It is computed on a calendar year basis.

### Qualifications

Each applicant must have two years experience or in lieu of the experience, one year and not less than twelve semester hours or the equivalent in the field of entomology, the eradication or control of weeds, general horticulture or plant pathology or any combination of such subjects.

### Licenses Not Supported by Proof of Financial Responsibility

Guidelines were issued on August 9, 1979, by the Office of the Attorney General stating the Structural Pest Control Board does not have the authority to issue inactive licenses. The Board repealed R4-29-21, deleting the inactive license status from the Board's rules and amended R4-29-04 providing for active licenses only, on December 6, 1979 and forwarded these to the office of the Attorney General for certification on December 19, 1979. To this date, these changes are pending. In the past we collected \$25.00 for each inactive license issued. If the applicant was successful in the examination and did not wish to perform services but wanted to retain the license in the inactive status, no credential was issued and an inactive license number was awarded to that person. Now there are no more inactive licenses.

Since there are no more inactive licenses, the fee for all licenses is \$100.00. Statute ARS 32-2321 indicates that before issuing a license, proof of financial responsibility must be provided. However, if an individual has an active license but is not operating a business, ARS 32-2321.C will properly cover that individual. The \$100.00 fee is paid and a statement indicating that one is not operating a business at this time must accompany the fee.



## Financial Responsibility

Each applicant must submit proof of bond, insurance, cash or certified check in the amount of \$25,000 public liability and \$25,000 property damage, each separate.

## I.D. Cards & Employee Registration

The licensee must report the names of all employees to the Board and the Board issues identification cards to each one individually.

## Legal Counsel

We are represented by the Office of the Attorney General and have had very good support.

## Penalties

Misdemeanor penalties, by a fine of not more than \$300.00 or imprisonment in County Jail not to exceed sixty days, or both may be filed against any person in violation of any provision of our law. These may be filed only through the county courts. The Board may revoke or suspend any license if the licensee has committed any of the 10 acts provided in the chapter. If any person is operating without a license, the Board may apply to the Superior Court for an injunction.

## Cases Forwarded to the Environmental Protection Agency

Two cases involving Canyon State Pest Control and Truly Nolen Exterminating of Phoenix were forwarded to the Environmental Protection Agency for an opinion regarding label directions. Both cases are pending.

## Notices of Warning issued by the Structural Pest Control Board

Five Notices of Warning were issued after Structural Pest Control Board inspections.

9/5/80 - Snowbird Exterminating Company  
4/14/81 - Ferm Pest Control  
8/14/81 - Good Sheppard Exterminating Company  
8/5/81 - Smith Pest Control  
8/15/81 - Sentry Pest Control

## Letters of Warning Issued By The Structural Pest Control Board

1. Date: 3/5/81 - Acme Pest Control Co., Inc.

Violation: Wood Infestation Report

Disposition: A copy of all Wood Infestation Reports were to be forwarded to Structural Pest Control Board for the month of March, 1981.

2. Date: 6/12/81 - Phoenix Pest Control

Violation: Wood Infestation Report - altering report.

Disposition: Letter warning company they must seek better control of their inspectors.

## Summary of Penalties Issued in 1980 - 1981

Formal Hearings Conducted - - - - -	19
Consent Agreements Entered Into - - - - -	54
Consents Involving Misuse of Pesticide - - - - -	10
Licenses Suspended - - - - -	1
Licenses Revoked - - - - -	7
Licenses Surrendered Voluntarily - - - - -	1
Licenses Put on Probation - - - - -	2
Notices of Warning Sent - - - - -	5
Letters of Warning Sent - - - - -	2
Required To Submit Wood Infestation Reports To Board - - - - -	4
Required To Attend Training Course By Board - - - - -	10
Referrals to City Prosecutors Office - - - - -	4

## Complaints

The Board processed approximately 301 telephone inquiries and 48 formal complaints during the past year.

## Inspections

275 termite jobs have been inspected and 68 general pest control inspections in the last year, while 947 inspections have been made on chemicals, records and equipment.

The Structural Pest Control Board has two inspectors that routinely, three times a year, inspect the offices, truck equipment, chemical storage and containers and safety supplies of the 322 licensed companies in the state. Particular attention is given to the following factors by the inspectors:

#### Office

1. Proper license displayed.
2. Performing work within the scope of license.
3. Wood Infestation Reports and complete records of work performed on file.
4. Poison Control number and Fire Department number available.

#### Truck Equipment

1. Truck properly marked.
2. Locked chemical box on vehicle.
3. Equipment in good repair and proper order.
4. Containers properly labeled.

#### Chemical Storage

1. Storage area locked.
2. Chemical containers properly labeled.
3. Warehouse condition, proper ventilation and Fire Department sign posted.

#### Vehicle Safety Equipment

1. Proper protective gear.
2. First aid and fire protection equipment.
3. Application equipment functioning properly.
4. Complete set of chemical labels.
5. Absorbent materials.
6. Measuring device for chemical.

#### Structural Pest Control Board Liaison Committee

A Liaison Committee was formed in June 1981 which includes industry and public members. They are developing recommendations for the proposed Structural Pest Control Board legislation

#### Proposed Changes In Law for 1981-82 Legislature

The Structural Pest Control Board is proposing legislation to impose civil penalties; increase financial responsibility requirements; to clarify the present statutes when the licensee withdraws his license from the business; the requirements for temporary license if licensee dies; to add additional powers for revocation or suspension, such as conviction for a crime involving moral turpitude or conviction of a felony, license suspended or revoked and not reinstated in another jurisdiction, or refusing to allow the board to inspect the premises, equipment or records of the licensee; qualify or register the termite inspector; and change the licensing fee based on the size of the company.

## Certification

In May, 1974, the Arizona Legislature gave authority to the Structural Pest Control Board to examine and license any person using a restricted use pesticide or supervising the use of a restricted use pesticide.

Qualifications: Must pass a written examination to determine competency as set forth in guidelines of FIFRA (Fiscal year basis.)

Certification examinations are administered by the board office once each month. In addition, a two day seminar is made available to certification applicants quarterly, in both Phoenix and Tucson, and the certification examination is given directly following the training.

Fees: The Board amended R4-29-40 on October 23, 1980 increasing the fee for examination and initial certification to \$30.00, the renewal fee each year to \$15.00 and the identification card to \$5.00. This rule amendment was submitted to the Attorney General's Office on October 29, 1980 and was certified May 5, 1981.

Categories Examined Under the Structural Pest Control Board:

Category III - Ornamental & Turf  
Category V - Aquatic  
Category VII - Industrial, Institutional and Health  
Related Pest Control

Number of Certified Applicators: (Examined and Qualified)

Total Number of Certified Applicators	- - - -	1,083
Number of Applicators in Category III	- - - -	239
Number of Applicators in Category V	- - - -	64
Number of Applicators in Category VII	- - - -	1,019

Identification Card: This is the credential issued with photo, name, address, date of birth, social security number and the date of expiration. This also states all categories in which the person is certified.

Grant: The Board has entered into an Enforcement Grant with Region 9 of the Environmental Protection Agency for the last four years.

## Recertification

The rule adopted by the Board requires that certification must be renewed on a three year schedule by attendance at a course given by the Cooperative Extension Service, University of Arizona and successful completion of an examination administered by the Board.

The first recertification began in January, 1980. There were special courses followed by an examination held statewide, monthly, until all applicants had been given the opportunity to take the two hour course and half hour examination. There were a total of 1,094 people trained, tested and recertified during this six month period.

The industry is in favor of updating, amendments, etc. of FIFRA.

## ARKANSAS STATE REPORT

### ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

Don Alexander

The Pest Control section is charged with carrying out the Arkansas Pest Control Law. Any person engaging in pest control work in Arkansas must be licensed by this section. A person licensed to perform pest control work in Arkansas must have first been fully qualified through reference checks and passing of category and EPA Core examinations. Those persons licensed are then inspected routinely to make sure they are performing properly. The heaviest load of inspection is performed in Structural Pest Control and Ornamental Tree and Turf Pest Control. Other duties are investigation, with the assistance of local law officials, of unlicensed individuals performing pest control, for prosecution. This section has one pest control inspector supervisor, five full time inspectors and one secretary assigned to it for the purpose of enforcing the Pest Control Law.

Structural Pest Control work takes up most of our time. The Pest Control section has set a high goal of routinely inspecting 1/3 of all work performed by the structural pest control industry. A shift in work area such as EPA enforcement of pesticide application and uses, property owners request for inspection, follow up inspection on substandard work and investigations of unlicensed operators has greatly inhibited accomplishment of this goal. All of the functions performed are equally as important as the 1/3 inspection. We are applying more time and frequency of inspection on companies not performing properly. We have had a substantial decrease in properties treated for structural pest this fiscal year. We still have a small number of companies continuing to do the bulk of the substandard work; consequently, they are inspected closer than other companies. Over all the majority of the companies have shown improvement in their work. The same factors contribute to substandard work, which is unskilled labor, lack of inhouse company quality control and supervision by licensed operators.

One hundred and seventy-seven licensed structural pest control companies reported 22,269 termite and other structural pest control jobs performed for the fiscal year ending June 30, 1981. A total of 4,304 properties were inspected by the staff and are broken down as follows:

- 2,459 jobs inspected routinely
- 441 jobs inspected at homeowners request
- 1,366 reinspections of substandard work
- 38 requests for prior approval of substandard work

Four hundred seventy-eight reports of substandard work were issued on properties inspected routinely. Twenty-four additional properties were found infested with termites and reports of substandard work were issued. The number of infested

properties increased by four over last year. One hundred forty-seven of the 441 properties inspected on request were found to be substandard. The staff feels that solving the problems associated with property owners requests is one of our most important functions. All infested or substandard work has been corrected at no further expense to the property owner.

Pest Control Hearings: Hearings before the Pest Control Committee of the Plant Board are afforded pest control operators to show cause why their licenses should not be revoked or suspended, or to state their cases in matters of dispute with the staff. Five companies were called in for license revocation hearings during the year. As a result each company was placed on probation and increased surveillance was ordered by the Pest Control Committee of the staff. The Pest Control Committee invites operators in for a non adversary review of the record to determine if further action is warranted. Three pest control companies were invited to such a hearing. As a result one company was issued a notice of license revocation proceedings. The other two companies have been placed on increased inspections.

Illegal Pest Control Investigations: Five warrants have been obtained for individuals performing pest control work without a license. These warrants are in the process of being served and should come to trial in the next fiscal year. Other investigations of individuals performing pest control work without a license have been made but not enough evidence was found to prosecute.

Tree, Lawn, Shrub Spraying and Tree Surgery: Inspection of this work is handled by area field specialists since it is seasonal work and in most instances more technical than structural pest work, particularly plant disease problems. A majority of our field inspectors have had more training in this area than pest control inspectors, and have more time available during this particular season to inspect the work.

Operators reported treatment of 6,190, a record number, properties over the state. Inspectors checked 459 jobs performed.

EPA Enforcement: Under the EPA enforcement this section is now able to take dilution samples, make record checks of pesticides used by a pest control operator, investigate use-misuse of pesticides and make observations of pesticide applications. The department head, the section head and two pest control inspectors have been trained to carry out the EPA enforcement grant. The pest control section has taken 56 use dilution samples and made 33 pesticide record checks. The EPA enforcement grant aids this section in enforcement of the pest control law.

Examinations: One hundred ninety-one examinations were given to prospective pest control operators in one or more of the 12 classifications. Those meeting Plant Board requirements were issued licenses to perform work in the respective classifications:

Kind of Work	Passed Exam	Failed Exam
Termite and Other Structural Pest	13	20
Household Pest	10	25
Rodent Control	20	17
General Fumigation	0	1
Tree Surgery	3	0
Ornamental, Tree and Turf Pest	9	11
Weed Control	18	2
Golf Course Pest	3	4
Pecan Pest Control	0	2
Fruit Tree Pest Control	0	0
Vineyard Pest Control	0	0
Food Mfg. Processing and Storage	11	9
Food Related Fumigation	9	4

At the present time 818 individuals have been certified and/or licensed in the 12 Plant Board categories or classifications. An individual may be certified/licensed in more than one category. Each licensed operator may register agents or solicitors to work under his direct supervision. The licensed operators have registered 992 agents and 89 solicitors.

Although our work increased this year, we are well aware that more planning is needed for the upcoming year. Several areas of our state need more inspections because of shifts in new home construction as well as a considerable increase in work on existing homes in most of the state. We feel the public has again benefited greatly from our efforts as well as the industry serving the public.





STATE OF DELAWARE  
DEPARTMENT OF AGRICULTURE  
DIVISION OF PRODUCTION AND PROMOTION  
DOVER, DELAWARE 19901

OFFICE OF THE  
DIRECTOR

TELEPHONE: (302) 736-4815

August 12, 1981

**RECEIVED**  
AUG 14 1981

F. R. DuChanois, Program Coordinator  
State of Florida  
Health & Rehabilitative Services  
P.O. Box 210  
Jacksonville, Florida 32231

OFFICE OF ENTOMOLOGY.

Dear Bob:

Thank you for the invitation to the ASPCRO annual meeting. Sorry I will be unable to attend, as my wife and I are expecting our first child around that time. However, I am sending the most recent amendment to the Delaware Rules and Regulations to be entered for the record. I am sure the meeting will be a big success and I hope to see everyone next year.

Sincerely,

A handwritten signature in cursive script, appearing to read "H. Grier Stayton".

H. Grier Stayton  
Pesticide Compliance Supervisor

HGS/1

enclosures

STATE OF DELAWARE REPORT FOR 1981

AMENDED RULES AND REGULATIONS  
DELAWARE PESTICIDE LAW

In accordance with the authority vested in the State of Delaware Department of Agriculture to establish operating rules and procedures for the enforcement of the Delaware Pesticide Law, the following amendments to the RULES AND REGULATION, DELAWARE PESTICIDE LAW, are promulgated. The effective date of these amendments shall be January 1, 1982.

- A. Amend Section 8.04 Special Standards by the addition of a new section to read as follows:

(1) Commercial applicators certified under the Industrial, Institutional, Structural and Health Related Pest Control, Agricultural Plant Pest Control and Ornamental and Turf Pest Control categories shall be required to be recertified every three (3) years.

Such recertification shall be based in part upon the applicator's satisfactory attendance at training courses approved by the Department.

A minimum total of eight (8) hours attendance at these courses combined with a satisfactory history of performance during the three year period shall qualify an applicator for certification renewal.

If the above training for recertification is not met, the applicator must be recertified in accordance with this section.

- B. Add the following new section to be designated as Section 19 and to read as follows:

Section 19. APPLICATION AND EQUIPMENT.

19.01 No person shall apply, dispense or use any pesticide in or through any equipment or application apparatus unless such equipment or application apparatus is in sound mechanical condition and capable of satisfactory operation. All pesticide application equipment shall

be properly equipped to dispense the proper amount of material; all pesticide mixing, storage, or holding tanks, whether on application equipment or not, shall not leak pesticide; all spray distribution systems shall not leak pesticide and any pumps which such systems may have shall be capable of operating at sufficient pressure to assure a uniform and adequate rate of discharge; and all pesticide application equipment shall be equipped with whatever cut-off valves and discharge orifices may be necessary to enable the operator to pass over non-target areas without contaminating them.

19.02. All hoses, pumps or other equipment used to fill pesticide handling, storage or application equipment shall be fitted with an effective valve or device to prevent backflow of pesticides or pesticide use-dilutions into water supply systems, streams, lakes, other sources of water or other materials. Provided, however, such backflow devices or valves are not required for separate water storage tanks used to fill agricultural pesticide application equipment by gravity systems when the fill spout, tube or pipe is not allowed to contact or fall below the water level of the application equipment being filled and no other possible means of establishing a back-siphon or backflow exists.

April 30, 1981

State of Delaware  
Kent County

Sworn and subscribed before

on this 30<sup>th</sup> day of April 1981.

Frank G. Scarpa, Jr.  
Notary Public

Donald J. Lynch

Donald J. Lynch  
Secretary of Agriculture

Robert C. Berry

Robert C. Berry  
Director

STATE OF FLORIDA  
ANNUAL REPORT 1980-81

J. A. Mulrennan, Jr., Ph.D.  
Director, Office of Entomology

F. R. Du Chanois, R.P.E.  
Entomologist-Supervisor

Shirley M. Hofacker  
Supervising Secretary

Commercial Pest Control

Traditionally, the Office of Entomology has prepared and submitted Annual Reports on a calendar year basis. Beginning with this issue, the reporting period will cover the fiscal years (FY). This report supplements the Commercial Pest Control Section's Annual Report for calendar year 1980 and reports on activities for the period from 7-1-80 to 6-30-81 (FY 1980-81). Since this FY report overlaps the Annual Report for 1980 for the last 6 months of that year, it in effect reflects activities occurring from 1-1-81 to 6-30-81, as well as statistical data for the entire FY 1980-81.

Personnel: One additional clerk-typist was added on a temporary basis beginning 5-21-81 and was on board at the close of the reporting period. There was no change in the permanent office or field personnel allowance during the FY. Office secretarial and clerical employees attended DHRS - sponsored training courses.

Seven field Entomologist-Inspectors were on duty throughout the FY and continued to effectively meet requests and demands for service to the public and industry in relation to complaint response, technical assistance and regulatory-enforcement action. At headquarters, 3 Entomologists gave full-time attention to all aspects of the commercial pest control program. Authority for the program derives from the Pest Control Act, Chapter 482 F.S., and allied DHRS Regulations, Chapter 10D-55 of the Florida Administrative Code.

Regulatory: There were no statutory or administrative rules changes during the FY. The "Regulatory Sunset Act" (of 1976 as amended 1981) repeals the Pest Control Act, Chapter 482 F.S., effective 10-1-82. Under the "Sunset Act" the respective legislative committees began "sunset" or regulatory reform review 15 months prior to the repeal date, and will make recommendations for continuation, modification, or repeal to the full Legislature on or before 2-1-82, prior to the repeal date.

The House and Senate legislative committee staffs have been in continual contact with the Office of Entomology since 7-1-81. The director and staff have responded fully to several requests from committee chairmen and staffs for information pertinent to the review, and will cooperate with the committees in any way possible. Advance indications are the statute will undergo critical review and scrutiny, and the review process promises to be a worthwhile and interesting experience.

Meetings: During the last half of the FY the office attended or held meetings, training courses or workshops with the Florida Pest Control Association; Environmental Protection Agency; the Institute of Food and Agricultural Sciences, University of Florida; Florida A & M University; Florida Department of Agriculture and Consumer Services; all of our staff and field Entomologist-Inspectors; and DHRS Health and Technical Support Management and legal staff. Management support specialists reviewed the program in relation to computer programming and records disposal and retention. Electronic data processing had not been implemented at FY's end.

Examination - Certification: During FY 1980-81, the Office of Entomology reviewed 2,021 examination applications by category; and in 4 examinations given at 2 locations examined 1,725 category applicants for pest control operator's certificate and special (fumigation) identification card, compared to 1,412 in 3 exams during 1979-80 FY. As a result, DHRS issued 417 new certification credentials in FY 1980-81, of which number 238 were new certificates, 118 were category additions to existing certificates, and 61 were new special

TABLE 1  
SUMMARY OF COMMERCIAL PEST CONTROL  
REGISTRATION AND ENFORCEMENT  
FLORIDA, 1976-81

REGISTRATION	1976	1977	1978	1979	1980	1980- 1981
Pest Control Business Licenses issued.....	952	1,240	1,244	1,097	1,408	1,377
Change-of-address Business Licenses issued.....	93	119	124	146	138	118
Employee Pest Control Identification (ID) Cards issued.....	9,837	10,429	12,211	11,346	14,483	13,954
Business Licenses issued to New Companies.....	-	-	67	93*	169	173
CERTIFICATION AND EXAMINATION						
Pest Control Operator's (PCO) Certificates issued (new).....	196	210	175	187	177	238
PCO Certificates & Special Identification Cards renewed.....	1,271	1,278	1,846*	1,703	2,624	1,490
Emergency Certificates issued (initial and renewal).....	102	125	204	235	212	153
Pest Control Examination applicants approved.....	949	1,164	1,298	1,374	1,451*	1,716
Pest Control Category Examinations administered.....	1,152	1,356	1,486	1,530	1,504	1,725
DISCIPLINARY MEASURES AND ENFORCEMENT						
Pest Control Business Licenses revoked, suspended or denied..	0	3	6	2	8	10
Business Licenses placed on probation.....	0	1	2	1	1	1
Certificates revoked, suspended or denied.....	1*	6	7	6	5	4
Certificates placed on probation.....	0	0	1	1	1	1
Employee ID Cards revoked, suspended, denied or stopped.....	9	20	25	22	13	25
Employee ID Cards placed on probation.....	0	1	1	2	2	3
Property Holder Complaints Investigated.....	199	281	290	283	346	326
Unlicensed illegal pest control operators investigated.....	57	58	61	40	50	47
Warrants and injunctions filed against unlicensed operators**	2	3	6	1	7	9
Cease and desist orders issued to unlicensed operators.....	38	38	46	34	37	38
Accidental poisonings reported by licensees.....	18	18	19	24*	23	22
Inspections made of licensees.....	542	1,274	906	755	921	859
Enforcement miles traveled (Jacksonville office only).....	11,017	12,037	27,394	18,847	23,624	23,176
Telephone assistance by all Entomologist-Inspectors.....	4,335	6,039	7,401	7,419+	9,756+	#

License, identification card and certificate issuance/renewal data are based on Fiscal Years. All other entries through 1980 are based on Calendar Years. All data for 1980-81 and beyond are based on Fiscal Years to comply with a change in reporting period. \*Revised from previous Annual Reports. \*\*Includes referrals to and direct informations made by State Attorneys. \*\*\*Disciplinary measures do not include cases pending final disposition or in progress except ID Cards prepared

Although several visitations were made by agency representatives in connection with computer programming of records and document issuance, no concrete action was taken on the long-standing (since 1970) request for such support. It is generally acknowledged that electronic storage, retrieval and processing of current work volume data is indicated to simplify and modernize the hand work methods. One indication of the volume of paperwork filtering through the office is the fact that at least 17,100 Xerox copies alone were made in 1980.

During calendar year 1980, the Office of Entomology reviewed 1,842 examination applications by category; and in 3 examinations given at 2 locations examined 1,504 category applicants for pest control operator's certificate and special (fumigation) identification card, compared to 1,530 in 4 exams given in 1979. As a result, DHRS issued 429 new certification credentials of which number 177 were new certificates, 212 were category additions to existing certificates, and 40 were new special identification cards. Continuing survey of the records reveals that, during 1980, 18 certified operators allowed their certificates to expire permanently for non-renewal of annual renewal fees exceeding 5 years allowed by law.

In fiscal year (FY) 1979-80, based on applications received (for all renewal years), DHRS renewed 2,624 certificates (759 renewals carried over from prior FY backlog) and 325 special identification cards (106 carry-overs from prior FY backlog) in force and good standing; acted upon 212 applications for emergency certificates (including one formal denial) vis-a-vis 235 (one denial) in FY 1978-79, to enable firms losing their certified operators to temporarily continue in business; made 260 fumigation inspections, and issued 279 inspection notices of violation and 72 violation citation letters (incidents) by Entomologist-Inspectors in the field; held

2 formal disciplinary Administrative Hearings and 5 informal disciplinary request conferences; responded to 24 Writs of Subpoena to testify in courts of law or by depositions involving complainants' civil suits or illegal operators; and collected, cleared and accounted for all fee receipts and documents issued. See accompanying Table for additional related registration, regulatory and enforcement data.

Business licenses and identification cards issued in FY 1979-80, including 138 change-of-address issues, tallied 1,546 and 14,480 respectively (an increase of 24.4 and 27.6 per cent in that order). Much of the increase is due to the issuance of licenses and identification cards in FY 1979-80 first quarter carried over from the backlog of applications accumulated in the fourth quarter of FY 1978-79. On a direct fee basis, these documents yielded \$64,850, up (for the same reason) from \$50,847 the previous year. Fee receipts from this source actually deposited in the Pest Control Trust Fund were \$ 61,844.00 contrasted to \$57,437 in FY 1978-79, a 7.67 per cent increase. In addition, the sum of \$92,760.00 was collected and credited to the Trust Fund account in FY 1979-80 from fees for certificate, special identification card, and emergency certificate issuance and renewal, examinations, and service fees for returned checks. This compares with \$92,194 collected in FY 1978-79, a 0.61 per cent gain. Revenue from all sources in FY 1979-80 increased 3.55 per cent from \$149,631 collected in FY 1978-79, to a new record high of \$154,945.

Receipts clearance procedures and accounting requirements, as directed by DHRS Central Financial Services, continued to be carried out. The Auditor General's Office audited the financial records for FY 1978-79 in February and for FY 1979-80 in August.

23 January 1981



TABLE 1  
SUMMARY OF COMMERCIAL PEST CONTROL  
REGISTRATION AND ENFORCEMENT  
FLORIDA, 1975-80

REGISTRATION	1975	1976	1977	1978	1979	1980
Pest Control Business Licenses issued.....	929	952	1,240	1,244	1,097	1,408
Change-of-address Business Licenses issued.....	73	93	119	124	146	138
Employee Pest Control Identification (ID) Cards issued.....	9,129	9,837	10,429	12,211	11,346	14,483
Business Licenses issued to New Companies.....	-	-	-	67	93*	169
CERTIFICATION AND EXAMINATION						
Pest Control Operator's Certificates issued (new).....	88	196	210	175	187	177
Pest Control Operator's Certificates renewed.....	1,221	1,271	1,278	1,846*	1,703	2,624
Emergency Certificates issued (initial and renewal).....	154	102	125	204	235	212
Pest Control Examination applicants approved.....	812	949	1,164	1,298	1,374	1,408
Pest Control Category Examinations administered.....	965	1,152	1,356	1,486	1,530	1,504
DISCIPLINARY MEASURES AND ENFORCEMENT						
Pest Control Business Licenses revoked, suspended or denied..	0	0	3	6	2	8
Business Licenses placed on probation.....	1	0	1	2	1	1
Certificates revoked, suspended or denied.....	-	1*	6	7	6	5
Certificates placed on probation.....	0	0	0	1	1	1
Employee ID Cards revoked, suspended, denied or stopped.....	23	9	20	25	22	13
Employee ID Cards placed on probation.....	0	0	1	1	2	2
Property holder complaints investigated.....	234	199	281	290	283	346
Unlicensed illegal pest control operators investigated.....	87	57	58	61	40	50
Warrants and injunctions filed against unlicensed operators**	2	2	3	6	1	7
Cease and desist orders issued to unlicensed operators.....	69	38	38	46	34	37
Accidental poisonings reported by licensees.....	15	18	18	19	24*	23
Inspections made of licensees.....	1,462	542	1,274	906	755	921
Enforcement miles traveled (Jacksonville office only).....	10,609	11,017	12,037	27,394	18,847	23,624
Telephone assistance by all Entomologist-Inspectors.....	2,886	4,335	6,039	7,401	7,419+	9,756+

\*Revised from previous annual reports. \*\*Includes referrals to State Attorneys and direct informations. Licenses, identification cards and certificates issued/renewed are based on licensing (fiscal) years. All other entries are based on calendar year. Disciplinary measures do not include cases pending Final Order or in progress except ID cards stopped.

STATE OF FLORIDA  
ANNUAL REPORT 1980

J. A. Mulrennan, Jr., Ph.D.  
Director, Office of Entomology

F. R. Du Chanois  
Entomologist-Supervisor

Shirley M. Hofacker  
Supervising Secretary

Commercial Pest Control

For the 33rd consecutive year the Office of Entomology fulfilled its duties and responsibilities to the general public, especially consumers of pest control services, as well as to the industry providing these services, under statutory and regulatory authority granted by the Pest Control Act, Chapter 482 of the Florida Statutes, and Rules of DHRS, Chapter 10D-55 of the Florida Administrative Code. The primary purpose of this program is to protect and enhance the public and industry health, safety and well-being in the area of commercial pest control. Virtually everyone residing in or visiting the State is a benefactor, directly or indirectly.

The certification-licensure and regulatory-enforcement activities and administrative policies continued to set and maintain high standards with the goal of advancing and upgrading, fairly and impartially, the quality, safety and legitimacy of pest control services offered to the citizens of Florida.

There was no change in the personnel complement during the year. Office secretarial-clerical support remained at the same level -- 2 secretaries, 3 clerk-typists and one account clerk. The secretaries attended job-related, agency-sponsored, training courses during the year to enhance proficiency. The Director designated an experienced staff entomologist as full-time enforcement coordinator to monitor, advise, expedite and follow through on complaints, investigations, case preparation and enforcement progress, in the interest of concerted, smooth and timely action flow.

There were 7 field Entomologist-Inspectors on duty throughout the year. The agency's complaint response, inspection and investigation work, enforcement, and public and industry assistance/ service program capabilities were effectively and competently supported by these professional Entomologists. They are stationed, one each, in Jacksonville, Marianna, Miami, St. Petersburg, Tampa, West Palm Beach and Winter Park (Orlando). Their duties and work load were largely commercial pest control related. At headquarters level in Jacksonville, 3 Entomologists devoted full-time to all phases of the commercial pest control program mission and functions.

The field and in-house staff related to problems and provided essential services to the public, the industry, and other governmental agencies with a high degree of responsiveness and clientele satisfaction. This was accomplished despite increased requests/demands owing to heightened public awareness, a prevailing milieu of consumerism and environmental concerns, to say nothing of the continuing growth of both population (from 6,791,418 in 1970 to 9,579,495 by 1980 census count) and pest control industry (1,284 licensed firms as of 12-31-80).

There were no statutory or regulatory revisions during the year. The Pest Control Act and allied DHRS Pest Control Regulations were last amended effective 10-1-78 and 6-27-79 respectively.

In 1980 the office was represented at or had meetings with the Florida Pest Control Association and its Legislative Committee; general and Southeastern Branch meetings of the Entomological Society of America; the Institute of Food and Agricultural Sciences, University of Florida; the National Pest Control Association; State legislative representatives; all field inspectors; DHRS legal counsel and other operations management support officials; and Association of Structural Pest Control Regulatory Officials. Management support officials reviewed fee clearance and bookkeeping procedures.

identification cards. Continuing survey of the records reveals that 48 certificates expired permanently for non-renewal and payment of fees exceeding 5 years allowed by law.

In FY 1980-81, based on applications received (for all renewal years), DHRS renewed 1,490 certificates (a backlog of 563 renewals had not been processed at FY's end and were carried over into FY 1981-82), and 131 special identification cards (81 carryovers to FY 1981-82) in force and good standing.

Regulatory-Enforcement Actions: The office acted upon 153 applications for emergency certificates (including 2 formal denials) vis-a-vis 212 (one denial) in FY 1979-80, to enable firms losing their certified operators to continue in business temporarily; made 225 fumigation inspections and 24 pesticide misuse or alleged misuse investigations, and issued 293 inspection notices of violation and 88 violation citation letters (incidents) by Entomologist-Inspectors in the field; held 3 formal Administrative Hearings and 2 informal request conferences; responded to 28 Writs of Subpoena for trial or depositions involving complainants' civil litigation or criminal prosecution of illegal operators; and collected, cleared and accounted for all fee receipts and documents issued. See accompanying Table for additional related registration, certification, examination, and regulatory enforcement data.

Licensure and fee receipts: Business licenses (including 118 change-of-address issues) and identification cards issued tallied 1,495 and 13,954 respectively (decreases of 3.4 and 3.8 per cent in that order). On a direct fee basis, these documents yielded \$62,923, down from \$64,850 the previous FY. Fee receipts from this source actually deposited in the Pest Control Trust Fund were \$63,949 contrasted to \$61,844 in FY 1979-80, a 3.4 per cent increase. In addition, the sum of \$108,130 was collected and credited to the Trust Fund Account in FY 1980-81 from fees for certificate, special identification card, and emergency certificate issuance and renewal, examinations,

and service fees for returned checks. This compares with \$92,760 collected in FY 1979-80, a 16.57 per cent gain. Revenue from all sources in FY 1980-81 increased 11.06 per cent, from \$154,945 collected in FY 1979-80, to a new record high of \$172,079.

Receipts clearance procedures and accounting requirements, as directed by DHRS Central Financial Services, were continued strictly. The Auditor General's Office audited the financial records for FY 1979-80 in August 1980 and at fiscal year end closing on 30 June 1981. Emphasis will continue on reducing overhead and operating costs and improving productivity and responsiveness throughout the section.



If you meet these qualifications and wish to apply for a license or wish to be examined for certification, please advise. We will mail you the necessary license application or notice of the next examination as the case may be. Should you have further questions, please let us know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "F. R. Du Chanois".

F. R. Du Chanois  
ENTOMOLOGIST

FRD/

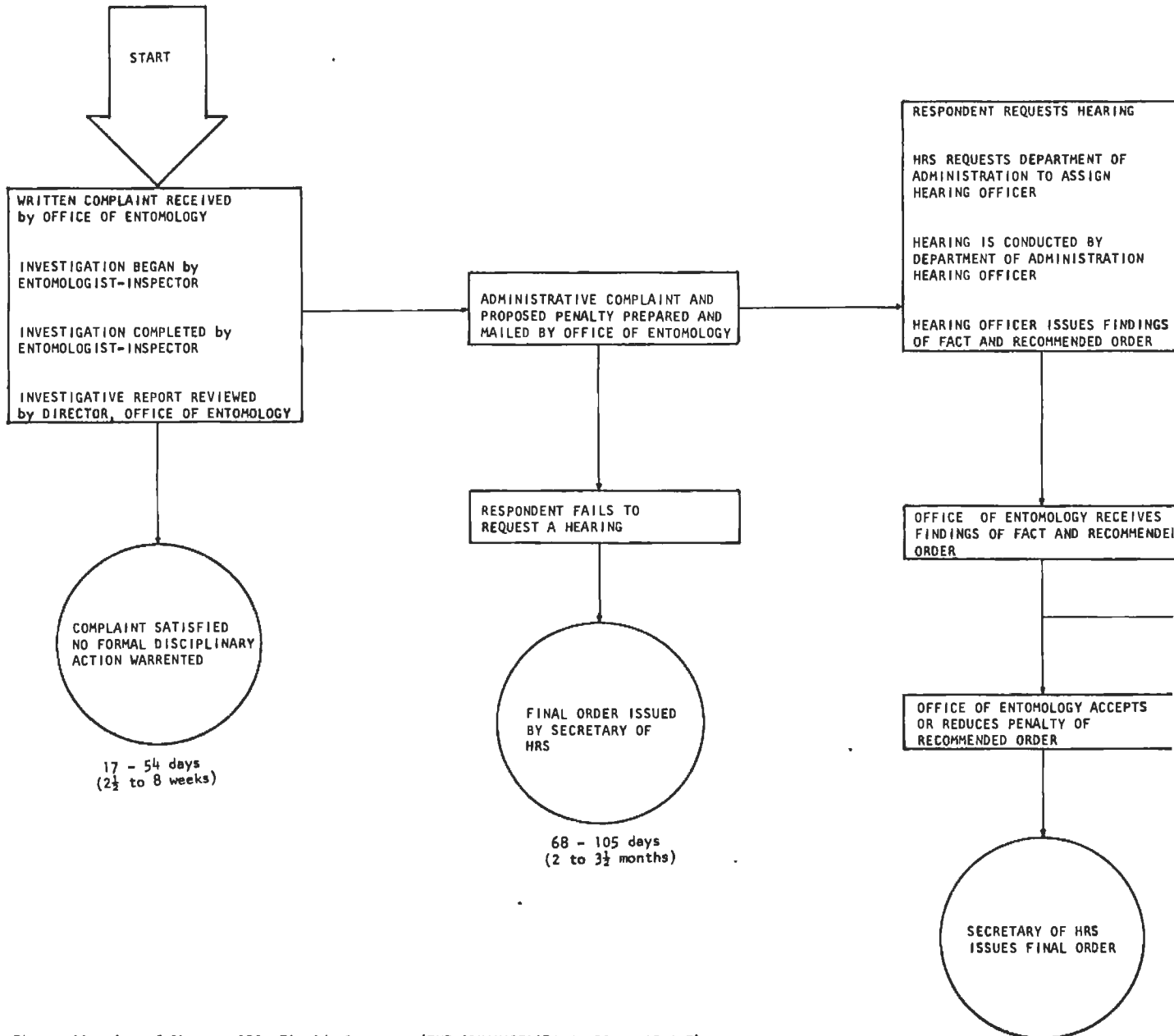
Encl. ( )

APPROVED:

A handwritten signature in cursive script, appearing to read "John A. Mulrennan, Jr.".

JOHN A. MULRENNAN, JR., Ph.D.  
Director, Office of Entomology

# APPLICATION OF THE ADMINISTRATIVE TO THE ENFORCEMENT OF THE PEST CONTROL



The application of Chapter 120, Florida Statutes (THE ADMINISTRATIVE PROCEDURE ACT), to enforcement of Chapters 482, F.S. and 100-55, F.A.C.

Respondents to administrative complaints may continue operating in business until all appeals are exhausted.



STATE OF FLORIDA  
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES

OFFICE OF ENTOMOLOGY  
Post Office Box 210  
Jacksonville, Florida 32231

Date:

Dear

Your ( ) letter, ( ) phone call, ( ) visit of \_\_\_\_\_ is hereby acknowledged. Please fill out this complaint form and return one copy, together with copies of pertinent contracts and documents. Original documents will be returned to you. The pest control firm may be notified of your complaint prior to any possible action by this agency. Upon receipt of the completed form, we will assist you in any way possible within the scope of our authority. Thank you.

Sincerely,

ENTOMOLOGIST-INSPECTOR

\_\_\_\_\_  
\_\_\_\_\_  
NAME OF COMPLAINANT \_\_\_\_\_

ADDRESS OF PROPERTY INVOLVED \_\_\_\_\_

TY \_\_\_\_\_

PHONE NUMBER, IF ANY \_\_\_\_\_

VERSUS: PEST CONTROL COMPANY \_\_\_\_\_

CITY \_\_\_\_\_

HAVE YOU COMPLAINED TO THE COMPANY? \_\_\_\_\_

WHEN? \_\_\_\_\_

IF SO, WHAT DID THEY DO? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
WRITTEN CONTRACT PAID UP AND IN FORCE? \_\_\_\_\_

ATTACH CONTRACT & WORK ORDER OR COPIES.

MAY A COPY OF YOUR COMPLAINT BE SENT TO THE COMPANY PRIOR TO OUR INVESTIGATION? YES \_\_\_ NO \_\_\_.

SUMMARY OF COMPLAINT: (PLEASE STATE YOUR COMPLAINT CLEARLY): \_\_\_\_\_

STATE OF FLORIDA  
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES

Office of Entomology  
Post Office Box 210  
Jacksonville, Florida 32231

Date:

Dear

A complaint has been received by this agency concerning your firm from:

We are hereby requesting the following information from your firm as authorized by  
The Pest Control Act (Chap. 482.161(7) FS). Please fill out and return one copy within  
ten (10) days from the above date. Thank you.

Very truly yours,

ENTOMOLOGIST-INSPECTOR

\_\_\_\_\_  
CERTIFIED OPERATOR FOR ORIGINAL WORK: \_\_\_\_\_ DATE \_\_\_\_\_

ORIGINAL INSPECTOR/SALESMAN \_\_\_\_\_

ORIGINAL TREATER (IN CHARGE) \_\_\_\_\_

PESTS TREATED FOR \_\_\_\_\_ CHEMICAL(S) USED \_\_\_\_\_

CONTRACT PAID UP AND IN FORCE? \_\_\_\_\_ DATE OF LAST REINSPECTION \_\_\_\_\_

HAS THE PROPERTY OWNER OR HIS AGENT COMPLAINED TO YOU? \_\_\_\_\_ WHEN? \_\_\_\_\_

WOOD-DESTROYING ORGANISM INSPECTION REPORT

Licensee Name \_\_\_\_\_ Inspection Date \_\_\_\_\_  
Licensee Address \_\_\_\_\_ License No. \_\_\_\_\_  
Inspector's Name \_\_\_\_\_ I.D. Card No. \_\_\_\_\_  
Property Address \_\_\_\_\_  
Specific Structure(s) Inspected \_\_\_\_\_

SCOPE OF INSPECTION

A trained and qualified representative of this company has conducted a careful inspection of the visible and accessible areas of the structure(s) listed above. This report is made on the basis of what was visible and accessible at the time of the inspection and is not an opinion covering areas such as, but not necessarily limited to, those that are enclosed or inaccessible, areas concealed by wall coverings, floor coverings, furniture, equipment, stored articles, or any portion of the structure in which inspection would necessitate removing or defacing finished wood.

THIS IS NOT A STRUCTURAL DAMAGE REPORT. A wood-destroying organism inspector is not ordinarily a construction or building trade expert and therefore is not expected to possess any special qualifications which would enable him to detect the extent of structural damage. If damage or other evidence of wood-destroying organisms is noted in this report, further investigation by qualified experts of the building trade should be made to determine structural soundness of the property. This is not to be construed to constitute a guarantee of the absence of wood-destroying organisms.

REPORT OF FINDINGS

(1) Active infestation was observed: Yes \_\_\_ No \_\_\_  
(Common name of organisms observed)

Location(s): \_\_\_\_\_  
(Continue on reverse side if necessary)

(2) Other evidence of infestation was observed: Yes \_\_\_ No \_\_\_

Describe other evidence observed: \_\_\_\_\_  
(Continue on reverse side if necessary)

Location(s): \_\_\_\_\_  
(Continue on reverse side if necessary)

(3) Visible damage was observed: Yes \_\_\_ No \_\_\_

Organism(s) causing damage: \_\_\_\_\_

WOOD-DESTROYING ORGANISM INSPECTION REPORT

Licensee Name \_\_\_\_\_ Inspection Date \_\_\_\_\_  
Licensee Address \_\_\_\_\_ License No. \_\_\_\_\_  
Inspector's Name \_\_\_\_\_ I.D. Card No. \_\_\_\_\_  
Property Address \_\_\_\_\_  
Specific Structure(s) Inspected \_\_\_\_\_

SCOPE OF INSPECTION

A trained and qualified representative of this company has conducted a careful inspection of the visible and accessible areas of the structure(s) listed above. This report is made on the basis of what was visible and accessible at the time of the inspection and is not an opinion covering areas such as, but not necessarily limited to, those that are enclosed or inaccessible, areas concealed by wall coverings, floor coverings, furniture, equipment, stored articles, or any portion of the structure in which inspection would necessitate removing or defacing finished wood.

THIS IS NOT A STRUCTURAL DAMAGE REPORT. A wood-destroying organism inspector is not ordinarily a construction or building trade expert and therefore is not expected to possess any special qualifications which would enable him to detect the extent of structural damage. If damage or other evidence of wood-destroying organisms is noted in this report, further investigation by qualified experts of the building trade should be made to determine structural soundness of the property. This is not to be construed to constitute a guarantee of the absence of wood-destroying organisms.

REPORT OF FINDINGS

(1) Active infestation was observed: Yes \_\_\_\_\_ No \_\_\_\_\_  
(Common name of organisms observed)

Location(s): \_\_\_\_\_  
(Continue on reverse side if necessary)

(2) Other evidence of infestation was observed: Yes \_\_\_\_\_ No \_\_\_\_\_

Describe other evidence observed: \_\_\_\_\_  
(Continue on reverse side if necessary)

Location(s): \_\_\_\_\_  
(Continue on reverse side if necessary)

(3) Visible damage was observed: Yes \_\_\_\_\_ No \_\_\_\_\_

Organism(s) causing damage: \_\_\_\_\_

STATE OF GEORGIA  
1981 REPORT

Structural pest control operators in the State of Georgia are governed by the Georgia Structural Pest Control Act of 1955. This law established the Structural Pest Control Commission, created requirements for certification and licensing, and set standards for treating.

All testing and licensing is conducted by the Office of the Secretary of State operating under the Structural Pest Control Commission. The regulatory section of the Structural Pest Control Act is handled by the Department of Agriculture, Division of Entomology.

As of June 30, 1981, the State of Georgia had 496 licensed pest control companies, an increase of 18 over the past year. There were 799 certified operators, which is an increase of 60, and 4,870 I. D. cards for employees were issued.

During this period, 52,838 wood destroying organism jobs were reported along with 67 fumigations. This number represents a decrease of 8,500 jobs in a one-year period. The Department inspected 2,177 of these reported jobs and found 402 had one or more violations of the minimum standards. Of these 402 substandard jobs, we reinspected 250 and found 136 still had violations.

During this time, 453 soil samples were taken and 215 fell below the required 100 PPM and required retreatment.

The seven inspectors in the State made 884 company visits to check records, discuss problems and to check for proper supervision by the Designated Certified Operator. We also investigated 809 homeowner complaints.

There were 14 illegal operators who were contacted during the period, with no warrants taken out.

The Department held 53 informal hearings where the certified operator is required to appear before members of the Entomology Division and answer certain questions or circumstances that have arisen. Five hearings were held under the Commissioner of Agriculture's Authority. These hearings are held in lieu of revocation or suspension of a license. Fines ranging up to \$1,000 may be imposed. Of the five hearings, five licenses and certifications were placed on probation and fines totaling \$1,350 were collected. No licenses were revoked during this period. One pest control company had their Ornamental & Turf License suspended for 30 days for misuse.

Our first five-year period for recertification will expire in October 1982. Of the 799 certified operators, 507 have the necessary ten hours of recertification training credit; 172 have at least part of the hours; and 120 have no hours at this point.

If the operators fail to accumulate the necessary ten hours, they will be required to retake the Structural Pest Control exam.

The Department recently accepted their first E.P.A. enforcement grant in several years. The majority of the work for the grant will be conducted by the Pesticide Division, but the Entomology Division will also be involved to a certain extent.

Georgia's one Reciprocal Agreement with South Carolina was amended slightly to prevent companies from obtaining Reciprocal Licenses and coming across the State line to establish new offices.

STATE OF ILLINOIS REPORT TO THE ASSOCIATION  
OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA  
OCTOBER 5-7, 1981  
BY HARVEY J. DOMINICK, ENTOMOLOGIST  
ILLINOIS DEPARTMENT OF PUBLIC HEALTH  
SPRINGFIELD, ILLINOIS

The past year has been frustrating due to the number of man hours and effort necessary to provide information for the Select Joint Committee on Regulatory Agency Reform to prevent the elimination of the Illinois Structural Pest Control Act under the provisions of the Sunset Act.

The Select Joint Committee on Regulatory Agency Reform was established to advise the Governor and General Assembly on the need to continue or modify all regulatory programs whose authorizations were scheduled for repeal by the Sunset Act.

As a guiding principle for use in all reviews conducted by the Select Joint Committee, the General Assembly declared that the states regulatory powers should be used "...only to the extent necessary to protect the public health, safety or welfare from significant and discernible harm or damage."

A number of licensing acts were reviewed and fortunately the structural pest control industry will continue to be covered, although the original Act was repealed as of October 1, 1981.

State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Two

The Select Joint Committee recommended that State regulation of structural pest control activities should be modified prior to repeal of the "Structural Pest Control Act," October 1, 1981.

The Select Joint Committee recommended that a new regulatory program be established through reauthorization of the subject Act with the following modifications:

- (a) transfer administrative responsibility from the Department of Public Health to the Department of Agriculture;
- (b) eliminate the structural Pest Control Advisory Council; and,
- (c) require the administering agency to suspend or revoke the license, certificate, or registration of any individual who violates the Act three (3) times in any eighteen (18) month period.

The Minority Report prepared by four members of the Select Joint Committee agreed with the findings of fact, conclusions, and recommendations in the Majority Report with the exception of the following point: Responsibility for administering the Act should not be transferred to the Department of Agriculture but should remain with the Department of Public Health.

Responsibility for regulating pesticide applicators in Illinois is divided between the Department of Agriculture and the Department of Public Health. Since the Department of Agriculture currently administers the major portion of Illinois pesticide use control activities, the majority on the Select Joint Committee believed that it would be advisable to consolidate all regulatory programs under one agency. The minority members



State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Three

expressed the opinion that since the Structural Pest Control program focuses on the pest control problems of industry, institutions, and households it was more reasonable for the Department of Public Health to continue regulatory authority over this program. The Illinois Departments of Agriculture and Public Health have consistently worked together for many years, and the Illinois Department of Public Health had the support of the Illinois Department of Agriculture in "Sunset" hearings concerning repeal of the Structural Pest Control Act.

House Bill 979 amends the Structural Pest Control Act to provide the Department of Public Health with greater enforcement mechanisms and eliminates the Structural Pest Control Advisory Council. These changes are consistent with the review under the Sunset Act this year by the Select Joint Committee on Regulatory Agency Reform and the Bureau of the Budget.

Section 13 which covered violations under the previous Structural Pest Control Act was completely revised as was Section 14, which involved the suspension, revocation, or refusal to renew license, registration, or certification. One provision of Section 14(b) provides the Department with the authority to refuse to issue notice in writing as required by Subsection (a) of this Section but may proceed immediately with action to suspend, revoke, or refuse to issue a license, registration, or certificate when there are reasonable grounds to indicate that a violation of the Act may be the third such violation by that person in an eighteen (18) month period.

State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Four

The elimination of the Structural Pest Control Advisory Council, which consisted of seven members, including three members representing commercial pest control and two members representing non-commercial pest control has removed any legal requirement for consultation between the Department and commercial and non-commercial pest control.

The Select Joint Committee established by the Sunset Act recommended the elimination of the Structural Pest Control Council based on the following opinion:

"The composition requirements for the Structural Pest Control Advisory Council contain no reference to membership thereon by a person from the general public, but do provide for five of the seven members to represent the regulated industry. Since the subject regulatory program exists to assure minimum knowledge on the part of those it regulates, such an arrangement can do little to enhance the advisory function of the Council with respect to pesticide hazards or new knowledge and techniques for safer pesticide handling."

Although representatives of commercial and non-commercial pest control, especially commercial pest control, have expressed opinions against any type of regulation, it should be emphasized that the majority of the members who have served on the Council have been instrumental in upgrading pest control in Illinois.

State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Five

Activities Carried Out Under the  
Pesticide Grant During the Federal  
Fiscal Year. (October 1, 1980-September 30, 1981)

The Illinois Department of Public Health has been involved with the Cooperative Pesticides Enforcement Grant Program with the Illinois Department of Agriculture since January 22, 1980. The original Cooperative Agreement became effective on October 9, 1979 when the Director of the Illinois Department of Agriculture concurred with the signing of the Agreement with the Regional Administrator of Region V of EPA. The Agreement between IDA and IDPH did not become an actuality until it was signed by both Directors on January 22, 1980.

There were initial problems due to lack of personnel, but this has been resolved since the last position was filled on October 1, 1980.

Inspections Carried Out During FY 81

Non-Agricultural Use Inspections.....	141
Mis-Use Investigations.....	101
Producer Establishment Inspections.....	428
Market Place Inspections .....	51
Certified Applicator Record Inspections.....	<u>450</u>
Total Inspections.....	1,171

Pesticide Samples Collected

Residue IDPH (Lab).....	230
Dilution IDPH (Lab) .....	121
Concentrate IDA (Lab) Label Guarantee Analysis .....	<u>80</u>
Total Samples .....	431

Warning Letters .....	121
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<u>Civil or Criminal Actions</u> .....	9
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<u>Other Reportable Actions</u> .....	28
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Summary Comments

IDPH has received an extensive number of complaints concerning the misuse of pesticides in the control of wood-destroying pests, including subterranean termites and powder post beetles. Adequate investigation of such complaints, which may involve misuse of a pesticide, alleged health effects to the homeowner or tenant from the pesticide, label violation and other examples, are time-consuming but necessary because misapplication or unnecessary application of pesticides may create potential health problems when the pesticide contaminates private water supplies or heating systems. Additional emphasis will be placed on use inspections in this area of structural pest control during 1982.

Additional emphasis will be placed on carrying out planned use inspections in 1982 since IDPH personnel are encountering numerous situations where more caution must be exercised in selection and application of pesticides in private homes, hospitals, nursing homes, food processing and manufacturing plants and other structural environments.

ILLINOIS DEPARTMENT OF PUBLIC HEALTH

FEDERAL REPORTING PERIOD

October 1, 1980 through September 30, 1981

Structural Pest Control Program

Commercial Structural Pest Control Businesses (051)

<u>603</u>	Total No. 051 businesses licensed through end of reporting
<u>84</u>	Total No. 051 Businesses licensed during period
<u>522</u>	Total No. 051 businesses renewed during period
<u>9</u>	Legal Action initiated on licensed businesses
<u>4</u>	Legal Action proceedings vacated - compliance obtained
<u>4</u>	Legal Action revoking licenses
	2 - Reinstatements
	2 - Referred to State's Attorneys for criminal prosecution
<u>1</u>	Legal Action Pending
<u>3</u>	Cases referred to Attorney General for investigation
<u>30</u>	051 businesses relinquished during period

Structural Pest Control Technicians (052)

<u>1663</u>	Total No. certified technicians through end of reporting period* - 1008 - commercial certified
	382 - non-commercial certified (food industry)
	103 - non-commercial certified (health dept.)
	170 - non-commercial certified (housing auth.)
<u>306</u>	Technician applications submitted during reporting period
	214 - new
	92 - reexam
<u>276</u>	Technicians examined during reporting period (11 examinations given)
<u>161</u>	Technicians certified during reporting period**
	107 - commercial certified
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<u>67</u>	Technicians failed to become certified during reporting period
<u>37</u>	Certified technicians updating certificates during reporting period

- 8 Certified technicians failing to update certificates during reporting period
- 3. Individuals writing Illinois Structural Pest Control examinations for Indiana certification
- 4 Technician certificates suspended during reporting period\*
- 31 Technician certificates suspended to date\*
- 11 Technician certificates revoked to date\*

\*Failure to meet recertification requirements

Non-Commercial Registrants (053)

- 202 Total active Non-Commercial Registrants through reporting period
- 3 Total Non-Commercial Registrants added during reporting period
- 179 Total Non-Commercial Registrants no license required (NLR) through reporting period
- 2 Total Non-Commercial Registrants added during reporting period

\* Of the 1663 individuals certified as structural pest control technicians to date:

<u>1500</u>	Certified for Insects, Rodents and Other Pests
<u>860</u>	Certified for Termites and Other Wood Destroying Organisms
<u>841</u>	Certified for Bird Control
<u>359</u>	Certified for Fumigation
<u>475</u>	Certified for Food Processing and Manufacturing
<u>162</u>	Certified for Institutional & Multi-Unit Housing
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\*\* Of the 161 individuals who became certified between October 1, 1980 and September 30, 1981:

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STATE OF ILLINOIS REPORT TO THE ASSOCIATION  
OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

TAMPA, FLORIDA  
OCTOBER 5-7, 1981  
BY HARVEY J. DOMINICK, ENTOMOLOGIST  
ILLINOIS DEPARTMENT OF PUBLIC HEALTH  
SPRINGFIELD, ILLINOIS

The past year has been frustrating due to the number of man hours and effort necessary to provide information for the Select Joint Committee on Regulatory Agency Reform to prevent the elimination of the Illinois Structural Pest Control Act under the provisions of the Sunset Act.

The Select Joint Committee on Regulatory Agency Reform was established to advise the Governor and General Assembly on the need to continue or modify all regulatory programs whose authorizations were scheduled for repeal by the Sunset Act.

As a guiding principle for use in all reviews conducted by the Select Joint Committee, the General Assembly declared that the states regulatory powers should be used "...only to the extent necessary to protect the public health, safety or welfare from significant and discernible harm or damage."

A number of licensing acts were reviewed and fortunately the structural pest control industry will continue to be covered, although the original Act was repealed as of October 1, 1981.



State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Two

The Select Joint Committee recommended that State regulation of structural pest control activities should be modified prior to repeal of the "Structural Pest Control Act," October 1, 1981.

The Select Joint Committee recommended that a new regulatory program be established through reauthorization of the subject

Act with the following modifications:

- (a) transfer administrative responsibility from the Department of Public Health to the Department of Agriculture;
- (b) eliminate the structural Pest Control Advisory Council; and,
- (c) require the administering agency to suspend or revoke the license, certificate, or registration of any individual who violates the Act three (3) times in any eighteen (18) month period.

The Minority Report prepared by four members of the Select Joint Committee agreed with the findings of fact, conclusions, and recommendations in the Majority Report with the exception of the following point: Responsibility for administering the Act should not be transferred to the Department of Agriculture but should remain with the Department of Public Health.

Responsibility for regulating pesticide applicators in Illinois is divided between the Department of Agriculture and the Department of Public Health. Since the Department of Agriculture currently administers the major portion of Illinois pesticide use control activities, the majority on the Select Joint Committee believed that it would be advisable to consolidate all regulatory programs under one agency. The minority members

State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Three.

expressed the opinion that since the Structural Pest Control program focuses on the pest control problems of industry, institutions, and households it was more reasonable for the Department of Public Health to continue regulatory authority over this program. The Illinois Departments of Agriculture and Public Health have consistently worked together for many years, and the Illinois Department of Public Health had the support of the Illinois Department of Agriculture in "Sunset" hearings concerning repeal of the Structural Pest Control Act.

House Bill 979 amends the Structural Pest Control Act to provide the Department of Public Health with greater enforcement mechanisms and eliminates the Structural Pest Control Advisory Council. These changes are consistent with the review under the Sunset Act this year by the Select Joint Committee on Regulatory Agency Reform and the Bureau of the Budget.

Section 13 which covered violations under the previous Structural Pest Control Act was completely revised as was Section 14, which involved the suspension, revocation, or refusal to renew license, registration, or certification. One provision of Section 14(b) provides the Department with the authority to refuse to issue notice in writing as required by Subsection (a) of this Section but may proceed immediately with action to suspend, revoke, or refuse to issue a license, registration, or certificate when there are reasonable grounds to indicate that a violation of the Act may be the third such violation by that person in an eighteen (18) month period.

State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Four

The elimination of the Structural Pest Control Advisory Council, which consisted of seven members, including three members representing commercial pest control and two members representing non-commercial pest control has removed any legal requirement for consultation between the Department and commercial and non-commercial pest control.

The Select Joint Committee established by the Sunset Act recommended the elimination of the Structural Pest Control Council based on the following opinion:

"The composition requirements for the Structural Pest Control Advisory Council contain no reference to membership thereon by a person from the general public, but do provide for five of the seven members to represent the regulated industry. Since the subject regulatory program exists to assure minimum knowledge on the part of those it regulates, such an arrangement can do little to enhance the advisory function of the Council with respect to pesticide hazards or new knowledge and techniques for safer pesticide handling."

Although representatives of commercial and non-commercial pest control, especially commercial pest control, have expressed opinions against any type of regulation, it should be emphasized that the majority of the members who have served on the Council have been instrumental in upgrading pest control in Illinois.

State of Illinois Report to the Association  
of Structural Pest Control Regulatory Officials

Page Five

Activities Carried Out Under the  
Pesticide Grant During the Federal  
Fiscal Year. (October 1, 1980-September 30, 1981)

The Illinois Department of Public Health has been involved with the Cooperative Pesticides Enforcement Grant Program with the Illinois Department of Agriculture since January 22, 1980. The original Cooperative Agreement became effective on October 9, 1979 when the Director of the Illinois Department of Agriculture concurred with the signing of the Agreement with the Regional Administrator of Region V of EPA. The Agreement between IDA and IDPH did not become an actuality until it was signed by both Directors on January 22, 1980.

There were initial problems due to lack of personnel, but this has been resolved since the last position was filled on October 1, 1980.

Inspections Carried Out During FY 81

Non-Agricultural Use Inspections.....	141
Mis-Use Investigations.....	101
Producer Establishment Inspections.....	428
Market Place Inspections .....	51
Certified Applicator Record Inspections.....	<u>450</u>
Total Inspections.....	1,171

State of Illinois Report to the Association  
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Page Six

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\*Failure to meet recertification requirements

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Indiana Report  
to the  
Association of Structural Pest Control Regulatory Officials  
Tampa, Florida  
October 5-7, 1981

Structural Pest Control operators, as all pesticide applicators, are licensed and regulated by the Indiana State Chemists Office as provided for in the Indiana Pesticide Use and Application Law (State Enrolled Act No. 430-1975). This law took effect on July 1, 1975, but for enforcement purposes it became effective October 21, 1976.

In Indiana the pesticide certification and licensing categories that relate to the Structural Pest Control Industry include category 7A - Industrial, Institutional, and Health Related Pest Control, category 7A - Wood Destroying Pest Control, category 7C - Food Manufacturing, Processing and Storage Pest Control, category 7C2 - Fumigation Specialty, and category 7A1 - Vertebrate Pest Control. The following table reflects how the numbers of Structural Pest Control licensees compare to last years numbers (in parentheses) and the total number of licensees in all certification categories.

This past year Indiana began recertification of the first major group of Private Pesticide Applicators. The decision was made to extend the certification period of both the Private and Commercial Applicators from three to five years. The hope is that the economic burden of recertification will be somewhat relieved to the applicator, the training office, and the Indiana State Chemists Office. The three year period required a great deal of our time to be devoted to recertification.

In an effort to make the State Chemists Office position more clear regarding certain problem enforcement issues related to structural pest control, an enforcement policy letter was sent out on May 27, 1980 from L. O. Nelson, Pesticide Administrator, to The Structural Pest Control Industry of Indiana. This letter addressed minimum acceptable termite treatment procedures, annual termite reinspection and routine retreatment, and established 100 parts per million of chlordane in the soil as the minimum level to be used by the State Chemist Office as an action guideline. Clarification of these points has proved to be very helpful in the successful investigation and standardization in enforcement of related cases that have been steadily becoming a major area of involvement in Indiana's pesticide regulation.

Of the total number of structural pest control complaints that have been investigated by the State Chemist Office since January 1, 1981, sixteen (16) of the cases have involved complaints of ineffective or substandard termite treatments, nine (9) have involved wood infestation reporting, primarily for real estate transactions, and seven (7) of the complaints stem around general misuse of pesticides. Thus far these investigations have resulted in thirteen (13) warning letters being issued and one license probationary period being established. Disposition of several of these cases is still pending at this point in time.

In the near future, as was the case last year at this time, Indiana hopes to alter its direct supervision of uncertified applicator provision. The intent of the new proposal is to get a certified and licensed individual to provide the untrained and often unqualified applicator with "site specific" written instructions so as to reduce the potential for pesticide misuse caused by inexperience and neglect.

Category	Certified Operators	Licensed Operators	Applicants for Hire	Applicants Not for Hire	Public Applicants
7A	324 (338)	0 (0)	119 (131)	32 (27)	31 (12)
7B	338 (360)	1 (2)	126 (145)	26 (25)	18 (5)
7C	102 (111)	0 (0)	57 (51)	128 (103)	5 (1)
7C2	50 (55)	1 (0)	30 (24)	22 (22)	1 (0)
7A1	2 (2)	0 (0)	3 (3)	2 (1)	4 (0)
All Categories	1435 (1430)	144 (137)	1077 (1049)	527 (429)	475 (137)

State Chemist and Seed Commissioner  
L. D. SCHALL

Office of  
**INDIANA STATE CHEMIST AND SEED COMMISSIONER**  
Department of Biochemistry  
Purdue University  
Agricultural Experiment Station  
West Lafayette, Indiana 47907  
Phone: 317-749-2391

Administrative Staff  
J. G. EIKENBERRY  
L. O. NELSON  
R. J. NOFI  
C. B. PAUL  
R. C. RUND  
AMINON SWOPE, JR.

May 27, 1980

TO: The Structural Pest Control Industry of Indiana

FROM: L. O. Nelson, Pesticide Administrator

*LON*

The purpose of this open letter is to explain the position of the State Chemist Office regarding several enforcement issues related to structural pest control - specifically, pesticide treatments for termite control. Your industry and this office have made an important start toward a cooperative approach to these problems. As a result, your industry is made aware of our uniform enforcement policies and the public interest is protected from unnecessary and ineffective pest control service.

The positions outlined here are based upon three documents: (1) The statement of Good Practices in Subterranean Termite Control which was unanimously approved in January, 1980, by the Indiana Pest Control Association (IPCA), (2) the National Pest Control Association's (NPCA) Approved Reference Procedures for the Control of Subterranean Termites, 1973, and (3) the Indiana Pesticide Use and Application Law. A copy of the document in item (1) is enclosed for your reference.

**Enforcement Policy - Termite Control**

1. In future cases investigated by this office, the procedures outlined in the IPCA Good Practices statement will be considered minimum acceptable treatment procedures. Any omissions or variations that would cause the pesticide application to fall below these minimum procedures must be noted and justified in the contractual agreement between the pest control company and the property owner.

2. The type of treatment applied to structures not covered by the IPCA procedures will be determined by consulting the NPCA Approved Reference Procedures.

3. Product labels will continue to govern all uses of pesticide chemicals. Any deviation from the label or uses allowed under the 1978 federal definition of use inconsistent with the label will be considered a violation.

4. The U.S. Forest Products Research Center in Gulfport, Mississippi has determined that 100 parts per million (ppm) of the termiticide chlordane is the minimum concentration in soil which will control or prevent termite infestation. Several states have officially adopted this as their enforcement action level. The State Chemist Office will use 100 ppm as an action guideline. An application of chlordane mixed and applied according to label directions and prescribed procedures will yield concentrations of approximately 500 ppm.

5. The practice of routinely retreating all or any portion of a treated property as a part of an annual reinspection without clear evidence that it is needed will be considered a violation. Such treatments are the subject of a recent NPCA Service Letter (copy enclosed).

The Office of the State Chemist welcomes your questions and comment on these and related matters.

LON/gs

# **Indiana Pest Control Association, Inc.**

**Entomology Hall  
Purdue University  
West Lafayette, Indiana 47907**

## **Good Practices in Controlling Subterranean Termites**

These minimum guidelines for subterranean termite control should be considered as only a guide to proper subterranean termite control in Indiana. Variations to these minimum guidelines may be necessary because of the wide variety and methods of construction used. Deviations from these guidelines should be at the discretion of the PCO so long as adequate control is achieved and insecticide label instructions are strictly followed.

The following minimum guidelines shall apply to the treatment of all structures for the control or prevention of subterranean termite infestations:

- a. Remove cellulose debris from beneath structures.  
This may be done by owner or the PCO; owner must be made aware of this condition.
- b. Remove all accessible termite tubes from foundation walls, piers and supports.
- c. In structures with a crawl space, the applicator shall trench, rod or flood to apply approved termiticides to the soil adjacent to the inside and outside of foundation walls, piers and chimneys and other supports. The soil adjacent to the outside of structures with basements and supported slabs shall be treated with an approved termiticide by trenching and/or rodding.
- d. Drill and flood (eight (8) to sixteen (16) inch intervals) the cavities in hollow pillars, tile brick, concrete block, other building materials that have cavities, chimneys or any other structures likely to be penetrated by subterranean termites by injecting an approved termiticide in accordance with that pesticide's registered labeling. Drilling and flooding should be done above the top of the outside grade level where possible. If foundation walls are uncapped, flooding from the top is acceptable. Solid stone foundations usually cannot be drilled, this may become very difficult to control, depending on the stone (rock) and the thickness of the walls. Follow up retreat may be necessary in order to isolate the infestation and to reach proper control.
- e. Drill (at maximum of thirty (30) inch intervals) or rod and treat structures such as, but not limited to stoops, concrete slabs, patios or driveways that obstruct trenching or rodding of the soil adjacent to the foundations.

- f. In treating structures, on a concrete slab on the ground, the soil beneath plumbing, pipes passing through the slabs, bath trap, expansion joints, interior partition walls and other like termite entry points shall be saturated with an approved termiticide by drilling, if necessary, and treating from above or by rodding beneath the slab.
- g. All the above standards apply to the treatment of structures with finished basements that have poured concrete floors. Poured concrete floors may be treated according to the standards established for concrete slabs. Poured concrete floors in finished and unfinished basements may or may not be drilled as conditions require and at the discretion of the applicator.
- h. The selection and use of termiticides or any other chemicals used for control of subterranean termites shall be in accordance with label instructions approved by the United States Environmental Protection Agency and registered with the Indiana State Chemist's Office.
- i. Treatment for the prevention of subterranean termites in an existing structure shall be based on conditions conducive to infestation, relation to neighboring infestations or by the request of the customer. Treatment should be performed in the manner outlined above for the control of subterranean termites and in accordance with label directions.

4/25/80

## YOU AND YOUR ANNUAL TERMITE INSPECTIONS\*

This Service Letter focuses on the wisdom of the practices of certain members of the industry during times in which pesticides are under attack and users of pesticides are accused of indiscriminate use of them.

We are concerned with practices about which we can ask:

1. Are they good business,
2. Are they technically justified,
3. Do they conform to NPCA's Statement of "Good Practice in the Use of Insecticides in Subterranean Termite Control,"<sup>1/</sup> ESPC 051027-030.

Retreating for termites is good business, technically correct and legal when it can be justified by a thorough inspection and an evaluation of existing conditions.

The practices in question are those of PCO's who make some termiticide applications in conjunction with annual termite inspections, when an inspector cannot demonstrate a need for additional treatment. Such applications are made to areas in or around structures where additional termiticide use clearly is not indicated. Practices just described have no justification under most circumstances.

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\* This Service Letter supersedes Service Letter 1277, 4/30/75 and the first version, 4/4/75.

<sup>1/</sup> This Statement, developed by the NPCA Wood Destroying Organisms Committee, was adopted by the Board of Directors, Nov. 1979 after ratification by the Executive Board and general membership.

## BUSINESS PRACTICES

It is poor business practice, not only in using chemicals wastefully that may very well be in short supply, but also in permitting the customer to think some value is derived from the application techniques in question. In an age in which you can be legally liable for your uses (and those of your employees) of pesticides, NPCA cannot refrain from commenting on a trade practice of doubtful value. The customer should be paying for your knowledge and expertise and not solely for your application of pesticides.

## TECHNICAL PRACTICES

Since the present technology of the preservation of existing and soon-to-be constructed structures indicates that persistent chemicals must be used, it is important that these materials shall not contribute unnecessarily to contamination of animal and plant life and the environment. Insecticides must be placed where they will effectively and efficiently control subterranean termites and be so placed as to remain there. Addition of termiticides even in small amounts to undisturbed areas previously treated with such chemicals having a proven record of soil stability is technically unsound.

The initial pre-treatment of a structure, paying close attention to the sites and rates of application, should be effective for a minimum of five years, and most probably much longer. The initial treatment of an existing structure must be thorough, with special attention to critical areas such as dirt-filled porches, slab construction, etc.. Your annual inspections are made to ensure that the chemical barrier has not been disturbed and is still effective. As a matter of course, the annual inspection should detect conditions that have changed since the initial treatment.

Here are some of the conditions that would justify reapplication:

1. An active infestation,
  - a. from a new colony or,
  - b. a reinfestation, from an area simply missed during initial treatment;
2. A break in the barrier such as created by excavation, addition of soil, construction, erosion, etc..

First time preventive treatments in accordance with labeled directions are proper, although an active infestation is not present. In such instances, it should be made absolutely clear to the customer that there is no active infestation but you recommend the treatment for his protection and an inspection each year following for continued protection.

#### LABEL AND LEGALITY

New Amendments to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) allow for use of concentrations at less than label rates. Label directions as to application site must be followed.

#### NPCA'S POSITION

The position expressed in this Service Letter is not a new one for NPCA. Perhaps it was said best by an NPCA staff member in a letter dealing with the general subject of annual reapplications as a continuing practice. The letter said in part:

" . . . if the chemicals are applied in the proper places during the initial treatment, there is really no justification for reapplications on an annual basis. If the initial treatment was not entirely effective and reinfestation occurs, pumping more chemical into the same places will usually not correct the problem. As you know from experience, it is usually necessary to drill new holes and inject chemical into areas that were previously untreated or perhaps treated improperly.



In addition, the National Association has gone on record with its "Good Practice Statement in the Use of Insecticides in Subterranean Termite Control," that before any treating is done, the situation must be carefully inspected and evaluated in order to determine the best application of chemicals . . . ."

We maintain that the practice of retreatments for termites is one that must be examined closely. There are basic economic, technical and future legal considerations. Unnecessary retreatments should be avoided.

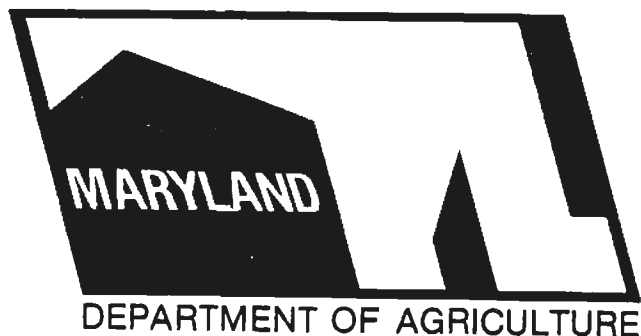
## LOUISIANA REPORT

Prepared by:  
James A. Arceneaux

The Structural Pest Control Commission in the State of Louisiana is composed of five members. Ex-Officio members are the permanent Chairman, Bob Odom, Commissioner of Agriculture and the permanent Secretary, Dr. John Impson, State Entomologist. The two industry members have been appointed, but the University member has not yet been appointed. This Commission meets quarterly.

This Commission is undergoing scrutiny by a "Sunset" Committee of the Legislature at the present time.

In the past year, the Commission has administered 204 exams; issued 153 licenses in the five various phases; 46 persons were certified; 611 registered employee cards were issued; 3004 termite inspections were made and 362 termite jobs were found substandard. The Commission investigated 42 complaints. Four hearings were held and 42 violations were handled.



Harry Hughes, Governor  
Wayne A. Cawley, Jr., Secretary  
William M. Linton, Deputy Secretary

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PESTICIDE APPLICATORS LAW SECTION  
PAROLE PLAZA OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401-3787  
Phone: 301/269-2776

Association of Structural Pest Control Regulatory Officials  
Tampa, Florida  
October 4-7, 1981

Maryland Report  
David Shriver, Chief  
Pesticide Applicators Law Section

1. NEW HEADQUARTERS

The Maryland Department of Agriculture personnel and facilities will be moving into its new headquarters early in 1983.

2. WORD PROCESSOR

The Pesticide Regulation Section of the Maryland Department of Agriculture now has two word processors that allow us to maintain all examinations in the system. It is also programmed to produce new versions of any or all of our 18 categorical exams on command. All training manuals, directories, mailing lists, etc. are kept in this system.

3. CERTIFICATION

We currently have 1700 certified commercial applicators and 8000 private applicators. We usually receive 50 applications for certification a month. To accommodate these individuals, we offer exam sessions every other month for 80-100 participants. There is a 50% average passing rate among those taking the exams for the first time. We have rigidized our application screening process. The applicant must provide three references, preferably among the pest control industry, who can verify that the individual has the minimum one year full time experience in pest control.

We currently have written reciprocal agreements with Delaware, the District of Columbia, Virginia, and West Virginia. All other applications for reciprocity between other states are reviewed on a case by case basis.

#### 4. RECERTIFICATION AND TRAINING

For the past three years we have been strictly enforcing the recertification requirement of participating in one training session a year for commercial applicators. The applicators do not have to submit proof that they attended a session but they must list the session on their renewal application. We keep a file of attendance lists from each session if verification is needed. This year only six applicators had to retake the exams for recertification because they did not participate in a training session.

Private applicators renew their certificates every five years; the first group will be recertified in 1982. They must participate in agricultural pesticides conferences in three of five years before renewal. Training sessions are being conducted now by county extension agents.

#### 5. ENFORCEMENT

Approximately 60 written consumer complaints were received during the last year. Twenty-seven of these involved termite inspection reports. We had four incidents where pets died as a result of pesticide applications in residences. The remaining complaints involved drift problems from agricultural applications, and a few turf pest control applications. Five cases were taken to the State's Attorneys Offices on charges of operating a pest control business without a license. Three of these have been settled and the individuals were given a year's probation.

One revocation hearing was conducted in which an applicator admitted to applying Cyanogas inside a residence for rodent control.

## MICHIGAN REPORT

1981 ASPCRO MEETING  
TAMPA, FLORIDA  
ROBERT L. MESECHER

Michigan has a grant agreement on enforcement with EPA which has been on going since January 1977. Additional funding under the agreement has been requested for FY'82. We have had no problems with the performance and cooperation provided by EPA, Region V and feel the enforcement agreement has been successful and beneficial in providing enforcement of State and Federal pesticide laws.

Initial funding obtained through the grant enabled us to purchase additional laboratory equipment and provide support for a chemist. Subsequent funding has been utilized to continue support for a chemist, inspection time and travel, sample cost and computer programming for restricted use pesticide sales.

Computer programming for restricted use pesticide sales was completed during FY'81. We are now in the process of loading files and correcting the "bugs" in the system. The program has on-line maintenance capabilities for entering data and making inquiry. The program is designed to cross reference with our computerized certification file and identify invalid certification numbers. A monthly print-out will be provided for follow-up use in the field. The first print-outs are anticipated to be available for field personnel by November 1981 and will be utilized to monitor sales. The print-out will identify the restricted pesticides sold, quantity, the certified applicator and the dealer who sold it. This program will be the basis for monitoring sales of restricted pesticides during FY'82.

Other activities under the grant during the past year included inspections at producer establishments and the marketplace plus use investigations for cause.

A. Producer Establishments

Michigan has approximately 180 producing establishments. We attempt to perform inspections at each establishment on a three year cycle. In FY'81 we agreed to inspect 60 establishments and obtain 60 samples. Our efforts resulted in 66 inspections and 71 samples.

B. Marketplace

Michigan agreed to conduct 66 inspections at wholesale and retail markets and obtain 66 samples. A total of 40 marketplace inspections were completed with the necessary EPA paperwork and 98 samples collected. We failed to meet our goal for official inspections, however, our inspectors activity reports show nearly 5,000 marketplace surveillance inspections were made to check registration and pesticide labels. The 40 official inspections reflect a good variety of sites and the samples a good range of products from agricultural to domestic.

C. Use Investigations

Michigan conducted 110 use investigations for cause and obtained 76 samples. The investigations resulted in two prosecutions, one prosecution pending, two informal hearings and six warning letters. Several cases are still under review for possible referral for prosecution, warning letters or informal hearing.

C. Use Investigations Cont.

All investigations are initiated by complaints, inquiries or referral from EPA. Michigan has not established a planned use investigation program because of insufficient time and resources. However, we may initiate a program of visiting licensed applicators and monitor application records during the off season. This activity was suggested by a member of our pesticide advisory committee who represents licensed applicators.

We are experiencing an increased number of complaints for non-ag. related spray applications such as lawns, right-of-way, and structural pest control. The structural pest control complaints center around termite inspections, improper termite treatment, and prescribed treatments for carpenter ants in which there is no infestation.

Aerial application to agricultural lands continues to be a problem in urban areas. There is growing concern for involuntary exposure. Aerial fly-ins have been helpful to minimize drift but they are not the answer to people problems. We had one case this year in which workers alleged skin rash from pesticide exposure from residue and direct overspray. Investigators determined the skin rash was "parsley poisoning" which is common among workers handling umbelliferous crops; also the claims of overspray could not be supported by reliable witnesses. Unfortunately, there have been incidents of overspray to residences which are in close proximity to target fields. We are hopeful that the aerial application industry and growers can work closer together to eliminate these type of situations rather than impose regulations which could be detrimental to agriculture.

Michigan has completed its first full cycle for certification renewal. The number of persons renewing certification is approximately 1/3 of the total certified initially. We contribute this to the fact that pesticides commonly used by a majority of growers have not been classified for restricted use. Our system for renewal utilizes updated self-study materials followed by examination. The examinations are limited to 25 questions for core material and 20 questions for specific categories. The renewal exam does not appear to be a deterrent toward renewal.

The seminar approach has been used successfully for the past two years for persons certified in structural pest control and related categories. The seminars have been a cooperative effort between the Michigan Pest Control Operators Association, Ferris State College which has expertise in this area, Cooperative Extension Service and Michigan Department of Agriculture. We plan to continue the seminar program for structural pest control and may give consideration for developing a seminar program for the ornamental and turf category. Seminars for other categories will probably not be considered since Cooperative Extension does not have enough resources for such a commitment.



State of Mississippi Report for 1981

TABLE 2A

ACTIVITIES UNDER THE REGULATIONS  
OF  
PROFESSIONAL SERVICES ACT

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
  9. Control of pests by fumigation
- 
- 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

LICENSING ACTIVITIES

<u>License Category</u>	<u>Applications Received</u>	<u>Passed Exams</u>	<u>Failed Exams</u>	<u>New Licenses Issued</u>	<u>Licenses Current June 30, 1981</u>
1.	41	16	14	24	257
2.	41	20	8	31	270
3.	22	9	4	7	75
4.	19	10	3	9	79
5.	6	0	0	0	15
6.	0	0	0	0	4
7.	39	18	7	25	395
8.	7	2	2	3	14
9.	4	2	0	4	10
A.	6	0	3	2	10
B.	3	2	0	2	15
C.	5	2	1	5	17
D.	10	6	0	6	33
E.	<u>5</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>38</u>
TOTALS	208	88	44	120	1,232

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

572

TABLE 2A  
(continued)

PERMITS

A permit shall mean a document issued by the Division indicating that a person has thorough understanding of the pest or pests that a licensee is licensed to control and is competent to use or supervise the use of a restricted use pesticide under the categories listed on said document at any branch office. A permit is not a license.

PERMIT 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
5. Control of pests of orchards
6. Control of pests of domestic animals
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

PERMITS ISSUED

	<u>New Permits</u> <u>Issued</u>		<u>Permits Current</u> <u>June 30, 1981</u>
Category 1.	-----	7 -----	45
Category 2.	-----	9 -----	50
Category 3.	-----	0 -----	2
Category 5.	-----	0 -----	2
Category 6.	-----	0 -----	0
Category 8.	-----	0 -----	0
Category A.	-----	0 -----	0
Category B.	-----	0 -----	0
Category C.	-----	0 -----	0
Category D.	-----	0 -----	0
Category E.	-----	0 -----	0

TABLE 2A  
(continued)

STRUCTURAL PEST CONTROL TREATMENTS REPORTED BY LICENSED COMPANIES

<u>KIND OF TREATMENT</u>		<u>KIND OF STRUCTURE</u>	
Termite-----	15,160	Crawl Space-----	5,258
Beetle-----	488	Slab-----	9,616
Other-----	181	Combination Crawl & Slab-----	659
		New Construction-----	8,652
Inspections made of properties treated for structural pests---			506
Treatments found to satisfactory-----			345
Treatments found to be unsatisfactory-----			101
Houses inspected that had not been treated-----			60
Chemical and/or soil samples collected from pest control operators while properties were being treated for termites-----			2
Samples found to be satisfactory-----			2
Samples found to be unsatisfactory-----			0

TABLE 4

## COMMERCIAL PESTICIDE APPLICATORS CERTIFIED

July 1, 1980 - June 30, 1981

	<u>Total</u>	<u>Cumulative Total</u>
Number of training and testing sessions held-----	11	110
Number of people passing exam for General Standards (Core Manual)-----	212	3,271

Category	<u>Total</u>	<u>Cumulative Total</u>
1. Agricultural Plant-----	12	226
Agricultural Animal-----	13	204
2. Forest-----	90	658
3. Ornamental-----	72	591
4. Seed Treatment-----	16	119
5. Aquatic-----	15	141
6. Right-of-Way-----	23	208
7. Industrial, Institutional, Structural and Health Related-----	53	377
8. Public Health-----	20	297
9. Demonstration and Research-----	48	771
10. Aerial Application-----	98	800
Total number passing category exams for certification-----	460	4,392

## COMMERCIAL PESTICIDE APPLICATORS RECERTIFIED

Category	<u>Total</u>	<u>Cumulative Total</u>
1. Agricultural Plant-----	56	234
Agricultural Animal-----	54	240
2. Forest-----	125	430
3. Ornamental-----	143	295
4. Seed Treatment-----	32	99
5. Aquatic-----	32	100
6. Right-of-Way-----	38	129
7. Industrial, Institutional, Structural and Health Related-----	123	489
8. Public Health-----	49	113
9. Demonstration and Research-----	273	636
10. Aerial Application-----	99	227
Total number recertified-----	1,024	2,992

TABLE 4  
(continued)

Private Applicators Certified During FY 80-----521

Private applicators are producers of agricultural commodities, or farmers, and may meet certification requirements by attending an approved training course or by taking an examination.

MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE  
DIVISION OF PLANT INDUSTRY  
P. O. BOX 5207  
MISSISSIPPI STATE, MISSISSIPPI 39762

REGULATIONS GOVERNING PEST CONTROL OPERATORS

RULE 1. (Adopted March 29, 1977, amended September 18, 1979 and June 25, 1980)

The Division of Plant Industry, Mississippi Department of Agriculture and Commerce, under the provisions of Section 69-19-1 and Section 69-23-109, Mississippi Code 1972 does hereby promulgate and declare the following Rules and Regulations.

SECTION 1. DEFINITIONS - For the purpose of these regulations, the following words, names and terms shall be construed within the meaning and purpose of Sections 69-19-1 through 69-19-11 and Sections 69-23-101 through 69-23-133, Mississippi Code 1972.

- (A) "Act" shall mean Sections 69-19-1 through 69-19-11 and Sections 69-23-101 through 69-23-133, Mississippi Code 1972.
- (B) "Advisory Board" shall mean the board established under the provisions of Section 69-25-3, Mississippi Code 1972, as amended.
- (C) "Bonafide Employee" shall be a person who receives all or part of his salary, pay or commission from a license holder and whose salary, pay or commission is regularly reported by the licensee under the Federal Social Security and/or income tax laws. A bonafide employee must be under the direct supervision of a licensee or a permit holder.
- (D) "Branch Office" shall mean any establishment or place of business other than the place of business managed by the license holder who has at least one employee capable of answering questions, scheduling normal inspections or work, or performing work covered by these regulations. A telephone answering service is not a "Branch Office."
- (E) "Certification" shall mean the recognition by the Division that a person is competent and thus authorized to use or supervise the use of restricted use pesticides in the category or categories listed on said certificate.
- (F) "Certified Applicator" shall mean a licensee or his employee who has met the requirements for certification.
- (G) "Commissioner" shall mean the commissioner of the Mississippi Department of Agriculture and Commerce.
- (H) "Competent" shall mean a person who is capable of performing the various functions associated with pesticide application and pest control: the degree of capability required being directly related to the nature of the activity and the associated responsibility.

- (I) "Division" shall mean the Division of Plant Industry of the Mississippi Department of Agriculture and Commerce created under the provision of Section 69-25-3, Mississippi Code 1972.
- (J) "Entomologist" shall mean a person skilled in the biology of, and remedial measures employed for the control of and eradication of insect pests or rodents.
- (K) "Executive Secretary and/or State Entomologist" shall mean the executive secretary and director and/or state entomologist of the Division of Plant Industry, Mississippi Department of Agriculture and Commerce as set forth in Section 69-25-5, Mississippi Code 1972.
- (L) "Insect Pest" shall mean any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class insecta, comprising six-legged, usually winged forms, as for example, beetles, bugs, flies, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as for example: spiders, mites, ticks, centipedes and millipedes.
- (M) "License" shall mean a document issued by the Division which indicates that a person has met the requirements set forth in the Act and these rules and regulations to receive fees for services in the categories indicated on said document.
- (N) "Pathologist" shall mean a person knowledgeable in the biology of and skilled in the necessary remedial measures to apply for the control and eradication of plant diseases.
- (O) "Permit" shall mean a document issued by the Division indicating that a person has thorough understanding of the pest or pests that a licensee is licensed to control and is competent to use or supervise the use of a restricted use pesticide under the categories listed on said document at any branch office. A permit is not a license.
- (P) "Permit Holder" shall mean a bonafide employee of a license holder who has passed a permit examination for each category in which work is performed and is responsible for supervising the activities indicated on said permit at a branch office.
- (Q) "Person" shall mean any individual, partnership, corporation, association, company or organized group of persons whether incorporated or not.
- (R) "Plant Disease" shall mean the pathological condition in or on plants and plant products caused by fungi, bacteria, nematodes, viruses, mycoplasma and viroids.
- (S) "Professional Services" shall mean any of the professional services performed as designated by the various categories listed under Section 6.

- (T) "Restricted Use Pesticides" shall mean a pesticide that is classified for restricted use by the Environmental Protection Agency or the Division.
- (U) "Under the Direct Supervision" shall mean the act or process whereby application of a pesticide is made by a competent person acting under the instructions and control of a license or permit holder who is responsible for the actions of that person and who is available if and when needed, even though such license or permit holder is not physically present at the time and place the pesticide is applied.

SECTION 2. PERSONS REQUIRED TO SECURE A LICENSE - Entomologists and Pathologists must secure a license from the Division of Plant Industry, Mississippi Department of Agriculture and Commerce in accordance with Section 69-19-9, Mississippi Code 1972. No person shall advertise in any manner to render professional services or solicit business within the meaning of the Act without first obtaining a license.

SECTION 3. PERSONS REQUIRED TO SECURE A PERMIT - Each branch office shall have at least one license or permit holder for each category that the licensee is soliciting and/or performing work under. Any bonafide employee may hold a permit in one or all of the categories that said business is licensed under. The requirements of this section shall be met prior to October 21, 1977, by at least one bonafide employee in each branch office.

SECTION 4. LICENSE APPLICATION - QUALIFICATIONS - Application for a license shall be submitted on a regular form furnished by the Division, in time to be approved ten (10) days prior to regular scheduled examinations. The applicant shall furnish names of several references as to his character and a satisfactory credit report. No application for a license shall be accepted unless the applicant shall furnish written proof that he meets one of the following requirements:

- (1) Must be graduated from a recognized college or university with at least 15 semester hours or the equivalent in the category for which he is requesting a license.
- (2) Must have no less than two years college or university training with special training in the category for which he is requesting a license.
- (3) Must be at least a high school graduate or equivalent and have had, in addition, at least four years experience with a licensed operator within the past six years; PROVIDED, that in special cases where an applicant can submit proof of education, experience and training equal to or exceeding these requirements he shall be allowed to take the required examinations.

SECTION 5. PERMIT - APPLICATION - QUALIFICATIONS - Application for a permit shall be submitted on a regular form furnished by the Division in time to be approved ten (10) days prior to regular scheduled examinations. No permit application shall be accepted unless the applicant furnishes written proof that he is a bonafide employee of a person holding a license in one or more of the categories listed under Section 6 of these regulations.

SECTION 6. LICENSE - EXAMINATION - CATEGORIES - Each person required to secure a license in accordance with the Act shall be examined as follows: When the firm is under



the control of one person who is solely responsible for the work, this person alone shall be required to pass the examination. When more than one person is responsible, then each shall be required to pass the examination. A person may designate an employee who is regularly and actively in charge to take the examination and the license will be issued naming the employee as supervisor. Both the employee and the person to whom the license is issued will be held responsible for the professional services rendered.

The license applicant shall take and pass a written examination. This examination will cover the professional services designated in the application and include the standards for certification of applicators as set forth in the Environmental Protection Agency Code of Federal Regulations, Title 40, Section 171.4. The examination may be waived if the applicant is already licensed to perform the same professional services in a state with standards equal to those of Mississippi, and provided further that said state recognizes such examinations given by Mississippi.

Examination dates: Examinations shall be given once each quarter at Mississippi State, Mississippi. The dates for written examinations shall be the second Tuesday in each quarter of the calendar year. Persons who take the examination and fail will be allowed to retake said examination the second Tuesday of the next quarter.

Categories in which examinations are to be given and for which licenses or permits will be issued:

- (a) Control of termites and other structural pests - This category includes persons engaged in control of termites, beetles, or other wood destroying insects in buildings and other structures, including homes, warehouses, stores, docks or any other structure.
- (b) Control of pests of orchards - This category includes persons engaged in the control of insect pests, plant diseases or pest animals of various fruit and nut trees, brambles, vineyards and all plants normally classed as nut trees or fruit orchards. An examination may be given and a license issued to include only control of pests of pecan orchards.
- (c) Control of pests in homes, businesses and industries - This category shall include persons engaged in control of insect pests or pest animals which may invade homes, restaurants, stores and other buildings, attacking their contents or furnishings or being a general nuisance, but do not normally attack the building itself, as for example: roaches, silverfish, ants, flies, mosquitoes, carpet beetles, clothes moths, fleas, stored food insects, rats, mice, centipedes, etc.
- (d) Control of pests of ornamental plants, shade trees and lawns - This category includes persons engaged in control of insect pests, plant diseases or pest animals of ornamental plants, shade trees (which may include nut or fruit trees if used as ornamental plants or shade trees) and lawns.
- (e) Control of pests of domestic animals - This category includes persons engaged in control of insect pests of domestic animals.

- (f) Control of pests by fumigation - This category includes all persons whose sole practice is the control of insect pests by fumigation only.

SECTION 7. PERMIT EXAMINATION - CATEGORIES - The permit applicant shall take a written examination. This examination will cover the professional services designated in the application and include the standards for certification of applicators as set forth in the Environmental Protection Agency Code of Federal Regulations, Title 40, Section 171.4. The examination may be waived if the applicant already holds a permit to perform the same professional services in a state with standards equal to those of Mississippi, and provided further that said state recognizes such examinations given by Mississippi.

Examination dates: Examinations for a permit shall be given once each quarter at Mississippi State, Mississippi. The dates for written examinations shall be the second Tuesday in each quarter of the calendar year. Persons who take the permit examination and fail will be allowed to retake said examination the second Tuesday of the next quarter.

Categories in which examinations are to be given and for which permits will be issued are the same as the license categories set forth in Section 6.

SECTION 8. ISSUANCE OF A LICENSE - If the qualifications and other requirements of the license applicant are satisfactory, the Division shall then require that said applicant submit a detailed statement of the methods he will employ and such typed or printed forms or contracts which will be used in the conduct of the professional services for which the application for license is made. If these are approved, said applicant shall then furnish a bond in the proper amount as set forth in Section 12 of these regulations in conformity to Section 69-19-9, Mississippi Code 1972. After all requirements have been met by the applicant for licensing, the Division shall then issue said applicant a license, PROVIDED, that no license shall be issued any person who fails to disclose to the Division the ingredients used in his practice, or who uses any material or method which has not been approved by the Division. A license is not transferable. When there is a change in the status of a license holder due to uncontrollable circumstances, a reasonable period of time shall be allowed for a qualified person to meet the requirements of Section 2 of these regulations.

Persons requesting a license must have passed the required examination within the past year or have been actively engaged in the work since passing the examination, or be reexamined before his license can be issued.

SECTION 9. ISSUANCE OF A PERMIT - After all requirements have been met by the applicant for a permit the Division shall then issue said applicant a permit. A permit is not transferable. When there is a change in the status of the person holding a permit who is supervising a business location, the license holder shall be allowed a reasonable period of time in order to have another bonafide employee meet the requirements of Section 3 of these regulations.

Persons requesting a permit must have passed the required examination within the past year or have been actively engaged in the work since passing the examination, or be reexamined before his permit can be issued.

SECTION 10. EXPIRATION OF A LICENSE OR A PERMIT AND CONDITIONS FOR RENEWAL - All

licenses and permits shall expire thirty-six months from the date of issuance. To renew said license or permit, the holder of same shall submit a request for renewal on a form prescribed by the Division and show that he is knowledgeable of current control recommendations, techniques and abreast of changing technology and pesticide usage. To meet these requirements, the licensee or permit holder shall have attended a training course approved by the Division within the past thirty-six months or successfully complete an examination administered by the Division.

SECTION 11. DENIAL, SUSPENSION OR CANCELLATION OF A LICENSE OR A PERMIT; REFUSAL TO ISSUE OR RENEW SAME - The commissioner, with the approval of the advisory board may suspend for not more than thirty days and then after opportunity for a hearing may deny, suspend, cancel or modify the provisions of a license or a permit if he finds that a person holding a license or a permit has committed any of the following applicable to him each of which is declared to be a violation of the Act and these regulations:

- (a) Made false or fraudulent claims through any media misrepresenting the effect of materials or methods to be used;
- (b) Operated in a faulty, careless or negligent manner or knowingly operated faulty or unsafe equipment in a manner as to cause damage to property or person;
- (c) Refused, or after notice neglected to comply with the provisions of the Act, the regulations adopted hereunder, or any lawful order of the commissioner;
- (d) Refused, or neglected to keep and maintain records required by the Act or to make reports when required;
- (e) Made false or fraudulent records, invoices or reports;
- (f) Used fraud or misrepresentation in making application for a license or permit;
- (g) Aided or abetted any person in evading the provisions of the Act, allowed one's license to be used by an unlicensed person;
- (h) Impersonated any state or federal official;
- (i) Convicted in a court of law of a violation under the Federal Insecticide, Fungicide and Rodenticide Act;
- (j) Convicted in a court of law for using any pesticide in a manner which is determined to be inconsistent with its labeling;
- (k) Misrepresented for the purpose of deceiving or defrauding;
- (l) Made a false statement with knowledge of its falsity for the purpose of inducing others to act thereon to their detriment;
- (m) Performed work in a category for which the licensee does not hold a license;
- (n) If repeated inspections by Inspectors of the Division of Plant Industry reveal

that the licensee is not performing services in a manner consistent with the Act and these regulations;

- (o) Failed to register agents or solicitors or failure to make reports within the time specified in these regulations;
- (p) Convicted in any of the courts of this state of a violation of the Act or these rules and regulations;
- (q) Refused to yield a pesticide sample to an employee of the Division;
- (r) Failed to correct work not performed in accordance with the Act and these rules and regulations after sufficient notice; or
- (s) Failure to renew the bond required in Section 12 of these regulations means automatic cancellation.

During the time a license holder has his license under suspension, he shall not solicit any new business or perform any new work. He shall be allowed to inspect and/or retreat all properties on which he has current contracts.

Any person who is denied a license or a permit or whose license or permit is suspended, cancelled or modified by the commissioner shall be afforded an opportunity for a fair hearing before the advisory board in connection therewith upon written application to the commissioner within thirty days after receipt of notice from the commissioner of such denial, suspension, cancellation or modification. The commissioner shall set a time and place for such hearing and shall convene the board within ten days following receipt of the written application for a hearing. The board shall receive evidence and affirm, modify or reverse the determination of the commissioner within five days.

Any person aggrieved by the determination of the board may petition the chancery court of the county of residence of such person, or the Chancery Court of Hinds County, for review with supersedeas. The chancellor shall grant a hearing on said petition and may grant such review with supersedeas; the appellant may be required to post bond with sufficient sureties in an amount to be determined by the chancellor. Upon the review of any such decision, additional evidence may be received and considered but any record made or evidence heard before the board or commissioner may be submitted. Any such petition by either party from the determination of the chancellor shall proceed as otherwise provided by law.

Any person who is refused a license or a permit or whose license or permit is not renewed, or when the Division contemplates invalidation of said license or permit, shall have the right of a hearing by filing a written request for a hearing with the Division by registered or certified mail. The person requesting the hearing may appear in person or be represented by an attorney on the date and at the place set by the Division.

When a license has been cancelled, the licensee shall be notified in writing. The bonding company shall be notified of the action taken, but revoking a license shall in no way invalidate the bond for the duration of the contract entered into by the licensee. When a permit has been cancelled, the person holding said permit shall be notified in writing.

A license shall automatically become invalid when the person whose name appears on the license ceases to personally supervise and be in direct charge of operations and shall remain invalid until some other person, having met the requirements and been examined in accordance with these rules and regulations becomes licensed in his stead; except as provided for in Section 8 of these regulations.

Nothing in these rules and regulations shall be construed as requiring the commissioner to report for prosecution or for the institution of libel proceedings of minor violations of the Act or these rules and regulations whenever he believes that the public interest will best be served by a suitable notice of warning in writing.

#### SECTION 12. BOND

- (a) The bond furnished the Division by any licensee, as provided in Section 69-19-9, Mississippi Code 1972, shall be conditioned so as to insure to the purchaser of services from said licensee the fulfillment of any contract or guarantee made by the licensee. No surety bond shall be accepted except from companies approved by the Insurance Department of Mississippi.
- (b) All persons holding licenses to engage in the control of any kind of pests (including rodents and plant diseases) shall be required to file with the Division a bond of not less than \$2,500.00 to insure the faithful performance of contracts. Said bond shall be so conditioned as to be valid and effective for the minimum time for which the licensee shall issue guarantees or contracts to render future service.

#### SECTION 13. INSPECTIONS - RECORDS - REPORTING - CONTRACTS

- (a) Licensed operators shall keep complete and accurate records of all work performed including copies of contracts issued for a period of at least two years. Such records shall be available for examination by employees of the Division during reasonable business hours. Such records shall include location, kind of services performed, date performed, chemical used if there were any, the strength, amount, the pest controlled and such other information as may be necessary for a complete record.
- (b) The commissioner or his representative may enter upon public or private premises at reasonable times for the purpose of enforcing the Act and these regulations and may investigate complaints of injury or accidents resulting from use of pesticides.
- (c) Persons holding a license in the category "Control of Termites and Other Structural Pests" as covered by paragraph (a), Section 6 shall enter into a written contract with the person employing him. Said contract for control of termites and/or other structural pests shall guarantee the performance of the work for at least one year and that said property meets the minimum standards set forth in these regulations for such work, unless an exception of the minimum standards is clearly set forth in a separate statement on the face of the contract. A copy of a work order covering a complete plot or diagram showing the location of visible damage and an outline of the work to be carried out shall be given to the property owner and one copy shall be

maintained by the operator with a copy of the contract for as long as the contract is in force. Before the expiration date of said contract, the operator shall reexamine the property treated for termites and/or beetles and a written report of the reexamination showing the condition of the property with respect to the presence or absence of termites and/or beetles shall be filed with the owner of the property and a copy maintained in the operator's file. All subsequent inspections, as provided by the terms of the contract, shall be regularly made by the operator who shall report the results to the homeowner and make them available to the Division if such information shall be requested. When a termite control pretreat contract is issued, an inspection before the contract expires is not required.

- (d) Persons operating under a license in the category "Control of Termites and Other Structural Pests" as covered by paragraph (a) Section 6 of these regulations shall by the 20th day of each month remit to the Division a report for each property on which a contract has been issued during the previous calendar month on forms furnished or approved by the Division. (1) Persons licensed for "Control of Pests in Homes, Businesses and Industries" who contract for their services on a monthly or yearly basis shall by the 20th day of each month remit to the Division a report for each property treated the previous month for the first year after the license is issued. After a year's satisfactory work in this state, he shall not be required to file reports; PROVIDED, that the Division may request a record of all work at any time. (2) A report shall be filed each month even though no work is performed. (3) If on inspection by the Division, it is found that a contract has not been fulfilled, the licensee shall be notified by the State Entomologist and shall be allowed fifteen calendar days in which to apply such remedial measures as are necessary and shall notify the Division in writing that the work has been performed.

#### SECTION 14. IDENTIFICATION - OPERATORS - EMPLOYEES - EQUIPMENT

- (a) Operators - All license holders or owners of a pest control business soliciting work or dealing with the public must be provided with an identification card to be obtained from the Division except as provided for in paragraph (c) of this section.
- (b) Employees - All employees of licensed operators who solicit business or otherwise represent the operator in dealings with the public, must be provided with an identification card, to be obtained from the Division except as provided for in paragraph (c) of this section. An employee of an operator considered as a laborer shall have an I.D. card or be accompanied by an employee who holds a valid I.D. card. A recent picture of the employee shall be permanently attached to the I.D. card.

The operator shall request in writing I.D. cards for his employees and himself, enclosing two pictures of each person and a remittance of \$1.00 for each laminated card to be issued. When an operator or an employee resigns or is discharged, his I.D. card shall be returned to the Division for cancellation.

The I.D. card shall be in the possession of the operator or owner, or his employee at all times, when performing work or soliciting business and will be presented on request to the person or persons for whom business is performed or solicited.

An I.D. card will not be issued to any person who has been employed by another operator until his previous card has been returned to the Division for cancellation.

- (c) Temporary Identification - Temporary identification may be issued to a new employee by the license holder for a period not to exceed sixty (60) days after the date of employment. At the time this identification is issued, the Division shall be notified in writing. Information on the temporary identification shall include:
  - (1) Name and license number of licensee and address
  - (2) Name, signature and address of employee
  - (3) Date issued and date of expiration
  - (4) Signature of licensee or permit holder in charge
- (d) Equipment - All vehicles and mobile equipment except private passenger automobiles used by persons engaged in professional services covered by the Act and these regulations shall be marked for easy identification.

#### SECTION 15. APPROVED PESTICIDES - MINIMUM REQUIREMENTS

- 1. ACCEPTABLE PESTICIDES FOR CONTROL AND/OR PREVENTION OF TERMITES AND OTHER STRUCTURAL PESTS.
  - (a) All pesticides recommended by the Southern Forest Experiment Station, Forest Insect Laboratory at Gulfport, Mississippi, and registered by the Division of Plant Industry will be acceptable for use in structural pest control work performed under these regulations.
  - (b) Persons licensed in accordance with these regulations shall use all pesticides in a manner consistent with the label and consistent with the Environmental Protection Agency rules, notices and guidelines.
- 2. TREATMENT REQUIREMENTS - Subterranean Termites - Pier-Type (Crawl Space) Construction
  - (a) Remove all cellulose-bearing debris such as scrapwood, wood chips, paper, stumps, dead roots, etc., from underneath buildings. Large stumps or roots that are too sound to be removed may be trenched, drilled or rodded and treated provided they are six inches or more from foundation timbers.
  - (b) Remove all wooden contacts between building and soil, both inside and outside. Wooden supports under buildings must rest on a concrete footing, a brick capped with concrete, or other non-cellulose materials. The top of the brick or footing should not be less than six inches above the ground. This includes but is not limited to wood steps, skirting and lattice work, form boards, piers and stiff legs. (Pressure treated piling foundations are exempt from this requirement.)

- (c) Termite tunnels - Scrape off all termite tunnels from foundation walls and pillars.
- (d) Trenches - Cut trenches a minimum of 4 inches wide and deep, but not below top of footing, in contact with masonry around all exterior and interior foundation walls and pillars and apply pesticide according to label directions. Soil injection techniques will be accepted by the Division when they are used in accordance with label directions.
- (e) Pipes - Pipes underneath the structure should be treated by rodding or trenching according to label directions. All non-metal packing around pipes should be saturated with an approved pesticide.
- (f) Treatment of Masonry and Voids - Approved pesticides shall be applied to porous areas, cracks and voids in foundation walls, piers, chimneys, step buttresses and other structures likely to be penetrated by termites. (1) Flood all cracks in concrete. (2) Drill mortar joints on all 2 course brick formations such as piers, foundation walls, chimneys, step buttresses, etc., in a horizontal line at sufficient intervals to provide thorough saturation of wall voids but in no case shall the distance between holes exceed 24 inches. Holes shall be deep enough to reach the center mortar joint and shall be flooded under sufficient pressure to flood all cracks and voids therein. Drilling shall not be required when solid concrete footing extends above grade level or when wall is capped with solid concrete. (3) Drill mortar joints on all brick formations with 3 or more courses of brick on each side of formation at the end of every other brick but with the locations of the holes on each side of the formation alternating as much as is practicable and flood under pressure all cracks and voids therein. Where the outside finish of a 3 course brick wall makes drilling from each side of wall impractical, this wall can be drilled from one side by extending holes two bricks deep. (4) Drill into the center of each vertical core in a complete row of hollow concrete (or other light weight aggregate) blocks in construction using this type of building material and apply an approved pesticide into the openings. In hollow concrete block construction, drilling will not be required where accessibility to the opening is already available through construction.
- (g) Dirt Fills - All dirt filled structures such as concrete slab porches, steps, chimneys, porch columns, etc., shall be treated by excavating, trenching, and applying pesticides in the same manner as around pillars and foundations. EXCEPTION: If due to construction, it is impractical to break into and excavate dirt filled areas, a method acceptable to the Division such as drilling, flooding or rodding may be employed.
- (h) Beetles - Approved controls must be applied in accordance with Section 15 of these regulations for beetles in timbers, walls and flooring, if beetles are present, unless contract states that protection against beetle injury is not included.

### 3. EXISTING SLAB - TYPE CONSTRUCTION

- (a) Rod or trench and treat the entire perimeter of the slab foundation.



- (b) Treat all traps, foundation walls, and other openings in the slab.
  - (c) Treat all expansion joints, visible cracks and other voids in slab by rodding under or drilling through slab and thoroughly saturating the area beneath the slab where the above stated conditions exist. When the foundation wall or slab is drilled or rodded, the holes must not be more than 3 feet apart along the above stated areas.
4. PRETREATMENT FOR TERMITE CONTROL - All pretreats shall be made in accordance with label directions as specified on the label of the pesticide being used.
5. SPOT TREATMENT
- (a) "Spot" treatment shall not be done on pier-type construction except with permission of the Division.
  - (b) "Spot" treatment of existing slab-type construction is permissible when it is impractical to treat the entire slab and where the property owner requests this type of treatment. The contract shall specify "Spot" treatment and clearly define area treated.
6. SPECIAL CASES

In special cases, where it is apparent that these specifications are either insufficient or more than sufficient to insure adequate protection, the operator shall consult the Division for advice before treatment is started.

#### SECTION 16. WOOD DESTROYING BEETLES - REQUIREMENTS

1. WHEN TREATMENT WILL BE PERMITTED - After it is determined that an active infestation exists, treatment will be permitted for the control or prevention of reinfestation of the families of beetles which are known to reinfest seasoned wood, i. e. Anobiidae, Lyctidae, Bostrichidae, Cerambycidae (old house borer and flat oak borer only) and Curculionidae. Preventative treatment in the absence of an infestation is not recommended and is prohibited without approval of the Division. Treatment is expressly prohibited for the control or prevention of other beetles that may cause damage to seasoned wood in structures such as Ambrosia beetles, Bark beetles, Flat headed borers, long-horned borers, Metallic wood borers, Pin worms, Roundheaded borers other than old house and flat oak borers, Timber beetles, and the Siricidae (woodwasps) or Marine borers except with prior approval of the Division and specification of the organism involved on the treatment or service proposal.
2. DETERMINING ACTIVE INFESTATIONS
  - (a) Determining the activity of Anobiidae (anobiid powder-post) beetles in sub-structures, attached garages or other outbuildings, and stored lumber.
    1. The presence of frass the color of fresh cut wood will be acceptable as evidence of an active infestation of the Anobiidae.

2. The presence of holes alone or holes and dull-colored frass will not be acceptable evidence of an active infestation of the Anobiidae except in such cases where live larvae and pupae are found in wood members.

NOTE: Where numerous holes alone and/or dull-colored frass are found in wood members, this should encourage the licensee or his representative(s) to check the upper living areas for infestation and to recheck the property during the optimum time for frass production by Anobiidae (March 15 to July 15). It should be pointed out that Anobiidae beetles usually infest products older than 10 years and most infestations are confined to softwoods such as pine, whereas the Lyctidae only actively infest recently processed hardwoods such as domestic oak and pecan or foreign woods such as banak, meranti and obeche.

3. Numerous other beetles may cause damage in the products that the Anobiidae and Lyctidae infest. Identification aids for these beetles are: (1) timber beetles and pin worms - no frass in tunnels, tunnel walls stained darker than surrounding wood, no activity in products older than 5 years, and (2) bark beetles or bostrichids in softwoods - holes few in number in or near bark, larval tunnels beneath bark scoring bark and wood, some of the frass is same color as inner bark.
- (b) Determining the activity of powderpost beetles (Lyctidae) infestations is not required if infested products are less than 10 years old. Otherwise, fresh frass and/or live larva or pupae in wood will be acceptable evidence of activity.
- (c) Determining the activity of old house borer (Hylotrupes bajulus L.) infestations.
  1. The presence of adult beetles and oval exit holes with fresh sawdust-like frass in southern pine, Douglas fir, or spruce wood will be evidence of an active infestation of the old house borer.
  2. The presence of live larvae or pupae in the above softwoods will be evidence of an active old house borer infestation, if the frass is sawdustlike.

NOTE: It should be pointed out that other long-horned borers, flat-headed borers, Siricid woodwasps, and marine borers sometimes damage softwood used in building construction. These other long-horned borers produce loosely packed fibrous tobacco-like frass, the flat-headed borers make tunnels three times wider than high, whereas old house borer tunnels are less than three times wider than high, Siricids make perfectly circular exit holes, and marine borer excavations usually contain whitish calcium deposits but no frass.

### 3. Treatment Procedures

- a. When wood-destroying beetles are present at or below the subfloor level, then control measures should be applied from underneath the structure using an approved pesticide in

accordance with label directions.

- b. If there is evidence to indicate or reasonable cause to suspect that a substantial active infestation of wood-destroying beetles exists above the subfloor level, then fumigation with an approved fumigant is permitted, provided the property owner has been informed of other alternative treatments such as removal and replacement of infested wood members or treatment of the substructure only if it is actively infested. At least 48 hours prior to the scheduled release of the fumigant, the licensee must notify the Division of the location and time of treatment and the type of infestation present.

#### SECTION 17. BONAFIDE EMPLOYEE

Services or work performed under any section of these regulations must be performed only by the licensee or his bonafide employee.

#### SECTION 18. EXAMINATION REQUIREMENTS FOR GENERAL STANDARDS

Persons licensed before July 13, 1976, shall successfully complete an examination covering general standards for certified commercial applicators as set forth in Environmental Protection Agency Code of Federal Regulations, Title 40, Section 171.4 (b).

#### SECTION 19. PEST CONTROL ADVISORY COUNCIL

- (a) Purpose - To advise the Division on matters concerning rules and regulations regarding persons licensed in categories (a) and (c) as set forth in Section 6 of these regulations.
- (b) Members - This advisory council shall consist of five persons, elected as provided for in paragraph (c) below, licensed in categories (a) and (c) under Section 6 of these regulations. Also, one alternate to serve in absence of another member. Members of the council shall serve on seats numbered one through five. Seat one shall be elected to serve three years. All other council seats shall serve two year terms except during the initial election which shall designate seats two and four for one year terms. In the event of the loss of one member beyond the alternate, the seat will be filled for the remainder of the year by the Board of Directors of the Mississippi Pest Control Association. The member holding seat one will serve as council chairman.
- (c) Election of Members - Members shall be elected to represent the following areas, one from each of the three Supreme Court Districts in the State and two from the State at large. Elections will be conducted by the Mississippi Pest Control Association at an appropriate assembly open to all license holders. Persons holding a valid license in categories (a) and (c) under Section 6 of these regulations shall have one vote. Nominations shall be made by the nominating committee named by the Board of Directors of the Mississippi Pest Control Association. Nomination notices shall be sent to all license holders requesting any additional nominations who are qualified and willing to serve. Election results shall be based on popular votes.
- (d) Meetings - Will be held quarterly and special meetings as needed.

- (e) Conduct - Members may not disclose any names of individuals, companies or situations that might expose those involved in discussions in meetings or information supplied by the Division. All members are required to meet at least three of the four meetings each year. Any absence beyond one shall automatically remove the member from the council. No member may succeed himself in consecutive terms but may be re-elected after a one year absence.

SECTION 20. EFFECTIVE DATE

These regulations adopted March 29, 1977, shall become effective October 21, 1977. Also, on October 21, 1977, these regulations shall replace regulations pertaining to pest control operators contained in Rule 1 "Regulations Governing Pest Control Operators, Tree Surgeons and Landscape Designers" last amended January 18, 1974.

# MISSOURI REPORT

to

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
Tampa, Florida - October 5, 6 and 7, 1981

JOHN R. HAGAN

BUREAU OF PESTICIDE CONTROL

Missouri will complete its fifth year of regulating the sale and use of pesticides on October 21, 1981.

The Bureau of Pesticide Control is responsible for the maintenance of the Missouri Pesticide Use Act and the Missouri Economic Poisons Act. There are approximately 3,000 commercial and 52,000 private applicators certified and licensed to use pesticides in the state. Currently, we have about 1,200 dealers licensed to sell restricted use pesticides.

The regulations authorized by the Pesticide Use Act provide for applicators to be licensed and certified in fifteen categories and subcategories. The number of applicators by category is approximately the same as reported in 1980.

The main concentration of effort by the bureau during 1982 will be the recertification of 36,000 private applicators. The University of Missouri Extension is cooperating in this effort and we will begin the program in January and, hopefully, it will be completed in October.

Enforcement actions involving applicators was increased during the past fiscal year. There have been eight court actions for misuse or applying pesticides without proper license. In several cases where fraud was indicated, the courts were responsible for the injured party recovering monies involved.

Several cases were handled with no formal court action and involved an agreement between the prosecuting attorney and the applicator, and arrangements were made whereby the consumer received reimbursement.

It is anticipated that during 1981-82 the Director will hold hearings to allow for presentation of findings involving violations to support suspension or modification of a license. A suggestion has also been presented to allow for informal conferences between the bureau supervisor and applicators. It is believed that these two forms of enforcement actions will provide better response to the law.

During 1980-81, there were approximately 2,000 inspections involving use, license and record checks. There were 127 incidents reported during the year. Where minor violations occurred, warning letters were issued to the applicator involved. Cases where major infractions appeared to have occurred, we referred them to the prosecuting attorney for their action.

There has not been an increase in the number of reciprocal agreements since 1980. The number of persons applying for licenses in this form is relatively low; no more than 25 annually.

As with most governmental agencies, our bureau has been faced with several cutbacks during the past year. Two inspectors resigned and the vacancies were not filled. Since the first of the year, another inspector was lost due to budgetary reasons. This reduction in manpower has hampered the overall progress of the bureau; however, the field and office personnel have taken up most of the work created by the loss of positions.

NEVADA REPORT  
ASPCRO  
October 5-7, 1981  
Tampa, Florida

CERTIFICATION: December 31, 1981 marks the end of the initial program which started in 1975. Those applicators who were trained from 1975 through 1978, and were initially certified in 1978, will have their certification expire at the end of 1981. In order to be recertified for 1982 through 1985 those applicators must again pass written examinations. We currently have 700 Commercial Applicators and 375 Private Applicators eligible for recertification.

To assist the applicators in being recertified, the Nevada Department of Agriculture and the Cooperative Extension Service, College of Agriculture, University of Nevada-Reno, have scheduled five training sessions throughout the State. The sessions will last two days with examinations being administered the last two hours of the second day. A program of the sessions is attached.

Sites for each session were based on the number of applicators to be recertified in a geographical area. We anticipate that attendance will range from 150 people to 250 people at each session. We are requiring applicators to attend a designated session rather than allow them a choice. We did this in an attempt to maintain a workable level of applicators. In addition we are restricting the sessions to those applicators needing recertification or initial certification. Those applicators certified in 1979, 1980, or 1981 will not be notified of the sessions and are being requested not to attend.

We are not requiring the applicators to retake a general examination but they must retake the category examinations. However, information presented in the general lectures will be found in the questions on the category examinations. We anticipate that this will require attendance at the general lectures. Passing score for each examination will again be 60%.

Applicators will not be required to attend the training session; to assist those who choose not to attend or cannot attend we have study manuals available. We utilized three manuals in preparing our examinations: The EPA core manual, the EPA category manual, and the MS65. (The MS65 is a synopsis of the lectures presented in the training session). We have tried to insure that the answer to every question is found in at least one of the manuals. Examinations may be taken at any one of the four Departmental offices in the State.

PEST CONTROL OPERATORS: The 1981 Nevada Legislature passed legislation revising the State Board of Agriculture to permit a member representative of the pest control industry to serve on said board. In August 1981 the Governor appointed a Southern Nevada pest control operator to the board. This is the first time in the history of the pest control industry that they have representation in the agency governing the industry.

The pest control industry also sought and received two conditions from the Department of Agriculture. The first condition was a revision of the monthly report form. In the past each firm had to report the number of jobs performed in each category on a monthly basis. The industry claimed that this type of reporting permitted knowledge of their earnings and, as these reports are public records, anyone could determine their earnings. As a result, this report requirement has been dropped and a new report form is being drafted.

The pest control industry's second condition cited the lack of training manuals available for the Department examinations. The Department therefore decided to develop manuals and revise the examinations. To date two manuals have been printed and distributed, two more are in the process of being printed and one has yet to be drafted.

Since the release of the combined VA-HUD Wood Destroying Insect Information report, the Department has been attempting to obtain approval for use of our State report. Our initial request was rejected by the VA Regional Office for reasons we consider weak. We again requested approval of our State report, with proposed revisions to our report included, but to date have not received a reply. We are not certain that we need the Regional VA approval as reports out of Southern Nevada indicate the State form is being accepted by both VA and HUD.

Currently licensed pest control firms have indicated a desire to open a branch office in other areas of the State. This is the first time we have had this interest and are attempting to draft guidelines and regulations for a branch office. Our major requirement is to have an experienced person supervising the daily operations of the branch office. We are requiring this due to large distances between towns in our State. So far the industry has accepted this requirement. The other requirements are minor and again the industry has accepted them.

GRANT: We will be starting our sixth year of enforcement grants as of October 1, 1981. This grant allows us to conduct inspections and take enforcement actions in areas where we do not have State authority, such as producer establishments.

EPA has granted Nevada primacy for use investigations but we lack State authority in certain situations. We cannot take state enforcement action against applicators applying general-use pesticides, unless they are applying them for hire. We have asked EPA for an opinion on this matter but to date have not received a response.

LEB:sam



STATE OF NEW MEXICO  
1981 MEETING OF ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
TAMPA, FLORIDA

Statistical Information:

No. of pest control operators licensed: 191

No. of servicemen licensed: 271

No. of examinations given FY-81: 372

Fees:     \$ 50 for a commercial applicator license.

          \$ 25 for a serviceman license.

          \$ 5 each for examination session.

Insurance:     Bodily injury--\$10,000 each occurrence--\$25,000 aggregate.

                  Property damage--\$25,000 each occurrence.

                  Single limit bodily injury and property damage--\$50,000

                  Maximum amount of deductible--\$1,000.

Reciprocity:   New Mexico does not reciprocate for certification purposes in categories 3 or 7.

Staff:     In addition to a Division Chief, Assistant Division Chief and three secretaries, the New Mexico Department of Agriculture has four field inspectors and one Enforcement Specialist who are primarily responsible for enforcing the pesticide control law in New Mexico. These persons also inspect agricultural applicators and pesticide dealers as well as pest control operators. The department performs most of its misuse investigations under an EPA Enforcement Grant.

Restricted Use Permits:

Last year I reported that New Mexico had restricted most of the more common pest control chemicals. The restricted chemicals are:

Avitrol  
Baytex  
Baygon  
Chlordane  
Diazinon  
Lorsban, Dursban  
Di-Syston  
DDVP, Vapona

Ficam  
2,4-D  
2,4-DB  
2,4,5-T  
- Silvex

These chemicals are only restricted if their labels carry wording to the effect that they are "For Use by Pest Control Operators Only" or similar wording. Our intent was to decrease the poisoning incidents caused by untrained apartment house managers and janitors who frequently used these concentrated chemicals. While we have kept these formulations out of the hands of many homeowners, we have not seen a large rise in the number of apartment house managers and other large independent users to become certified as noncommercial applicators. These persons have apparently switched to products labeled for home use rather than become certified to use restricted use pesticides. Although we have not seen the increase in noncommercial applicators which we anticipated, we have had fewer complaints from tenants of apartment buildings and believe the restricted use list has been beneficial in controlling the use of these chemicals.

#### Hazardous Waste:

In 1981, the New Mexico Legislature gave the New Mexico Department of Agriculture authority to regulate hazardous waste according to an EPA approved State Plan. This authority covers only hazardous waste generated by persons licensed by the department under the New Mexico Pesticide Control Act. The department is seeking funding to staff a fulltime position to oversee and implement a pesticide hazardous waste program in the state.

#### Enforcement:

The department has added one new approach to its enforcement program this past year and is looking at a second idea for 1982. First, we have levied against a limited number of firms something we call a Creative Penalty Assessment (CPA) for want of a better bureaucratic term. A CPA requires a pest control firm to have all of its licensed people attend individual remedial training conducted by a pesticide inspector. Most of the violations for which we have used CPA's have been for improper mixing and application. During the training, we first make each serviceman perform the mixing and application the way he normally does. The inspector then critiques his methods, demonstrates the procedures and points out why the practice is both bad and illegal. While this takes considerable time on our part, to date we have had no repeat violations by the persons who have had to go to these classes.

The second enforcement tool we are currently looking at is a new inspection form which lists the areas for inspection and assigns a point value for each item of inspection. When violations exceed a certain number of points, a warning letter or other enforcement action is

automatically triggered. Certain violations, indicated by being shaded on the form, in and of themselves automatically trigger an enforcement action. We hope this will serve to let industry know exactly what we inspect for, its importance to us and insure more equitable treatment for all pest control operators

7703

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7703

STATE OF NEW YORK  
REPORT 1981

Bureau of Pesticides Program  
Raymond J. Malkiewicz  
October 30, 1981

In New York, we are continuing with four major programs as a bureau in the Department of Environmental Conservation, Albany, New York. These are:

- a. Product registration - registration of products offered for sale in the state
- b. Classification of products for registration - restricted or nonrestricted
- c. Applicator certification - training and examination process
- d. Issuance of permits for the use of chemicals in water to control aquatic weeds, insects, and fish restocking

Staffing:

Presently staffing numbers 44, a decrease from 56 because of federal grant reductions. These are broken down as follows: 28 inspectors in the field, 12 central office personnel, and 4 supporting programmers.

Program Details:

a. Registration of Products

8,500 product registrations are issued per year, along with fifty 24c's, twenty Section 18's, and 20 EUP's, which are reviewed for classification and to comply with the State Environmental Quality Review Act (SEQRA) to reveal possible deficiencies in this action. An Environmental Impact Statement (EIS) for the registration process has been developed outlining the registration and classification of pesticide products and will be available soon.

b. Classification of products

If a product is not already EPA restricted, its active ingredient is reviewed for toxicity and hazards to the user and the environment. If it falls within certain criteria, it is restricted. There are 65 technical ingredients on the restricted list and 10 on the prohibited use list. The present procedure will undergo change through the State Environmental Quality Review Act (SEQRA).

Classification regulations require sellers of restricted pesticides to be registered and issued a permit; 2,000 such permits are issued annually. The criteria laid out in the EIS on registration regulations for the classification process will also be changed. In addition, it is proposed to add products with "for professional use" to the restricted list. Products such as diazinon, 4HE, because of landlord superintendent abuse, and any label with an aquatic use will also be restricted.

c. Certification of pesticide applicators.

There are 11 categories with 27 subcategories. Statistically:

1. 3,000-6,000 applicators/year take the examinations
2. There are 32,000 applicators in the system, 50/50 between private and commercial classification.
3. 1,000-10,000 cooling tower operators are expected to enter into the system in 1981-82.
4. There has been a certification eligibility change; it is now required to have three years of experience to sit for the examination. The businesses must register also.
5. We presently register 2,000 businesses per year
6. Recertification requirements are met by course attendance, workbook, or a combination of both. Credits are assigned to individual categories and are accumulative over the recertification period. The applicator has five years to earn credits. There are presently 600 courses on file. Recertification by examination will be available to all.

d. Chemicals in Water

350 permits are issued annually. In 1982, these will be issued by the nine regional offices instead of by the central office. Present policy is to not issue permits for use of chemicals in water or on department land for control of biting flies. Permits are required to apply chemicals to water for control of aquatic vegetation, elimination of undesirable fish, and control of biting insects.



### Enforcement:

All inspectors are required to do all types of inspections; there are no specializations. Of the 4,000 inspections done per year, 600 are found to be in violation. Few use observations have been scheduled because of the large number of misuse complaints. An attempt is made to screen out some of these misuse calls by requiring the complainee to sign a voluntary statement or affidavit prior to an inspector's visit.

Violations are handled by civil action. Although we have the authority to prosecute criminally, we prefer EPA to handle this type.

Statutes limit fines to \$50-\$400 per violation per item per day, double for second offence. Regulation penalties are about the same. Regulations limit fines to \$50-\$200 per section per item per day.

The steps to resolve the violation by civil action use are listed as follows.

1. Compliance orders - voluntary payment of fine can be mailed in
2. Informal hearing - usually chaired by a regional attorney
3. Formal hearing - in hands of state attorney general

Department can suspend and revoke any license or permit if there is justification.

### Problems:

The main issue is modifying registration rules and regulations for state compliance with SEQR. Without this registration, the program will be halted. The second problem is funding, other sources of income must be found due to federal grant reductions. These reductions will affect special separate studies being carried out: (a) possible DDT use in Finger Lake area, (b) impact of diazinon turf use on waterfowl, (c) impact of pesticides on bees, and (d) chlordane contamination in aquifer on Long Island. It will be necessary to restructure priorities or eliminate some programs in order to continue at the present level of enforcement and certification.

All programs have been computerized for the last five years. However, the system is still not yet completed and it is difficult to retrieve data. Turning to micro-computers to have direct control over software design and time allocation on computer is being contemplated.

Applicator certification eligibility requirements have been changed to comply with registration. This may affect numbers coming in.

Unavailability of recertification training in certain areas of the state is another issue that has to be tackled. A survey will be taken.

Handling of hazardous waste - maintain four disposal storage sites for small quantities of unwanted pesticides. Expensive, have to comply with RCRA and TSCA.

Issues to be looked at for future:

There are a large number of complaints every year on involuntary exposure to drift. Some involve ROW application. There are demands of eliminating or restricting pesticide applications. Prior notification and barriers are mentioned prior to pesticide use and application. Because of SEQR problems, transfer of bureau back to Department of Agriculture and Markets loomed as a possibility in the last legislative session. Seems to have been resolved and centered around the registration process.

Proposed Regulation and Statute Changes to Meet Problems:

To meet problems, some regulation changes are being contemplated. Among these are:

1. Changing renewal period for recertification for commercial applicators and registered businesses to insure timely renewing of credentials.
2. Adding dealers (handlers and sellers of restricted pesticides), termite inspectors, and consultants to certification process.
3. Charging fees for certification and recertification exams to support program.
4. Registering operators (nozzle-men) in Category 7 (Structural, Industrial, and Institutional) subcategories to insure training of such operators.
5. Changing direct supervision definition. Category 7 and other categories will have to be either certified or registered; other categories and name and address of certified applicator must be in possession of uncertified applicators in writing.
6. Accepting certification from other states - eliminates the exam but fees and recertification requirements must be met.
7. Registering public agencies applying pesticides on own or leased property.

8. Abbreviating labeling of service containers to help identify chemicals being used during investigations.
9. Stopping use of certification to permit registration as a business. Many applicators become certified to register as a pesticide business for hire, using this certification to qualify their experience and expertise which in reality is minimal. This is not the intent of certification.

Also, some statute changes are contemplated; the basis of which will be:

1. Require registration of anyone manufacturing, relabeling, or mail ordering into state.
2. Seek authority to issue stop work orders.
3. Seek classification of authority to issue 24c's, 18's, EUP's.
4. Clarify 2EE useage in state, defining recognized authority and process.
5. Change product registration period; increase fees
6. Institute fee for commercial permit holders (sellers of restricted pesticides)

1981 REPORT  
STRUCTURAL PEST CONTROL DIVISION  
NORTH CAROLINA DEPARTMENT OF AGRICULTURE  
FOR  
PRESENTATION AT THE ANNUAL MEETING OF THE  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS, OCTOBER 5-7, 1981,  
TAMPA, FLORIDA

I. The General Assembly made three minor changes in the North Carolina Structural Pest Control Act during the 1981 session. These changes are:

a. An amendment to clarify the jurisdiction of the superior and district courts for violations of the act which is as follows:

"The Commissioner may apply to either the superior or district court for an injunction to prevent and restrain violations of this article and rules and regulations adopted under this article, provided however, that the district court shall have original jurisdiction to hear and determine alleged misdemeanor violations of the article and the rules and regulations of the committee."

b. Amendments establishing statutory authority for the department to impose fees.

(1) Fee for the reissuance of a certified applicator's identification card which is as follows:

"Any certified applicator whose employment is terminated with a licensee or agent prior to the end of said license year may at anytime prior to the end of said license year be reissued a certified applicator's identification card for the remainder of the license year as an employee of another licensee or agency or as an individual for a fee of five dollars (\$5.00).

(2) Reinspection fees which is as follows:

"Fees for reinspection following a finding of a discrepancy, as defined by the committee."

## II. Recertification

License and applicator certification must be renewed every 5 years. The first 5-year period ended June 30, 1981. Prior to July 1, 1981 an individual could be recertified for another 5-year period by earning 5 Continuing Certification Units (CCUs) of formal training, approved by the Committee, anytime during the 5-year period immediately preceding the expiration date of the individual's certification or by taking and passing a re-examination without formal training.

Effective July 1, 1981, an individual may be recertified for another 5-year period by taking and passing a re-examination without formal training or earning CCUs in phases of structural pest control as follows:

5 CCUs - one phase

7 CCUs - two phases

9 CCUs - three phases

As of July 1, 1981, approximately 40 or 9% of licensees and 30 or 5% of certified applicators had not earned the CCUs required for recertification or taken and passed the examination for recertification.

The Committee has approved the following training programs for recertification:

- a. N. C. State University - Annual Pest Control Technicians' Schools,  
Raleigh, NC                      HPC Workshops and WDO Workshops
- b. Clemson University - Annual PCO Schools  
Clemson, SC
- c. Industrial Fumigant Co. - Annual Seminars  
Food Industry Sanitation Auditors  
Olathe, KS
- d. Stephenson Services - WDO Schools, Basic PCT Schools and Advanced PCT  
College Park, GA              Schools
- e. Pest Control Services - WDO Workshops, Intermediate PCT Workshops and  
Lansdowne, PA                      Advanced PCT Workshops

f. American Institute of Baking - Recertification Courses  
Sanitation Department  
Manhattan, KS

In house training programs of pest control companies are not acceptable for recertification unless participation in programs is open to public.

### III. Enforcement:

The Structural Pest Control Division is the enforcement agency for the law and rules and regulations of the committee. This division administers all tests; issues licenses and certified applicator's identification cards; registers employees of licensees and applicators; and initiates legal action against unlicensed PCOs. The division has a staff of 17 people consisting of:

The Director	10 Inspectors
3 Clerical Members	1 EPA Liaison Officer
2 Field Supervisors	

### IV. Activities During 80-81 FY:

- a. Licensed Operators: 453 Operators representing 302 Companies
- b. Certified Applicators: 710 applicators (317 with pest control industry  
393 not with pest control industry)
- c. Operator Identification Card Holders: 1,369
- d. Inspections:
  - (1) WDO Jobs Inspected: 2,336 (25% Substandard)
    - (a) WDO Jobs from which soil samples were tested: 2,209  
(9% deficient in toxic chemical)
  - (2) HPC Inspections: 442
  - (3) F Inspections: 42
  - (4) Pesticide, Equipment and Record Inspections: 1,035 (8% Substandard)
- e. Reinspection Fees:

No. of PCOs charged Fees: 169

No. of Fees charged: 494

f. Hearings before Committee:

Informal: 6

Formal: 12 (1 license revoked and 3 operator's ID cards  
suspended)

g. Court Cases:

No. people convicted of violating law: 11  
(2 active sentences)

Submitted By: Rudolph E. Howell  
Rudolph E. Howell

1981 REPORT  
STRUCTURAL PEST CONTROL DIVISION  
NORTH CAROLINA DEPARTMENT OF AGRICULTURE  
FOR  
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Submitted By: Rudolph E. Howell

Rudolph E. Howell

THE STRUCTURAL PEST CONTROL PROGRAM

Ministry of Environment  
Province of Ontario

The Structural Pest Control Program under the Pesticides Control Section of Environment Ontario Administers licensing and termite programs to control the use of pesticides in the province.

The licensing program involves the issuance of operator and exterminator licenses. In 1980, 125 operator (business) licences were issued to perform structural pest control in Ontario. A total of 950 structural exterminator's licences were issued. Several of the exterminator licences were endorsed licences including the following categories: indoor plant maintenance, greenhouses, spider control outdoors, vertebrate pest control (mice, rats, bats, birds), and fumigations (space and spot under tarp and in vaults, rail cars and grain bins).

Before a licence is issued, the licensee must undergo an oral or written examination. Approximately 650 structural examinations were given during 1980. Responsibilities under the licensing program also include conducting training seminars and symposiums. The structural pest control specialist and entomologist conducted about 40 training sessions during 1980. This includes a 2-day structural pest control symposium organized annually involving 325 registrants.

The structural specialists are responsible for the identification and recommended control procedures for a large number of structural pests in residential, commercial and industrial environments.

Through the structural pest control program, several permits are issued yearly. An inspection of the premises must be carried out before the permit can be issued. The following permits were issued during 1980:

Methyl Bromide 18, Aluminum Phosphide 6, DDT-116, Chloropicrin 3, Carboxide 1, Avitrol 1 (total 142).

The Termite Control Program has been in operation since 1975. It began on a budget of \$125,000.00 to cover 60% of the cost of chemical treatment. At a later date the cost of removing wood/soil contact was also covered at 60% of a lowest bid submitted. Sixteen municipalities are now under an agreement with the Crown to finance termite control. Eight individual agreements have also been signed (eg. Salvation Army, Elizabeth Fry Society). At present, eight further agreements are under negotiation.

The budget for the termite program was as follows:

1980-81	\$250,000.00
1981-82	\$325,000.00

A termite survey is carried out annually throughout the province. A budget of \$30,000.00 was allotted to the hiring of summer students and related expenses.

This year's termite survey covered all areas infested in the municipalities under agreement plus a determination of the extent of infestation in new areas. An extensive program was begun last year in Leamington to attempt block treatment of the infested area. All wood/soil contact was removed in these areas and all houses treated to provide preventative treatment. The result of this program will not be evident until the next few years.

Page Two

Association of Structural Pest Control Regulatory Officials

Charles G. Rock

Several Law amendments occurred over the past year, most of which were "House-keeping" in nature. Perhaps of greatest interest was an amendment that enables the Commissioner to suspend, revoke, or modify an individual's license for misuse of any pesticide regardless of its classification. Prior to this, a license could only be suspended or revoked for misuse of a Restricted-Use Pesticide.

Service Container regulations and anti-siphoning device requirements were also initiated in 1981.

CGR/smc  
10/1/81

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

Tampa, Florida

Oct. 5-7, 1981

Charles G. Rock

Virginia Dept. of Agriculture & Consumer Services

The Virginia Pesticide Enforcement Program encompasses many varied activities including product registration; producer, market place, and use surveillance; import and experimental pesticide monitorings; and applicator licensing and certification. The main thrust of the program is to minimize the potential adverse effects to humans, animals, and the environment from the distribution and use of pesticides through an overall program aimed at voluntary compliance.

For the calendar year of 1981, some 7,000 pesticide products were registered for sale and use in Virginia, while some 23,000 Private Applicators and 5,000 Commercial Applicators were certified and licensed under the VDACS State Plan for Certification of Pesticide Applicators.

The structural pest control certification category in Virginia includes four subcategories; General Pest Control, Wood Destroying Organism Pest Control, Food Processing Pest Control, and Fumigation. Written examinations are required of the individuals desiring certification and licensing in one or all four of the noted subcategories. A fee of \$25.00 for the initial licensing and certification is assessed, however the fee drops to \$15.00 at annual license renewal. In addition to the demonstration of competence, applicators must also furnish evidence of financial responsibility consisting of a bond or insurance policy conditioned on damage resulting in the use of an EPA classified Restricted-Use Pesticide. The limits of liability are \$50,000 Bodily Injury per person, \$100,000 per occurrence and \$100,000 per occurrence Property Damage.

Virginia is in her fourth State/EPA Cooperative Pesticide Enforcement Agreement and is scheduled to receive approximately \$80,000 for the fiscal year 1982. Virginia has also accepted State Primacy under FIFRA, Section 26.

Various priorities have been established in the overall pesticide program management plan. The priorities were established, based upon statistical evaluation of 109 incidents involving harm or potential harm to man, other animals, or the environment. As a result of the evaluation, 45% of the work hours available to the Pesticide Section are spent in use/misuse related areas. The largest portion of this is directed at three types of user groups; Aerial Application for Agricultural and Non-Agricultural purposes, Ground Applications for Agricultural purposes, and Applications by Pest Control Operators.

Of the 109 confirmed cases of misuse, Chlordane/Heptachlor containing products accounted for almost 30% of the total incidents. Therefore, in response to this, the line has been drawn regarding the continued abuse of this type of pesticide. Pest Control Operators are, of course, the major user of these products. Since the original Chlordane/Heptachlor suspension decision by EPA, the VDACS has generally issued Warning Notices for violations involving these products. However, because of the limit available or virtual non-existence of "old label Chlordane", cases involving significant Chlordane/Heptachlor products are being prosecuted to the fullest extent of the Law. Two such cases are pending litigation at this very moment, with another three slated for "show cause" hearings, which may lead to additional prosecutions.



The following chart is a list of items of interest and, of course, accomplishments for the past three years.

Items of Interest	1981	1980	1979
Exams Given	2,024	1,996	1,805
Individuals Examined	1,195	1,098	968
Business Licenses Issued	2,414	2,360	2,181
Certified Applicators Licenses Issued	3,713	3,675	3,332
Employee ID Cards Issued	5,162	4,973	4,875
Cases Filed In Court	87	39	30
Board Meetings Held	9	8	6
Licenses Revoked	22	23	16
Licenses Suspended	10	5	2

We still have seven investigators in the field and still receive a \$30,000 grant from EPA but I had just as soon we drop this and hope that we can in the next year or so. We have a rider in our budget that authorizes appropriation money to us in the amount of the grant in case we do not get the grant.

Charlie Chapman  
Executive Director  
Structural Pest Control Board  
5555 North Lamar, Bldg H, Suite 123  
Austin, Texas 78751  
Phone: 512-454-3617

Another important change is that the pest control operator is required to put the name, address and phone number of the board and a statement that the board regulates the operator on any contract or warranty. This has not generated as many complaints from the public as we had feared it would.

The expiration date of the license has been changed from March 1 of each year to December 31 of each year.

The exam fees have been raised from \$10.00 for each category to \$25.00.

The criminal penalty of our law has been changed slightly in that it goes from a Class C misdemeanor to a Class B misdemeanor on a second offense.

The regulations were rewritten as a result of the change of the law but no important changes were made except one that I feel helped us a lot. We have always required a business license and certified applicators license for each company and each branch office of a company but one individual could serve as certified applicator for those companies provided they were in the same city. We now require a separate individual to be certified for each company and for each branch office. This is going to help a lot.

We have worked on a wood infestation report and had one just about ready to be adopted by the board when the National Pest Control's wood infestation report was accepted by OMB. The board decided to go along with this for a year or two to see if it is improved any. Our form was similar but we did require a graph along with our report. It is a possibility that we may still go with this change in a year or so.

- REPORT -

TEXAS - OCTOBER, 1981

I did not get to attend the meeting of this group last year and I believe that I told you that we were being reviewed or had been reviewed by the Sunset Commission in 1979. In case I did not tell you or have all the details, I will give you a review. We came out in good shape and will remain as a separate state entity and will be reviewed again in 1991. There were a few changes in our law but they were changes that we could live with without any problems.

We received a few amendments and one was that there were two public members added to our seven member board. Terms of the board members are now staggered. The board members cannot serve as officers of the pest control association at the same time as they are serving on the board.

We are now required to grade all exams and get the results out within thirty days after the exam. This is not a problem because we have always graded the papers and sent out the results within a week after the exam.

We do have reciprocity between states as far as licenses go but the board has chose not to go this route and we still require anyone doing business in Texas to take the Texas examination.

If we receive a complaint, we must keep the complainant informed of the progress of the case with a letter at least every three months or until it goes to court or is dismissed. When we receive a complaint form from a consumer, we are required to make a decision as to whether the pest control operator will be brought before the board or a case dismissed within thirty days after we receive the complaint. This does present a problem and our Attorney General's office thinks that this is not jurisdictional and that we do not have to abide by this.

The State of Tennessee requires a written contract for any wood destroying organisms treatment. We also require a monthly report on jobs done, plus a \$3.00 fee for each contract written. During 1980-81 period we had 50,668 wood destroying organisms contracts written amounting to \$152,004.00

There was one Act passed in our Legislature this year concerning pest control. It states that technical service work shall be performed by employees who meet such qualifications as the State Pest Control Board may establish by regulation. There was two Acts amended. The first is, we now charge \$25.00 to take the initial examination for a licenses, where as before there was no charge. The second amendment is no one shall apply pesticides within a building used for temporary or permanent lodging without a pest control licenses. This Act now includes all State buildings of this type. The Pest Control Board has appointed a pilot committee to review all our pest control laws and to recommend changes they think would improve the enforcement of them.

ANNUAL REPORT  
1980 - 81  
STATE OF TENNESSEE  
DIVISION OF PLANT INDUSTRIES  
PEST CONTROL SECTION

The Pest Control Industry in Tennessee is constantly improving and advancing, the same as in your state. How fast they advance is governed somewhat by our regulations and restrictions. As the industry improves we must also improve our regulating and inspection techniques. We must not only protect the consumer but protect and be of service to the pest control operators. To help us be of more service Tennessee now has an excellently equipped Diagnostic Laboratory for our use, as well as, the Pest Control Industry. We now have open to the public an Education and Training Center on all matters pertaining to pest control work.

During this past year our Pest Control Industry had 25 businesses dropping their charters, with 15 new business charters being issued. This making a total of 447 chartered pest control companies in the State. There has been 671 pest control licenses issued. 70 aircraft were chartered with 73 pilots receiving licenses. The revenue amounting from these being \$58,855.00.

The Pest Control Section has 3 investigators, 5 inspectors and 1 supervisor. During this past year we made 3,660 routine inspections, with 492 being sub-standard and having to be re-treated. We investigated 888 complaints, issued 15 warrants with 11 convictions and 4 pending. There was 7 Administrative hearings for chartered companies.

## CONDITIONS GOVERNING THIS REPORT

This report is based on observations and opinions of our inspector. It must be noted that all buildings have some structural wood members which are not visible or accessible for inspection. It is not always possible to determine the presence of infestations without extensive probing and in some cases actual dismantling of parts of the structure being inspected.

All inspections and reports will be made on the basis of what is visible, and we will not render opinions covering areas that are enclosed or not readily accessible, areas of finished rooms, areas concealed by wall coverings, floor coverings, furniture, equipment, stored articles, or any portion of the structure in which inspection would necessitate tearing out or marring finished work. We do not move furniture, appliances, equipment, etc. Plumbing leaks may not be apparent at the time of inspection. If evidence of such leaks is disclosed, liability for the correction of such leaks is specifically denied.

The areas of the substructure and attic that are accessible and open for inspection will be inspected.

The substructure is defined as that portion of the building below the floor level of the first main floor.

Detached garages, sheds, lean-tos, fences, or other buildings on the property will not be included in this inspection report unless specifically noted.

If there is evidence of active infestation or past infestation of termites and/or other wood-destroying insects or fungi, it must be assumed that there is some damage to the building caused by this infestation.

The company, upon specific request and agreement as to additional charge, will open any inaccessible, concealed, or enclosed area and inspect same and make a report thereon.

Any visible damage to a wood member in accessible areas has been reported. The above-named firm's inspectors are not engineers or builders, and you may wish to call a qualified engineer or expert in the building trade to ascertain their opinion as to whether there is structural damage to this property.

## REMARKS

**THIS SPACE CAN BE USED TO CLARIFY ANY STATEMENT MADE. INCLUDE ITEM NO. WITH EACH EXPLANATION.**

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

# OFFICIAL SOUTH CAROLINA WOOD INFESTATION REPORT

Date \_\_\_\_\_

File No. \_\_\_\_\_

This is to report that a qualified inspector employed by the below named firm has carefully inspected readily accessible areas, including attics and crawl spaces which permit entry, of the property located at the below address for termites, other wood-destroying insects, and fungi. This report specifically excludes hidden areas and areas not readily accessible, and the undersigned pest control operator disclaims that he has made any inspection of such hidden areas or of such areas not readily accessible.

This inspection described herein has been made on the basis of visible evidence, and special attention was given to those accessible areas which

experience has shown to be particularly susceptible to attack by wood-destroying insects. Probing and/or sounding of those areas and other visible accessible wood members showing evidence of the infestation was performed, and this report is submitted without warranty, guarantee, or representation as to concealed evidence of infestation or damage or as to future infestation.

The inspection for fungi is limited to that portion of the building below the floor level of the first main floor.

LOCATION AND DESCRIPTION OF PROPERTY INSPECTED: \_\_\_\_\_

TYPE OF TRANSACTION: FHA \_\_\_\_\_ VA \_\_\_\_\_ CONVENTIONAL \_\_\_\_\_ LOAN ASSUMPTION \_\_\_\_\_ CASH SALE \_\_\_\_\_

Check Only  
Appropriate Items  
YES NO

WERE ANY AREAS OF THE PROPERTY OBSTRUCTED OR INACCESSIBLE? ..... ☐ YES ☐ NO  
IF "YES," DESCRIBE ON REVERSE.

## INFESTATION:

- |   |                          |                          |
|---|--------------------------|--------------------------|
| 1. There is visible evidence of: (A) Termites .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| (B) Other wood-destroying insects .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. There is visible evidence of a previous infestation of: (A) Termites .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| (B) Other wood-destroying insects .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. There is visible evidence of prior treatment .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. There is evidence of the presence of wood-destroying fungi below the floor level of the first main floor .....         | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. There is evidence of the presence of excessive moisture conditions below the floor level of the first main floor ..... | <input type="checkbox"/> | <input type="checkbox"/> |

## DAMAGE (Termite, other wood-destroying insects and fungi):

At the time of our inspection, there were visible damaged structural members (columns, sills, joists, plates, headers, exterior stairs, porch supports). If the answer is "YES," specify cause(s) \_\_\_\_\_

☐ YES ☐ NO

## DAMAGE OBSERVED (IF ANY)

- |   |                          |                          |
|---|--------------------------|--------------------------|
| A. Will be or has been corrected by this company .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Will be corrected by another company, see attached contract .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| C. Will not be corrected by this company, recommend that damage be evaluated by qualified building expert and that needed repairs be made ..... | <input type="checkbox"/> | <input type="checkbox"/> |
| D. In our opinion there is insufficient visible damage to recommend repair. Explain on the reverse side why repair was not recommended .....    | <input type="checkbox"/> | <input type="checkbox"/> |

## TREATMENT-CHECK 1 OR 2 BELOW:

- |  |                          |
|--|--------------------------|
| 1. The property described was treated by us for the prevention or control of _____                     | <input type="checkbox"/> |
| A waiver has been issued and is attached to this form .....  | <input type="checkbox"/> |
| The present warranty, subject to all original terms and conditions, will expire on _____               |                          |
| and may be renewed at \$ _____ annually by the new owner.  |                          |
| 2. The property described has not been treated by us and is not now under contract with our firm ..... | <input type="checkbox"/> |

delete

Neither I nor the company for which I am acting have had, presently have, or contemplate having any interest in this property. I do further state that neither I nor the company for which I am acting is associated in any way with any party to this transaction.

LICENSE NUMBER OF PERSON SIGNING THIS REPORT \_\_\_\_\_

FIRM: \_\_\_\_\_

(Must be certified in Category 7A)

BY: \_\_\_\_\_

ADDRESS  
OF FIRM: \_\_\_\_\_

(CITY)

(STATE)

## ACKNOWLEDGEMENT:

PURCHASER ACKNOWLEDGES THAT HE HAS RECEIVED A COPY OF THIS REPORT.

DATE ACKNOWLEDGED \_\_\_\_\_

PURCHASER'S SIGNATURE \_\_\_\_\_

SEE OTHER SIDE OF THIS REPORT FOR ADDITIONAL CONDITIONS GOVERNING THIS REPORT.

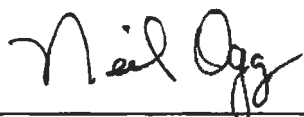
the standards to follow for guidance in determining beetle activity and it would be difficult to assess the total savings to consumers by PCOs who now follow the regulations and treat when activity is positively determined. Over \$23,000 savings occurred to PCOs from our inspections and reports which prevented the PCO from paying for damages, repairs, etc. which were not their responsibility.

Plant Pest Regulatory Service, last year, succeeded in several criminal prosecutions under our Act for unlicensed PCOs who used pesticides inconsistent with label directions, i.e., they did not treat at all or unnecessarily, etc. There are a few families in South Carolina who are "flim-flam" artists and a number of these were arrested due to our investigation, but charged under more serious crimes. These PCOs are not typical and are only mentioned to illustrate that regulatory activities are directed toward these often very hard to regulate individuals.

Plant Pest Regulatory Service is considering an enforcement agreement with the EPA. State budgetary cut backs and a more reasonable orientation on the part of EPA have made the grant more attractive.

Future departmental activities in structural pest control include reduction of noncompliance treatments and recommendations, departmental legal assistance, and an innovative educational approach to structural pest regulatory activities.

SUBMITTED BY:

A handwritten signature in dark ink, appearing to read "Neil Ogg", is written over a horizontal line.

Neil Ogg  
Pesticide Coordinator



related to wood destroying organisms unless they are qualified to determine this damage. It is our opinion that the PCO is to give a statement of the presence, or absence, of readily visible wood destroying organism damage, or activity, at the time of the inspection and a builder/engineer should be called on to determine if the damage needs repairs, or causes structural weakness, etc.

Except for the licensing requirement of the South Carolina Wood Infestation Report the only incentive for PCOs to become licensed is their high standard of professionalism. There are currently 750 licensed PCOs in South Carolina. This represents most of our PCOs.

Our field staff of regulatory specialists has been reduced to 6 individuals due to budget cuts. These individuals also regulate the other pesticide areas. Last year we made 385 Structural Pest Inspections generated from the following sources:

1. Complaints of pesticide misuse
2. Questions from homeowners or compliance inspections to determine adherence to our Standards
3. Determination of necessity of treatment in difficult pest diagnosis such as the Old House Borer, Hylotrupes bajulus
4. Conflict between two PCOs diagnosis of a structural pest
5. Questions of correct completion of the wood infestation report

Approximately 45% of all homes (58) checked for compliance to the standards met our standards in every detail. We hope, with passage of time, this percentage will improve dramatically. Other structural pest inspections saved South Carolina consumers \$61,490 in preventing unnecessary structural treatments. The PCOs now have

SOUTH CAROLINA

REPORT 1981

STRUCTURAL PEST CONTROL ACTIVITIES

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

South Carolina is now in its sixth year regulating structural pest control through the Plant Pest Regulatory Service, Division of Regulatory and Public Service Programs, Clemson University. Last year the Standards for Prevention or Control of Wood Destroying Organisms were passed and implemented in South Carolina. These standards detail termite treatment procedures and describe conditions when beetle infestations may be declared active. They also mandate the use of a State Wood Infestation Report to be signed by a licensed applicator. A copy of the latest revision of this form is attached. South Carolina has obtained approval from HUD and VA to use the state form in lieu of the federal forms.

The standards and one-form reporting have been well received in South Carolina. Almost all PCOs are pleased with the State Wood Infestation Report. A major challenge to PCOs and regulatory personnel in South Carolina has been to inform realtors of the necessity of reporting all wood destroying organisms or damage. The realtors must accept the reporting of damage as a positive service from the PCO and not as information which would prevent a sale, etc. Most homes over 20 years of age in our state will have some evidence of wood destroying organism damage or activity. Fungi and fungi damage to the substructure in the "low country" of South Carolina is a case in point. An effort was implemented last year to inform lending institutions that wood destroying organism damage may be present and yet not necessarily need repair. However, we are calling on PCOs not to address the structural damage

REGISTRANTS  
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS  
21st ANNUAL MEETING IN TAMPA, FLORIDA  
5 - 7 OCTOBER 1981

MEMBERS & ASSOCIATES

Mr. Donald Alexander, Head (501-371-1021)  
Secretary, ASPCRO  
Commercial Pest Control  
Arkansas State Plant Board  
Department of Commerce  
Post Office Box 1069  
Little Rock, Arkansas 72203

Mr. James A. Arceneaux (504-925-3769)  
Vice President, ASPCRO  
Assistant Director  
Structural Pest Control Commission  
Bureau of Entomology and Plant Industry  
Louisiana Department of Agriculture  
Post Office Box 44153, Capitol Station  
Baton Rouge, Louisiana 70804

Mr. Scott E. Askins (813-893-2411)  
Entomologist-Inspector  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
Post Office Box 13549  
St. Petersburg, Florida 33733

Mr. William C. Bargren (813-272-3440)  
Entomologist-Inspector  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
W. T. Edwards Building  
4000 W. Buffalo Avenue, Room 222  
Tampa, Florida 33614

Mr. Lawrence E. Blalock  
Pesticide Specialist  
Division of Plant Industry  
Nevada Department of Agriculture  
Post Office Box 11100  
Reno, Nevada 89510

Mr. James H. Bond (904-354-3961 Ext. 3212)  
Entomologist  
Office of Entomology  
Department of Health and Rehabilitative Services  
Post Office Box 210  
Jacksonville, Florida 32231

MEMBERS & ASSOCIATES cont'd.

Mrs. Jackie Y. Brinkley (904-354-3961 Ext. 3222)  
Secretary  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
Post Office Box 210  
Jacksonville, Florida 32231

Mr. Lucian ("Skip") Capone, III, Esq.  
Associate Attorney General  
North Carolina Department of Justice  
Raleigh, North Carolina

Ms. Susanne Casey  
Deputy Assistant Secretary for Operations  
Department of Health and Rehabilitative Services  
1317 Winewood Boulevard  
Tallahassee, Florida 32301

Mr. Charlie Chapman (512-454-3617)  
Executive Director  
Texas Structural Pest Control Board  
5555 Lamar Boulevard North  
Building H, Suite 123  
Austin, Texas 78751

Mr. Harvey J. Dominick (217-782-4674)  
Entomologist  
Office of Environmental Health & Sanitation  
Illinois Department of Public Health  
535 West Jefferson Street  
Springfield, Illinois 62761

Mr. F. R. Du Chanois (904-354-3961 Ext. 3218)  
Entomologist  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
Post Office Box 210  
Jacksonville, Florida 32231

Mr. Orin Ray Elliott (405-521-3871)  
Supervisor, Pest Management Section  
Plant Industry Division  
Oklahoma Department of Agriculture  
122 State Capitol  
Oklahoma City, Oklahoma 73105

Mr. Warren T. Frazier (904-354-3961 Ext. 3221)  
Entomologist  
Office of Entomology  
Florida Department of Health and Rehabilitative Services  
Post Office Box 210  
Jacksonville, Florida 32231