

PROGRAM PERSONNEL

* * * SPONSORS * * *

ASSOCIATION

OF

STRUCTURAL PEST CONTROL

REGULATORY OFFICIALS

* * *

22ND

ANNUAL MEETING

HILTON AIRPORT INN

31500 WICK ROAD

ROMULUS, MICHIGAN

* * *

1982 ASPCRO OFFICERS

Neil Ogg . . . President
James Arceneaux . . . Vice President
Don Alexander . . . Secretary

* * *

PROGRAM COORDINATORS

Norm Basinet

Carl Dollhopf

Robert Mesecher

ORKIN EXTERMINATING COMPANY, INC.

Hospitality Hour - Reception
On the Evening of October 3rd

* * *

TERMINIX INTERNATIONAL, INC.

Hospitality Hour - Reception
On the Evening of October 4th

Lawrence Blalock, Division of Plant
Industry, Department of Agriculture,
Reno, Nevada

Dr. Ed Bond, Chief Fumigation Section
Research Institute, Agriculture
Canada, London, Ontario

Carl Dollhopf, Regional Supervisor,
Plant Industry Division, Michigan
Department of Agriculture, Detroit,
Michigan

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

Richard Hunter, Professor, Board of
Allied Health, Ferris State College,
Big Rapids, Michigan

Fred Heiner, Chief, Methods Management
Division, Michigan Department of
Agriculture, Lansing, Michigan

Dean Lovitt, Chief, Plant Industry
Division, Michigan Department of
Agriculture, Lansing, Michigan

George Marsh, Chief, Pesticides
Section, Region V, U.S. Environmental
Protection Agency, Chicago, Illinois

Neil Ogg, President, ASPCRO, Clemson,
South Carolina

Adrian Oudbier, Bureau of Epidemiology,
Michigan Department of Public Health,
Lansing, Michigan

Dean Pridgeon, Director, Michigan
Department of Agriculture, Lansing,
Michigan

Larry Ruffledt, President, Michigan
Pest Control Association, Orkin
Exterminating Company, Lansing,
Michigan

Gordon Smith, Assistant Chief, Methods
Management Division, Michigan Depart-
ment of Agriculture, Lansing, Michigan

Dr. Fred Tschirley, Pesticide Coordi-
nator, Cooperative Extension Service,
Michigan State University, East
Lansing, Michigan

Ron Webster, Computer Analyst, Methods
Management Division, Michigan Depart-
ment of Agriculture, Lansing, Michigan

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

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
22ND ANNUAL MEETING
OCTOBER 4, 5, & 6, 1982
HILTON AIRPORT INN
ROMULUS, MICHIGAN

* * *
SUNDAY, OCTOBER 3, 1982
2:00 - 6:00 P.M. - Registration
7:00 - P.M. - Hospitality Hour
* * *

MONDAY, OCTOBER 4

A.M.
7:30 Registration - Lobby - Registration Fee \$25.00
8:20 Call to Order
 . . . President, Neil Ogg
8:30 Welcome and Remarks
 . . . Dean Lovitt
8:40 Preliminary Business Session, Announcements
 . . . President, Neil Ogg
9:00 Michigan Pest Control Association
 . . . Larry Ruffledt
9:45 Uniform Policies Committee Report
 . . . Lawrence Blalock
10:00 Refreshment Break * * *
10:15 Update on Termiticides Resolution
 . . . President, Neil Ogg
10:30 Pesticide Use Surveillance
 . . . Carl Dollhopf
11:00 Pesticide Toxicology
 . . . Dr. Fred Tschirley

P.M.
12:00 Luncheon
1:00 State Reports
 . . . State Officials
2:30 Refreshment Break * * *
2:45 State Reports Continued
 . . . State Officials
5:00 Adjourn
6:00 Hospitality Hour

TUESDAY, OCTOBER 5

A.M.
8:00 Proper Application Techniques for PCO's
 . . . Dick Hunter
9:00 Pesticide Epidemiology
 . . . Adrian Oudbier
9:45 Michigan Agriculture
 . . . Dean Pridgeon, Director
10:00 Refreshment Break * * *
10:15 U.S. EPA - Update, Pesticide Enforcement
 . . . George Marsh
11:00 Computer Monitoring of Restricted Use Pesticide Sales
 . . . Fred Heiner, Gordon Smith, Ron Webster
11:40 Using Video Tape to Aid Investigation and Enforcement
 . . . David Shriver

P.M.
12:00 Lunch
1:30 Greenfield Village
 HAVE A GOOD DAY!

WEDNESDAY, OCTOBER 6

A.M.
8:00 Final Business Session, Regulatory Officials
 . . . President, Neil Ogg
8:30 Regulating Pest Control in Food Handling
 Establishments
 . . . U.S.D.A. Washington Representative
9:30 Refreshment Break * * *
9:45 Current Developments in Fumigation Technology
 . . . Dr. Ed Bond
10:45 NPCA Industry Update
 . . . Jack Grimes
12:00 Adjourn

MINUTES and NOTES of the 22nd ANNUAL MEETING
ASSOCIATION of ASPCRO *

Romulus, Michigan
4-6 October 1982

Sunday, 3 October

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

HOSPITALITY HOUR - 7:00 P.M. -

Courtesy and compliments of Terminix International, Memphis, Tennessee

Monday Morning, 4 October

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

CALL TO ORDER - By President Neil Ogg 8:20 A.M.- PLEDGE OF ALLEGIANCE TO THE FLAG

WELCOME & INTRODUCTION OF EACH ASSOCIATION MEMBER AND GUESTS PRESENT, 8:30 A.M.

Welcome and remarks. Introduction of Dean Lovitt Chief, Plant Industry Division, Michigan, Department of Agriculture by Mr. Robert Mesecher, Michigan Department of Agriculture.

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

Neil Ogg, President, Association of Structural Pest Control Regulatory Officials, South Carolina.

President Ogg appointed the following Committees:

Nominating Committee:

Chairman Jim Haskins, Mississippi, David Shriver, Maryland, Bob DuChanois, Florida

Resolution Committee:

Chairman Harry Rust, Virginia, Lonnie Matthews, New Mexico, Carl Falco, North Carolina

Resources Committee:

Chairman L. O. Nelson, Indiana, Betty Sisk, Wycoff, Arizona, Charles Hromada, Terminix International

*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.

MICHIGAN PEST CONTROL ASSOCIATION, 9:00 A.M.

Larry Ruffedt, President of Michigan Pest Control Association, District Manager for Orkin Exterminating Company Incorporated. Mr. Ruffedt presented the Michigan Pest Control Associations goal of establishing and maintaining a working relationship with regulatory officials to better serve the public in improving pest control professionalism. The pest control operator and regulatory officials have a vast task in balancing applications of pesticide to the environment without harming it and still control the undesired pest.

UNIFORM POLICIES COMMITTEE REPORT, 9:45

David Shriver, (Maryland) reporting for Chairman Blalock (Nevada) who could not attend. Mr. Shriver reported the committee topics for uniform policy are:

1. Separate registration fee to help fund special projects and program improvement.
2. Update the constitution of ASPCRO.

The topics to be covered in later business meeting.

REFRESHMENT BREAK, 10:00 A.M.

UPDATE ON TERMITICIDE RESOLUTION, 10:15 A.M.

President Neil Ogg, South Carolina. Mr. Ogg reported that both Clemson University and Southern Forestry at Gulfport, Mississippi did research on minimum amount of termiticide needed to control termites. 5 States are participating in this research. ASPCRO will solicit EPA to hold firm on not allowing less than recommended rates for termiticide application.

PESTICIDE USE SURVEILLANCE, 10:30 A.M.

Carl Dollhopf Regional Supervisor, Plant Industry Division, Michigan Department of Agriculture. Mr. Dollhopf reported Michigan Pesticide Law was established in 1949 and updated in 1959, 1967, 1970 and EPA State Plan in 1976. Mr. Dollhopf reported that Michigan only has 560 non-compliance of industry found through use investigation. Michigans unique boundary and subsequent environment situation inhibits investigations of outdoor pest control.

Michigan is involved heavily in random sampling of pesticides, review of storage of pesticides, records, labeling, disposal practices of private industry. Michigan feels the pesticide use investigation is one of the most important aspects of their enforcement tools.

PESTICIDE TOXICOLOGY, 11:00 A.M.

Dr. Fred Tschirley, Pesticide Coordinator, Cooperative Extension Service, Michigan State University, East Lansing Michigan.

Dr. Tschirley covered the EPA Core Manual Material concerning pesticides labeling, effect on target pest and safety pre-caution. The speaker referred to the required prelabeling research as to establish toxic material and the level of toxicity.

Dr. Tschirley reported that knowledge of material to be used should be obtained by the user.

ADJOURN FOR LUNCH, 12:00 NOON

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

President Ogg called the meeting to order and called upon representative from states attending, to present the states report.

The states reported in the following order at this time:

ARIZONA - Betty Sisk
ARKANSAS - Don Alexander
CANADA - Norm Basinet
FLORIDA - Robert DuChanois
GEORGIA - Jim Harron
INDIANA - David Scott
MARYLAND - David Shriver
MICHIGAN - Robert Mesecher

REFRESHMENT BREAK, 2:30 P.M.

STATE REPORTS CONTINUED, 3:00 P.M.

MISSISSIPPI - Jim Haskins
NEW HAMPSHIRE - Murray McKay
NEW MEXICO - Lonnie Matthews
NORTH CAROLINA - Carl Falco
OKLAHOMA - Bob Chada
SOUTH CAROLINA - Neil Ogg
TENNESSEE - Knox Wright
VIRGINIA - Harry Rust

ADJOURN, 5:00 P.M.

HOSPITALITY HOUR, 6:00 P.M.

Tuesday Morning, 5 October

PROPER APPLICATION TECHNIQUES FOR PCO'S, 8:00 A.M.

Mr. Larry Johnson, Training Director for Rose Exterminating Company, Michigan.

Mr. Johnson outlined the procedure for proper application of pesticide by pest control operators. The speaker advised that a broad knowledge of insecticide is required in order to make proper application. The identification of pest to be controlled, the area to be treated, both primary and secondary sights all must be considered in order to choose the proper insecticide.

The speaker suggests that low pressure application will achieve desired control with less problems of contamination. The proper application should be made by a person that has a broad knowledge of insects and pesticides.

PESTICIDE EPIDEMIOLOGY, 9:00 P.M.

Mr. Adrian Oudbier, Bureau of Epidemiology, Michigan Department of Public Health, Lansing, Michigan.

PESTICIDE EPIDEMIOLOGY CONTINUED:

Mr. Oudbier reported that "the science of epidemic to population" in relation to pesticide application is considered in two groups, direct exposure long term effects and indirect exposure. Allergenic reaction the effects of pesticides can be tied back to the dosage of the pesticide.

The pesticide biochemical effects to population differ on individual bases. The determination of true cause and effect long or short term is not always consistent with type of exposure. Threshold levels of exposure could be better established.

The speaker reported that the pesticide applicator and public should, because of aforementioned "Be Aware of Pesticides".

COFFEE BREAK, 10:00 A.M.

MICHIGAN AGRICULTURE, 10:15 A.M.

Mr. Dean Pridgeon, Director, Michigan Dept. of Agriculture, Lansing, Michigan.

Mr. Pridgeon reported that the State of Michigan Agriculture has come to the public eye since the auto industry has slowed down. Michigan farmers grow and market over 50 separate crops. The crops range from corn to blueberries. Dairy farming is number one with corn and soybeans being the most important crops. Fruit and vegetables are marketed by Michigan farmers thus, rounding out a wide base of agriculture creating more recognition of Michigan agriculture.

COMPUTER MONITORING OF RESTRICTED USE PESTICIDE SALES, 11:00 A.M.

Mr. Fred Heiner, Mr. Gordon Smith, and Mr. Ron Webster Michigan Department of Agriculture, Lansing, Michigan.

The panel discussed each phase of the computer program in monitoring restricted use pesticide movement. The computer program give Michigan the capability to monitor restricted use pesticide applicators by determining the movement of restricted use pesticides. The computer system handles registration of pesticides in addition to aforementioned. The information provided to Michigan Regulatory Officials greatly enhance their regulatory capabilities.

USING VIDEO TAPE TO AID INVESTIGATION AND ENFORCEMENT, 11:40 A.M.

Mr. David Shriver, reported that due to problems in documentation of enforcement investigations, Maryland had searched for a better method. The video tape, in his opinion is the answer. The tape can be taken to sights, to document every set of the investigation. The tape can then be used in hearing's "video color".

Training sessions utilizing the video tape for regulatory personnel and industry personnel is another very important utilization.

ADJOURN, 12:00 P.M.

GREENFIELD VILLAGE TOUR, 1:30 P.M.

Wednesday Morning, 6 October

FINAL BUSINESS SESSION, REGULATORY OFFICIALS

Conducted by Mr. Neil Ogg.

Mr. Robert DuChanois was presented an award of appreciation for holding the office of Secretary and Treasurer of ASPCRO conception until 1981. The twenty one years Bob served as Secretary and Treasurer is greatly appreciated, from Members and Associates, past and present. Bob graciously accepted the plaque.

President Ogg presented the past President Barry Pattersons plaque to Lonnie Matthews of New Mexico. Mr. Patterson could not attend the meeting.

President Ogg acknowledged L. O. Nelson and Velsicol Chemical Company in securing above plaque.

The attached resolution was presented by Chairman Rust. The body adopted the resolution unanimously.

Discussion arose from the floor concerning establishing a resolution Committee that would research needed resolutions during the year rather than immediate needs at meeting time.

Betty Sisk, Robert McCarty, Rudy Howell and L. O. Nelson were appointed to said Committee after unanimous addition by body.

Business Meeting closed at 8:30 A.M.

REGULATING PEST CONTROL IN FOOD HANDLING ESTABLISHMENTS

Dr. Patch introduced for the most part the Food Processing Inspection Program. The inspection program is conducted with not only plant inspection but product inspection. Dr. Patch stated U.S.D.A. does not regulate the pest control operator but rather the processing plant. The compounds used in plants must be approved by U.S.D.A.

COFFEE BREAK, 9:30 A.M.

NPCA INDUSTRY UPDATE, 9:45 A.M.

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

Mr. Grimes reported NPCA is working diligently with EPA in several areas, such as pesticide registration, packaging and labeling of child resistant containers and others.

NPCA has surveyed its membership on Chloradane use. Mr. Grimes reported on current legislation in regard to FIFRA.

NPCA is very interested in setting up research in urban pest management purpose of developing new successful tools, for control of pest, according to Mr. Grimes.

CURRENT DEVELOPMENTS IN FUMIGATION TECHNOLOGY, 10:45 A.M.

Dr. Ed Bond is in charge of fumigation with the Secretary of Ministry of Agricultural Canada.

Fumigants have been around for over 100 years, beginning with the fumigant carbon disulfide. Its unlikely that new fumigants are going to be produced. Additionally, fumigants are unique because they can penetrate and kill where other materials cannot, then they dissipate and leave no residue. However, the future is not bright for fumigants because of the restrictions being placed on these products by the EPA and resistance which may develop among pests.

The uses of fumigants was then discussed.

The problems using fumigants was discussed, including the following:

Hazards to humans

The chronic affects of fumigants is not known; threshold limit values are being decreased.

Residues are being found in some food materials, e.g., EDB may last a long time after treatment. Phosphine has been found 200 days after treating grain, of course the level is in the ppb range. Fumigants may also damage commodities in structures, e.g., color changes in foods and some materials like cement block retain the odor of methyl bromide after treatment.

Finally, fumigants are flammable or explosive.

The effectiveness of control may vary; some life stages are more difficult to kill than others.

Resistance: Take some pests like the grainery weevil can develop resistance to fumigation and it may be necessary to increase rates to a 15 fold factor for some pest.

Availability of fumigants: If it becomes uneconomical to produce fumigants the manufacturers will stop.

New developments with fumigants was discussed including protective equipment and gas detection equipment. New fumigant materials such as magnesium phosphide was described, as well as new treating procedures using probes and using new treating procedures.

In closing the future of fumigants was discussed including techniques that reduce or avoid chemicals such as the integrated pest management programs.

MEETING ADJOURNED, 12:00 P.M.

SEE YOU NEXT YEAR!

RESOLUTION ADOPTED

AT

THE 1982 ANNUAL MEETING OF THE

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

ROMULUS, MICHIGAN

4-6 OCTOBER 1982

RESOLUTION I

WHEREAS, the EPA proposed revisions to the child resistant packaging requirements; and

WHEREAS, the revisions include the introduction of a new term " service-person"; and

WHEREAS, through the Label Improvement Program, the EPA is attempting to remove undefined, unenforceable and ambiguous label terms; and

BE IT THEREFORE RESOLVED: That the Association of Structural Pest Control Regulatory Officials (ASPCRO) urges EPA to reconsider the introduction of new terms, such as "serviceperson", that are not defined in state laws; and

BE IT FURTHER RESOLVED: That ASPCRO stands ready to work with EPA, SFIREG, industry, and other interested groups in the development of suitable, alternative language to insure that homeowner pesticides continue to be packaged with child resistant closures.

Done this 6th day of October 1982.

RESOLUTION ADOPTED
AT
THE 1982 ANNUAL MEETING OF THE
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
ROMULUS, MICHIGAN
4 - 6 OCTOBER 1982

RESOLUTION II

WHEREAS, the outstanding success of the 22nd Annual meeting of the Association of Structural Pest Control Regulatory Officials (ASPCRO) was in large measure due to the gracious hospitality and outstanding effort of our hosts the Plant Industry Division, Michigan Department of Agriculture and the Association of Structural Pest Control Regulatory Officials Program Coordinators Norm Bazinet, Carl Dollhopf, Robert Mesecher and Lou Atkins in providing the excellent facilities, program and entertainment; and

WHEREAS, the Bio-Serv Corporation, and Rose Exterminating Company Division provided a most welcome refreshment break; and

WHEREAS, the Orkin Exterminating Company, Incorporation and Terminix International Incorporation provided the excellent reception and hospitality hours;

Done this 6th Day of October, 1982, A.D.

RESOLUTION ADOPTED
AT
THE 1982 ANNUAL MEETING OF THE
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
ROMULUS, MICHIGAN
4-6 OCTOBER 1982

RESOLUTION II

WHEREAS, The outstanding success of the 22nd Annual Meeting of the Association of Structural Pest Control Regulatory Officials (ASPCRO) was in large measure due to the gracious hospitality and outstanding effort of our hosts the Plant Industry Division, Michigan Department of Agriculture and the ASPCRO Program Coordinators Norm Bazinet, Carl Dollhopf, Robert Mesecher and Lou Atkins in producing the excellent facilities, program and entertainment; and

WHEREAS, The Bio-Serv, Rose Exterminating Company Division provided a most welcome refreshment break; and

WHEREAS, The Orkin Exterminating Company, Incorporated and Terminix International Incorporated provided the excellent reception and hospitality hours; and

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials by letter from the Secretary express its sincere appreciation and gratitude to all those parties and individuals for an excellent meeting and a very pleasant stay in the great State of Michigan.

Done this 6th day of October 1982.

RESOLUTION ADOPTED

AT

THE 1982 ANNUAL MEETING OF THE

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

ROMULUS, MICHIGAN

4 - 6 OCTOBER 1982

RESOLUTION III

NOW, THEREFORE, BE IT RESOLVED: That the Association of Structural Pest Control Regulatory Officials by letter from the secretary express its sincere appreciation and gratitude to all those parties and individuals for an excellent meeting and a very pleasant stay in the great State of Michigan.

Done this 6th Day of October, 1982, A.D.

REGISTRANTS
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
22nd ANNUAL MEETING IN ROMULUS, MICHIGAN
3 - 6 OCTOBER 1982

MEMBERS & ASSOCIATES

Mr. Donald Alexander, Head
Secretary, ASPCRO ✓
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Mr. Carl Falco
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Raleigh, North Carolina 27611

Mr. James Harron
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Mr. Jim Haskins
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Mr. Knox Wright
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ANNUAL REPORT
1981-1982
STRUCTURAL PEST CONTROL BOARD

For the 17th 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 A.R.S. 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 17 years. The Board met once each month during the past year.

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.

Bruce Burr, Chairman of the Structural Pest Control Board, submitted his resignation and it was accepted by the Governor on November 18, 1981 after four and a half years of service. Mr. Burr was an industry member.

A new member, representing the industry, was appointed to the Board on July 1, 1982. The new appointee is Fred Holly, lisense holder for Terminix International in Tucson.

Staff

We have three office staff and two 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 - 1981 - 1982

Total Individuals Examined - - - - -	75
Total Individuals Licensed - - - - -	50
General Pest Exams Administered - - - - -	63
Termite Exams Administered - - - - -	36
Fumigation Exams Administered - - - - -	10
Weed Exams Administered - - - - -	14
Horticulture Exams Administered - - - - -	10

Licensed Companies - 1981 - 1982

New Companies Licensed - - - - -	36
Total Companies Licensed - - - - -	352
General Pest Licenses - - - - -	339
Termite Licenses - - - - -	246
Fumigation Licenses - - - - -	28
Weed Licenses - - - - -	78
Horticulture Licenses - - - - -	31

License Fees

The fee for examination still remains at \$100.00 per examination, \$100.00 for the license and \$100. renewal. 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.

House Bill 2099 was approved in the Thirty-fifth Legislature and became law July 24, 1982, raising the fees, not to exceed the following amounts: \$150. for license examination, \$150. for the license, \$150. for the annual renewal and adding a temporary license, the fee not to exceed \$100. The Board amended R4-29-04.A increasing the license examination fee to \$130, the license fee to \$150. and the renewal fee to \$130 and also adding the temporary license fee of \$100. This rule amendment was submitted to the Attorney General's office on July 22, 1982. This rule amendment is still pending.

The Legislature also approved deleting the sentence in 32-2313.A giving the partnership, corporation or association 90 days to make application for the licensing of another responsible person in the event of death or disassociation of the licensee. This allowed the company to be without a responsible party for up to 90 days. ARS 32-2314 now states that when the responsible person

withdraws his license, that company cannot operate until another person has qualified for the license. The responsible person must notify the Board 30 days prior to withdrawing his license. The Board may issue a nonrenewable temporary license to a representative of the company to be effective for a period not to exceed 60 days. Proof of financial responsibility, a \$2,000. surety bond and a fee must accompany the application for a temporary license.

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. This rule was certified by the Attorney General's office on October 13, 1981. In the past we collected \$25. 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. 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. fee is paid and a statement indicating that one is not operating a business at this time must accompany the fee.

Financial Responsibility

Formerly each applicant had to submit proof of bond, insurance, cash or certified check in the amount of \$25,000. public liability and \$25,000. property damage, each separate, minimum amount. House Bill 2099, approved by the Legislature, became effective July 24, 1982, raising the financial responsibility to \$100,000. public liability and \$100,000. property damage, each separately and it shall be maintained at not less than that amount at all times during the licensing period.

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 from that office.

Penalties

The Board may revoke or suspend any license if the licensee has committed any of the 10 acts provided for in the chapter. The new legislation, passed by the Legislature, that became law July 24, 1982, adds civil penalties, not to exceed \$1,000. or probation, excepting adjudication of bankruptcy, conviction of a crime of moral turpitude, conviction of a felony or having a license revoked for cause and not reinstated in another jurisdiction. The license can be revoked or suspended for the above and for the other 10 acts provided for in this chapter. (32-2322.)

This act also adds that prior to taking any action in this section, a written notice stating the nature of the charge against the holder of the license and the time and place of the hearing shall be served not less than 20 days prior to the date of said hearing.

The Board may also apply to the Superior Court for an injunction if any person is operating without a license.

Summary of Penalties Issued in 1981 - 1982

Hearings Conducted - - - - -	16
Consent Agreements Entered Into - - - - -	53
Consent Agreements Involving Misuse of Pesticide - - - -	5
Licenses Suspended - - - - -	1
Licenses Revoked - - - - -	2
Notices of Warning Sent - - - - -	14
Letters of Warning Sent - - - - -	2
Licensees Required To Attend Training Course by Board -	1
Referrals to City or County Prosecutors Office - - - - -	7

Complaints

The Board processed approximately 298 telephone complaints and 49 formal complaints during the past year.

Inspections

277 termite jobs have been inspected and 63 general pest control inspections in the last year, while 1,198 inspections have been made on chemicals, records and equipment. 490 inspections have been done concerning chemical use/misuse. 23 soil samples were delivered to the State Chemists for analysis and 2 incident reports were investigated and forwarded to the Environmental Protection Agency.

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 352 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.

Minimum Standards Committee

A committee was formed in July, 1982 to study minimum standards for treating for termites in existing structures, including representatives from the Board and industry members. The committee report has been completed and will be presented to the Board at the next regular meeting scheduled for October 27 for their consideration.

Proposed Continuing Education

The industry has expressed strong interest in continuing education as an alternative to the present method of recertifying every three years by examination. A committee of industry members headed by Dr. David Bryne, Cooperative Extension Service, University of Arizona, was formed to study the feasibility of continuing education. Their report indicated that continuing education should be implemented as soon as possible. The Board is taking their report under consideration.

Definitions Added In New Legislation

House Bill 2099, which became law July 24, 1982, now defines "pesticides" and "structural pest control". Golf courses and cemeteries were also added to the list of persons that must be licensed by the Structural Pest Control Board.

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	- - - -	1,177
Number of Applicators in Category III	- - - -	247
Number of Applicators in Category V	- - - -	69
Number of Applicators in Category VII	- - - -	1,103

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 five years.

Grant application has been made for federal assistance in the amount of \$60,000. If approved, this will establish two additional inspector positions.

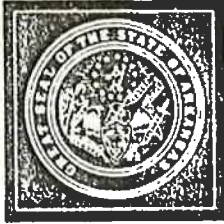
The Board has also entered into a cooperative agreement, in the amount of \$8,300. for fiscal year 1983 for pesticide applicator training and certification. This was accepted September 22, 1982, effective from October 1, 1982 to September 31, 1983.

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 PLANT
BOARD

P.O. Box 1069 ■ Little Rock, Arkansas 72203

Phone 225-1598

Melvin C. Tucker

Director

September 27, 1982

A S P C R O

Arkansas Report

Don Alexander, Head
Commercial Pest Control

Enclosed is a copy of our regulation and fee changes effective April 12, 1982.

Also enclosed is a report of the activities of this section during the fiscal year 1981-1982.



ARKANSAS
STATE PLANT
BOARD

P. O. Box 1069 ■ Little Rock, Arkansas 72203

(501) 225-1598

Robert W. Anderson
Director

PC NO. 5 - April 12, 1982

TO: All Licensed Pest Control Operators

FROM: Don Alexander, Head, Commercial Pest Control Section

SUBJECT: Regulation and Fee Changes Effective April 12, 1982

FEE CHANGES

SECTION I - REGULATIONS APPLYING TO ALL OPERATORS

3. Fees: The following fees have been established to carry out the provisions of this Act: (Page 8, Circular 6)

License:

First Classification.....	\$100.00
Each Additional Classification.....	\$ 75.00
	\$200.00 Maximum

Registration:

Agent.....	\$ 20.00
Solicitor.....	\$ 20.00

Examination:

First examination (one classification).....	\$ 75.00
Subsequent examinations and classifications, each....	\$ 50.00

Reporting:

Each property on which a contract is issued.....	\$ 3.00
Late fee (30 or more days after due date).....	\$ 6.00

Inspection:

First 5 properties treated by new licensee, (Termite & Other Structural Pest) each.....	\$ 15.00
General Fumigation.....	\$ 10.00

Reinspection:

Each property found not in compliance.....	\$ 25.00 First Notice
	\$ 50.00 Second Notice
	\$100.00 Third Notice

OTHER CHANGES

5. Hearings, Invalidation of Licenses. (Page 8, Circular 6)

Any person who is refused a license, or whose license is not renewed, or whose license is being considered for invalidation, may secure a hearing before the Pest Control Committee before final Board action is taken. This Committee shall consist of the Board member who represents the Head of the Department of Entomology, University of Arkansas, who shall act as the Chairman, the Board member who represents the Arkansas Pest Control Association. The remaining members shall be appointed by the Chairman of the full Board. This Committee may hold hearings regarding licenses as indicated above to take testimony and evidence regarding same. Such testimony and evidence shall be made available to the Board for consideration and final action.

SECTION IIIA. MINIMUM REQUIREMENTS FOR STRUCTURAL PEST WORK ON EXISTING STRUCTURES (Page 17, Circular 6)

22. Foam Treatment for Concrete Slab and Masonry Veneer.

Treatment is accomplished by drilling no farther apart than on 6 feet centers. Foam application shall be of sufficient duration to apply termiticide dosage equivalent, as required by label, to liquid treatment.

23. Foam Treatment for Crawl Space.

Treatment is accomplished by applying the required dosage of termiticide in a 3 inch trench along foundation walls, piers, pipes, etc. The rate of termiticide application shall be equivalent, as required by label, to liquid treatment.

NOTE: Specify on all contracts and graphs when foam treatment is used.

SECTION IIIB. MINIMUM REQUIREMENTS FOR STRUCTURAL PEST WORK ON NEW CONSTRUCTION (PRE-TREAT) (Page 17, Circular 6)

Conventional Construction (Crawl Space)

New structures which are treated for termite control before or during construction must meet all of the minimum requirements given for existing structures in Section IIIA, except 13B and 15 through 22. Treatments should be made as directed in the "Chemical Treatment" section below.

Slab Construction

Pre-treated slab structures shall meet all of the minimum requirements in Section IIIA except 1,3(a), 4, 9, 10, 11, 12, 13(b), 15 through 20, and 23.

Chemical Treatment

1. Apply 2-4 gallons of chemical to each 10 linear feet of trench around the inside and outside of foundations, pipes, ductwork, piers, etc., after soil has been leveled.
2. Treat all soil surface to be covered by structure and adjacent to it with 1 gallon of chemical to every 10 square feet.
3. Apply same treatment as in 2 above to soil under and adjacent to steps, porches, garage floors, carport slabs, or any other structure adjoining the building.
4. Foam Treatments. Foam application shall be of sufficient duration to apply termiticide dosage equivalent, as required by label, to liquid treatments outlined in Steps 1, 2 and 3 above.

NOTE: Specify on all contracts and graphs when foam treatment is used.

NOTE: On structures which are part slab and part crawl space, appropriate minimum requirements shall be met on each part.

NOTE: Added language in both IIIA and IIIB is underlined.

SECTION IV -- HOUSEHOLD PEST AND RODENT CONTROL (Page 18, Circular 6)

Remove the third paragraph.

SECTION V. TREE SURGERY (CLASSIFICATION 4); ORNAMENTAL, TREE AND TURF PEST CONTROL (CLASSIFICATION 5); WEED CONTROL (CLASSIFICATION 6); GOLF COURSE PEST CONTROL (CLASSIFICATION 7); PECAN PEST CONTROL (CLASSIFICATION 8); FRUIT TREE PEST CONTROL (CLASSIFICATION 9); VINEYARD PEST CONTROL (CLASSIFICATION 10)
(Page 19, Circular 6)

1. Plant Board will investigate complaints against license-holders and may cancel license for fraud, misrepresentation, failure to carry out promises, use of improper methods or materials, or other reasons specified in the law. Additional inspections or investigations may be performed at the discretion of the Director.

NOTE: Tree Surgery includes cavity filling and/or repair, bracing, cabling, and wound treatment (wounds made and treated during pruning not included). No license is required for pruning, feeding, budding or grafting.

COMMERCIAL PEST CONTROL SECTION

Don Alexander, Head

Kiven Stewart

Pest Control Inspector Supervisor

Brenda Delk, Secretary

Hector Sanchez, John Clark, Harold Conklin, John Lansdale,
Manley Mason, Brent Logan
Inspectors

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: 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.

210 structural pest control license holders of 152 companies reported 18,237 termite and other structural pest control jobs performed for the fiscal year ending June 30, 1982. A total of 4,469 properties were inspected by the staff and are broken down as follows:

- 2,747 jobs inspected routinely
- 650 jobs inspected at homeowners request
- 1,030 reinspections of substandard work
- 42 request for prior approval of substandard work

405 reports of substandard work were issued on properties inspected routinely. 54 properties were found infested with termites and reports of substandard work were issued. The number of infested properties increased by thirty over last year.

188 of the 650 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.

Illegal Pest Control Investigations: 9 warrants have been obtained for individuals performing pest control work without a license. 5 were convicted or forfeited bond. 3 were found not guilty. 1 has not come to court. 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. Routine inspections are only performed at request of property owners starting April 12, 1982. Operators reported treatment of 3,220, a record number, properties over the state. Inspectors checked 147 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 82 use dilution samples and made 33 pesticide record checks. 40 complete inspections including record checks. 10 household pest complaints investigated under grant. The EPA Enforcement grant aids this section in enforcement of the Pest Control Law.

Examinations: 216 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	18
Household Pest & Rodent Control	29	48
General Fumigation	4	4
Tree Surgery	4	0
Ornamental, Tree and Turf Pest	13	18
Weed Control	22	7
Golf Course Pest	2	0
Pecan Pest Control	2	5
Fruit Tree Pest Control	0	0
Vineyard Pest Control	0	0
Food Mfg. Processing and Storage	3	8
Food Related Fumigation	8	8

At the present time 802 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 982 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.

Pest Control Hearings: Hearings before the Pest Control Committee of the Plant Board are afforded pest control operators to show cause why the licenses should not be revoked or suspended, or to state their cases in matters of dispute with the staff. 3 companies were called in for license revocation hearings during the year. As a result 2 companies were placed on probation and increased inspections. 1 company license has been suspended. The Pest Control Committee afforded 3 companies to present cause why a license revocation proceedings should not be ordered. Each pest control company consented to increased inspections and making necessary corrections to alleged violations. The Pest Control Committee recommends action to full Plant Board at regular Board Meetings. The Pest Control Committee and full Board held hearings for regulation changes which was approved. The Pest Control Committee and full Plant Board applied a great deal of time in the for mentioned areas along with staff preparation.

State of Florida
Annual Report 1982
22nd Annual Meeting
Association of Structural Pest Control Regulatory Officials
Detroit, Michigan
3 - 6 October 1982

STATE OF FLORIDA
ANNUAL REPORT 1981-82

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 35th 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 authority granted by the Pest Control Act, Chapter 482 of the Florida Statutes (F.S.), and Rules of DHRS, Chapter 10D-55 of the Florida Administrative Code. The primary purpose of this program is to regulate the operation and practice of commercial pest control in the interest of safeguarding of the public and industry health, safety and welfare.

The principal elements of the program are licensure, examination-certification and regulation-enforcement. Program activities, performance and administrative policies continued to set and maintain high standards with respect to advancing and upgrading, fairly and impartially, the quality, safety, reliability and legitimacy of pest control services offered to and provided the citizens of Florida and the State's many visitors.

Personnel. A complement of 9 permanent career service employees was assigned full-time to the Commercial Pest Control Jacksonville office throughout the reporting period. A temporary clerk-typist was employed on 4-5-82 and a temporary secretary on 4-23-82. Both filled in for returning permanent employees on extended leave and both were on board at the close of the fiscal year (FY). All supervisors attended one or more DHRS sponsored management training sessions during the year.

Seven field Entomologist-Inspectors were on duty during all of the FY. These professional Entomologists continued to respond effectively to increased requests and demands from the public, industry and other agencies for service and assistance in relation to pest control complaints, technical assistance and regulatory-enforcement matters. Field Entomologist-Inspectors are stationed in Jacksonville, Marianna, Miami, St. Petersburg, Tampa, West Palm Beach and Winter Park (Orlando).

As a result of legislative action in April 1982 in connection with revision and readoption of the Pest Control Act, pursuant to the Regulatory Sunset Act, 4½ new pest control positions were authorized. The authorization covers 2 new Entomologist-Inspectors and 2½ secretarial positions with the necessary funding.

Regulatory. The "Regulatory Sunset Act" of 1976, as amended 1981, affected Chapter 482, F.S., relating to pest control, effective 10-1-82. Under the law the respective House and Senate legislative committees began sunset review in July 1981, 15 months prior to the repeal date. The committees make recommendations for continuation, (readoption), modification (revision), or repeal on or before 1 February prior to the repeal date.

The Department of HRS and its Office of Entomology were called upon and cooperated closely and fully with the Committees and staffs throughout the sunset review procedure. Many hours were spent by the Director, in particular, and his staff in preparation and presentation of material, meeting with committee staffs and industry members, and in attending subcommittee and full committee hearings. The Florida Legislature passed House Bill 26-D, amending and readopting Chapter 482, F.S., the Pest Control Act, on 4-7-82. The Bill was approved by the Governor on 4-28-82, was filed with the Secretary of State on 4-29-82, and takes effect 10-1-82.

As a result of the "sunset review" and subsequent legislation Chapter 482, F.S., underwent many changes, some of a major, many of a minor nature. A copy of Pamphlet Law 82-229 (House Bill No. 26-D) is appended to and made a part of this Annual Report due to its importance to the Commercial Pest Control regulatory program and the industry regulated. Significant amendments and additions to the law include the following:

- 1) The definition of "Licensee" in effect prior to 10-1-78 was restored to provide for "....engaging in pest control in a particular business location."
- 2) For the first time a definition of "Certified Operator in Charge" was added.
- 3) The Department of HRS was given statutory authority to adopt rules requiring licensees to comply with their written contracts.
- 4) The business license issuance and renewal fees were increased from \$25 to \$50, and a late renewal charge of \$50 set for delinquent renewal after a 30-day grace period

following the anniversary renewal date. The license automatically expires 60 calendar days after the anniversary renewal date unless timely renewed.

A license automatically expires upon change of business location address, or change of registered business name, and a new license required for the unexpired term (of the old license) for a fee of \$10. A new license is required upon transfer of business ownership for a fee of \$50.

5) Pest control identification cards must be applied for by either the certified operator in charge or the licensee within 30 days of employment of a prospective cardholder. However, a person is not authorized to perform pest control without carrying a valid card. A new provision requires that a person have at least 5 days of field training under the direct supervision, direction and control of a certified operator. The identification card fee was increased from \$2 to \$5.

6) For every person who performs termite or other wood-destroying/^{organism} inspections the licensee must apply for an identification card which identifies that person as having received special training to perform such inspections. The application must be accompanied by an affidavit to that effect. The requirement does not apply to certified operators certified in termite control.

7) The pest control operator's certificate renewal fee was increased from \$25 to \$50, and a late renewal charge of \$50 set for delinquent renewal after a 30-day grace period following the anniversary renewal date. A certificate automatically expires and becomes null and void if not renewed within 180 calendar days after the anniversary renewal date.

The issuance fee for an original (new) certificate was increased from \$25 to \$50. Application must be made and the fee paid for a new certificate within 60 days from the date of written notification of passing the examination. However, a certificate may be issued during a 30-day grace period following expiration of this 60-day period upon payment of the issuance fee and a late issuance charge of \$50. An original certificate cannot be issued after expiration of the 30-day grace period without re-examination.

8) Emergency pest control certificates may be issued for an initial 10-day period and for additional 60-day periods (reduced from 90-day periods in the old law) up to a maximum of one year. A significant change provides that emergency certificates issued to the same licensee may not exceed one year during any 3-year period. The fee for an initial certificate was

increased from \$10 to \$25, and from \$10 to \$50 for each additional certificate issued.

9) For the first time the law requires a certified operator to complete 4 hours of continuing education or to pass an examination (one or the other annually) as a prerequisite to annual renewal of a certificate. The certified operator is required to submit with his or her application for renewal a statement certifying that 4 hours of continuing education have been completed.

10) The requirement for high school education or equivalent is extended to all examination applicants after 10-1-82 regardless of whether the applicant qualified for examination prior to 1-1-66 as provided in the old law.

11) The fee for examination for certificate was increased from \$25 to \$75 for each category examination.

12) The issuance fee for an original (new) special identification card was increased from \$5 to \$25. Application must be made and the fee paid for a new special identification card within 60 days from the date of written notification of passing the examination. However, a special identification card may be issued during a 30-day grace period following expiration of the 60-day period upon payment of the issuance fee and a late issuance charge of \$25. An original special identification card cannot be issued after expiration of the 30-day grace period without examination.

The special identification card renewal fee was increased from \$5 to \$25, and a late renewal charge of \$25 set for delinquent renewal after a 30-day grace period following the anniversary renewal date. A special identification card automatically expires and becomes null and void 60 calendar days after the anniversary renewal date, unless timely renewed.

13) The fee for examination for special identification card was increased from \$10 to \$75.

14) A certified operator having no employees is exempted from the requirement that his or her primary occupation be in the pest control business and from the requirement of being employed full-time by the licensee. Therefore, such a certified operator who otherwise qualifies is eligible for licensure.

15) The section on disciplinary remedies was amended to allow for application for reinstatement of revoked credentials 3 years after revocation. This section also provides that any charge of violation shall affect only the license of the business location to which the alleged violation applies, and that another license cannot be issued to the same licensee

for a new business location in the same county or any adjacent county for 3 years from the effective date of revocation.

The most salient change in this section, and perhaps in the entire law, enables DHRS, pursuant to Chapter 120, F.S., the Administrative Procedure Act, for the first time and in addition to or in lieu of any other remedy provided by state or local law, to impose an administrative fine not exceeding \$500, nor less than \$25, as a civil penalty for violation of any provision of Chapter 482, F.S., or Chapter 10D-55, F.A.C.

The section also clarifies the remedy of public reprimand as distinguished from that of private reprimand. DHRS is required by this section to publish quarterly and provide to each licensee a list of disciplinary actions taken.

16) A licensee disciplined for any violation of Section 482.226, Termite or Other Wood-Destroying Organism Inspection Report; Notice of Inspection or Treatment, may be required to submit reports of wood-destroying organism inspections and treatments performed, no more frequently than once a week.

17) In addition to previous exemptions provided for the exemption clause of the law now clearly exempts aquatic weed control; other weed control not specifically regulated by the law; area mosquito control; pest control on manufacturing premises, which includes fumigation of any commodity or product utilized in the manufacturing process; and pest control, other than fumigation, performed by a person, corporation, firm, partnership, or other ownership entity upon their own individual residence or property.

18) A termite or other wood-destroying organism inspection report must be provided by the licensee to the party requesting the inspection when an inspection for wood-destroying organisms is made for purposes of real estate transfer or is requested by the customer. The law itself now sets forth the information that must be included in the prescribed Wood-Destroying Organisms Inspection Report form, and requires that the licensee retain a copy of the inspection report for a period of no less than 3 years.

The inspection report must contain a statement that a notice of the inspection has been posted on the property and give the location of the notice (see para. 19).

19) When a wood-destroying organism inspection is made, the licensee is required to post notice of the inspection on the property inspected. In addition, when a licensee

performs control treatment for any wood-destroying organism the licensee is required to post notice of such treatment on the property treated.

20) A new section was added limiting the use of the terms "guarantee" and "warranty" in contracts for treatments to control termites or other wood-destroying organisms.

There were no rules changes during the FY ending 6-30-82. It will be necessary to revise DHRS Pest Control Rules, Chapter 10D-55, F.A.C., during FY 1982-83 in order to conform to the statutory changes previously outlined herein.

Meetings. During FY 1981-82 the Director and staff attended meetings of the Florida Senate Committee on Health and Rehabilitative Services and the Florida House of Representatives Committee on Regulatory Reform, and the committees' staffs, in connection with regulatory sunset review of the Pest Control Act. The staff also met with the Legislative Committee of the Florida Pest Control Association (FPCA) in relation to the sunset review.

DHRS through its Office of Entomology was privileged to host the 21st annual meeting of the Association of Structural Pest Control Regulatory Officials (ASPCRO) on 5-7 October 1981 in Tampa. ASPCRO is presently made up of regulatory officials of all 50 states and (Provinces of) Canada whose duties include the regulation of structural pest control within their states. The purpose of the Association is to advance and promote the common interests and pursuits of states and state officials involved in the structural pest control regulation and enforcement process. It is an organization of career regulatory officials dedicated and working together to maximize the benefits of sound regulatory programs.

Other meetings, training courses or workshops attended by pest control staff included those with the Florida Entomological Society, FPCA, The Dow Chemical Company (fumigation training seminars); Institute of Food and Agricultural Sciences, University of Florida; Florida A&M University, and DHRS Health and Technical Support Management and legal staff. Management support specialists reviewed or advised on the program in relation to computer programming, records disposal and retention, management skills, and fee clearance procedures. Productive in-house staff meetings continued on a regular weekly basis.

Computer programming and support will, at long last, become a reality for Commercial Pest Control. Electronic data processing of pest control functions and records has been approved and will be phased in incrementally beginning with renewal of business licenses and certificates for FY 1982-83 on or about 6-1-83. The pest control examinations supervisor was designated as office liaison person to coordinate and implement this newly developing program.

Examination-Certification. During FY 1981-82, the Office of Entomology reviewed 2,032 examination applications by category; and in 4 examinations given each time at 2 locations, approved 1,936 and examined 1,743 category applicants for pest control operator's certificate and special (fumigation) identification card, compared to 1,981 and 1,725 respectively in 4 exams in FY 1980-81. As a result, DHRS issued 463 new certification credentials in FY 1981-82, of which number 255 were new pest control operator's certificates, 138 were category additions to existing certificates, and 70 were new special identification cards.

Continuing survey of the certificate records reveals that 42 certificates, not being used for licensing purposes, expired permanently for non-renewal and non-payment of fees exceeding 5 years allowed by law. (This provision was repealed by the 1982 legislature and effective 10-1-82, all certificates, active or inactive, whether being used or not, automatically expire if not renewed within 180 days after the anniversary renewal date). There were 2,819 certificates and special identification cards outstanding as of 8-19-82 based on the official mailing list.

In FY 1981-82, based on applications received for the current and all back renewal years, DHRS renewed 2,849 certificates (a backlog of 563 renewals had not been processed at the end of FY 1980-81 and were carried over into FY 1981-82), and 304 special identification cards (81 renewals carried over from FY 1980-81) in force and good standing. See Table 1 for additional information.

Licensure and Fee Receipts. There were 1,441 pest control licensees in business as of 6-30-82. Business licenses (including 165 change-of-address) and identification cards issued tallied 1,523 and 14,100 respectively, increases of 10.6 and 1.1 per cent in that order (See Table 1 for additional information). On a direct fee basis, these documents

yielded \$67,100, up from \$62,923 the previous year. Fee receipts from this source actually deposited in the Pest Control Trust Fund were \$68,970 contrasted to \$63,949 in FY 1980-81, a 7.9 per cent increase. In addition, the sum of \$112,535 was collected and credited to the Trust Fund Account in FY 1981-82 from fees for certificate, special identification card, and emergency certificate issuance and renewal, examinations, and service fees for returned checks (increased from \$5 to \$10 per dishonored check). This compares with \$108,130 collected the previous year, a 4.1 per cent gain. Revenue from all sources in FY 1981-82, the bottom line, increased 5.5 per cent, from \$172,079 collected in FY 1980-81, to another record high of \$181,505. As of 6-30-82 the Pest Control Trust Fund balance carried forward was \$59,260.88. A deposit of \$1,458.00 from fee receipts for FY 1981-82 was credited on 7-1-82 which brings the balance to \$60,718.88 to begin the new FY.

Receipts and document issuance clearance procedures and accounting practices, as directed and modified by DHRS Central Financial Services, were strictly followed. The Auditor General's Office conducted annual audit of the financial records for FY 1980-81 in February 1981, and at fiscal year's end closing (cash on hand) on 6-30-81. Emphasis will continue to be placed on reducing overhead and operating costs and improving productivity, accountability, accuracy and responsiveness throughout the section. Computer program support is expected to contribute materially in reaching these goals in time, without eliminating any permanent positions.

Pursuant to DOA and DHRS memos of 8-19-82 and 8-25-82 respectively, witness fees formerly surrendered by OPHEN personnel for deposit to the Pest Control Trust Fund Account will be henceforth retained except in those cases where public funds are the source of such fees.

Regulatory-Enforcement Actions. The office acted upon 133 applications for emergency certificates ~~vis-a-vis~~ 153 in FY 1980-81, to enable firms losing their certified operators to continue in business temporarily; made 272 fumigation inspections and 23 pesticide misuse or alleged misuse investigations; issued several hundred notices of inspection or violation by Entomologist-Inspectors in the field; convened 2 formal Administrative Hearings and one informal request conference; responded to 51 Writs of Subpoena for trial or deposition

involving complainants' civil litigation or criminal prosecution of illegal (unlicensed) operators; took 10 false use of certificate actions to remove certified operators not in charge; issued 5 Final Orders of revocation, suspension, probation and denial, and 14 Final Orders of Reprimand; and collected, cleared and accounted for all fee receipts and documents issued. See accompanying Table 1 for additional related registration, certification, examination and disciplinary-enforcement data.

TABLE 1
SUMMARY OF COMMERCIAL PEST CONTROL
REGISTRATION AND ENFORCEMENT
FLORIDA, 1977-82

REGISTRATION	1977	1978	1979	1980	1980- 1981	1981- 1982
Pest Control Business Licenses issued.....	1,240	1,244	1,097	1,408	1,377	1,523
Change-of-address Business Licenses issued.....	119	124	146	138	118	165
Employee Pest Control Identification (ID) Cards issued.....	10,429	12,211	11,346	14,483	13,954	14,100
Business Licenses issued to New Companies.....	-	67	93*	169	173	209
CERTIFICATION AND EXAMINATION						
Pest Control Operator's (PCO) Certificates issued (new).....	210	175	187	177	238	255
PCO Certificates & Special Identification Cards renewed.....	1,278	1,846*	1,703	2,624	1,490	3,153
Emergency Certificates issued (initial and renewal).....	125	204	235	212	153	133
Pest Control Examination applicants approved.....	1,164	1,298	1,374	1,451*	1,716	1,936
Pest Control Category Examinations administered.....	1,356	1,486	1,530	1,504	1,725	1,743
DISCIPLINARY MEASURES AND ENFORCEMENT ***						
Pest Control Business Licenses revoked, suspended or denied..	3	6	2	8	10	4
Business Licenses placed on probation.....	1	2	1	1	1	1
Certificates revoked, suspended or denied.....	6	7	6	5	4	2
Certificates placed on probation.....	0	1	1	1	1	0
Employee ID Cards revoked, suspended, denied or stopped.....	20	25	22	13	25	16
Employee ID Cards placed on probation.....	1	1	2	2	3	0
Property Holder Complaints investigated.....	281	290	283	346	326	363
Unlicensed illegal pest control operators investigated.....	58	61	40	50	47	44
Warrants and injunctions filed against unlicensed operators**	3	6	1	7	9	5
Cease and desist orders issued to unlicensed operators.....	38	46	34	37	38	38
Accidental poisonings reported by licensees.....	18	19	24*	23	22	31
Inspections made of licensees.....	1,274	906	755	921	859	988
Enforcement miles traveled (Jax'vl office only thru FY'80-'81)	12,037	27,394	18,847	23,624	23,176	107,596
Telephone assistance by all Entomologist-Inspectors.....	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 stopped. #Unavailable.

State of Georgia
1982 Report

Structural Pest Control Operators in the State of Georgia are governed by the Structural Pest Control Act of 1955. This law establishes the Structural Pest Control Commission, created requirements for certification and licensing, and set standards for treatments.

As of June 30, 1982 the State of Georgia had 526 licensed Pest Control Companies which is an increase of 30 companies over the past year. There are 795 certified operators and about 3100 I.D. cards for employees.

During the fiscal year ending June 30, 1982, 67,162 wood destroying organism jobs were reported along with 59 fumigations. This figure represents an increase of 15,000 jobs over last year when the figure fell to 53,000 jobs it's lowest point in recent years. The Department of Agriculture inspected 2,525 of these reported jobs and found that 587 or 23% had one or more violations of the minimum standards. Of these 587 substandard jobs 196 were reinspected and 97 still had violations.

During this time 414 soil samples were taken and 214 fell below the required 100 PPM and required retreatment. The Department is going to be taking a look at its policy on soil samples to strengthen it during the coming year.

Inspectors made 918 company visits and investigated 555 homeowner complaints.

The Department now has 8 Structural Pest Control Inspectors with an additional one in training.

During the past year we held 22 informal hearings where the certified operator is required to appear before members of the Entomology Division and answer certain questions on circumstances that have arisen. Six hearings were held under the Commissioner of Agriculture's Authority where fines of up to \$1000 may be imposed in lieu of revocation or suspension of a license. Of these 6 hearings fines of \$750 were imposed. One company voluntarily surrendered its category of Wood Destroying Organism category under threat of revocation. The category of Household Pest Control was retained.

The first 5 year period for recertification will end on October 21, 1982. Of the 795 operators only 50 operators failed to accumulate the necessary 10 hours of recertification training credit. These operators will now have to retake the Structural Pest Control Exam in order to again hold a certification.

During the past year Georgia entered into a Reciprocal Agreement with North Carolina. This agreement is in addition to the one already formed with South Carolina.

At present all testing and licensing under the Act is conducted by the Office of Secretary of State operating under the Structural Pest Control Commission. The regulatory section of the Act is handled by the Department of Agriculture. There are plans for the Pest Control industry to introduce legislation during the upcoming 1983 Session of the General Assembly to transfer the functions of the Secretary of State to the Department of Agriculture. It is felt that this would provide the most efficient handling of the program.

Effective August 1, 1982, Mr. Carl Scott, the Director of the Division of Entomology for the past 19 years retired. With his retirement, the Department merged the Entomology Division and the Pesticide Division under the Directorship of Ron Conley.

There are no plans at the present for any major changes in the enforcement of the Structural Pest Control Program.

State Chemist and Seed Commissioner
A. R. HANKS

Associate State Chemist
E. D. SCHALL

Administrative Staff
J. G. EIKENBERRY
R. G. LOFLAND
L. W. NEES
L. O. NELSON
R. J. NOEL
C. R. PAUL
R. C. RUND

INDIANA STATE CHEMIST AND SEED COMMISSIONER
Department of Biochemistry • Purdue University
West Lafayette, Indiana 47907
(317) 494-1492

INDIANA REPORT
to the
Association of Structural Pest Control Regulatory Officials
Romulus, Michigan
October 4-6, 1982

Pesticide Regulation:

- 1) Indiana Pesticide Registration Law (IC 15-3-3.5)
- 2) Indiana Pesticide Use and Application Law (IC 15-3-3.6): effective July 1, 1975 and for enforcement purposes October 21, 1976. Provides for licensing and regulation of all types of pesticide applicators.

A new Site Awareness and Direct Supervision of Non-Certified Applicators regulation was adopted effective May 21, 1982. The intent is to reduce the potential for pesticide misuse by requiring written "site specific" instructions be provided to the non-certified applicator.

Indiana State Chemist Office Staff: (Reorganization)

State Chemist: Alan R. Hanks (effective August 16, 1982)
Pesticide Administrator: L. O. Nelson
Deputy Pesticide Administrator: Ed McCoy
Manager, Applicator Certification and Licensing: Dave Scott
Pesticide Compliance Officer: Ed White
2 Full-time investigators
1 Part-time investigator handling primarily category 7 (structural) complaints and misuse cases.

Certification:

Five (5) year period.
Initial certification through core and at least one category specific exam.
Only three (3) attempts at any one exam allowed in a one year period from the date of first exam (policy change).
Recertification through re-examination or accumulation of sufficient Continuing Certification Hours (CCH's). -- 1 CCH = 1 hour of approved training

Category	CCH's over 5 years
7A (Industrial, Institutional, and Health Related)	18
7B (Wood Destroying)	12
7C (Food Manufacturing, Processing, and Storage)	18
7C2 (Fumigation Sepcialty)	6 + 7C
7A1 (Vertebrate)	12

Licensing:

Fees: Operator's (Business) - \$50.00 (includes one applicator)
Applicator's - \$25.00
Public - no fee
No exam fee

Licensing Period: April 1 - March 31, renewable annually

Licenses Issued 1982:

Category	Operators (Business)	Applicators (for hire)	Applicators (not for hire)	Public
7A		504	37	30
7B		508	28	19
7C		178	136	6
7C2		94	28	0
7A1		25	6	4

Reciprocity:

Will reciprocate for certification purposes with all states except Kentucky in structural categories.

Enforcement:

All ultrasonic pest control devices are presently under statewide Stop Sale Use and Removal, as no registrant has been able to supply required efficacy data.

Major enforcement tools being utilized include the obtaining of statewide court injunctions with the aid of our State's Attorney General's Office, issuance of warning letters and acting on applicator's licenses.

Structural Pest Control Complaints/Investigations:

Complaint Involves	#	Disposition
Substandard Termite Treatments	12	8-Warnings, 2-Conditional licenses
Wood Infestation Reporting	8	7-Warnings, 1-Informal Hearing
Unlicensed Operator	5	5-Warnings, 1-Informal Hearing
General Pesticide Misuse	4	2-Warnings, 1-License Suspension, 1-Formal Hearing Pending

--Most warning letters were accompanied by requirements to rectify the situation.



KANSAS STATE BOARD OF AGRICULTURE

PLANT INDUSTRY DIVISION

1982 SEP 30 PM 3:20

HARLAND E. PRIDDLE

Secretary

ENTOMOLOGY DIVISION
H. DEAN GARWOOD, *Director*

109 S. W. 9th Street

Topeka, Kansas 66612

913-296-3016

MICHIGAN
DEPT. OF AGRICULTURE

September 27, 1982

Mr. Robert L. Mesecher, Staff Assistant
Department of Agriculture
Plant Industry Division
Lewis Cass Building
P. O. Box 30017
Lansing, Michigan 48909

Dear Mr. Mesecher:

Due to budget restrictions on out-of-state travel the Kansas Board of Agriculture will not be represented at the ASPCRO annual meeting again this year. I regret this since we have never failed to benefit from those meetings we have been able to attend in the past.

I am enclosing a state report for Kansas for inclusion in the meeting records. Also I would appreciate receiving a copy of the meeting minutes when they are completed.

Please extend my greetings to those in attendance. I hope that Kansas can be represented at the 1983 meeting.

Very truly yours,

H. Dean Garwood
Director

HDG:skc

Enclosure

KANSAS REPORT
to the
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
September 27, 1982
by
Dean Garwood

Since October 21, 1977, Kansas pest control operators have been licensed and certified under the Kansas Pesticide Law. This statute replaced the Kansas Pest Control Act under which the ornamental and structural pest control industries had been regulated since 1953. The current law provides for the licensing of pest control businesses and the certification of applicators of restricted use pesticides.

Applicators must pass an examination in order to become certified and then may legally purchase and apply restricted use pesticides. The examination requirement applies only to certification, not to business licenses. There were no educational or examination requirements for business licenses under the current law when it was enacted. As a result, pesticide business licenses were issued to virtually anyone who applied. Over the past five years, the Board of Agriculture has had no choice but to issue licenses to numerous apparently incompetent and/or unscrupulous companies and individuals. The problem was brought to the attention of the legislature, and an amendment was passed which will require that each licensee have at least one certified applicator. This amendment will take effect January 1, 1983 and will effectively reinstitute the prelicensing examination requirement that was a part of the old Pest Control Act. It is hoped that this change in the law will upgrade the quality of pest control work in Kansas and reduce the number of consumer complaints.

During 1981, the Entomology Division received 133 complaints against pesticide applicators. To date, 144 complaints have been received in 1982.

Many cases were found to involve no violations of the law and were dismissed. In others, investigators acted as intermediaries between the customers and the pest control companies, making sure that the companies took care of the customers' complaints. Warnings were issued to five companies and four formal hearings were held to deny, suspend or revoke business licenses and/or commercial certification.

In cases turned over to county attorneys for prosecution since January, 1981, four individuals have been convicted of a total of nine counts of theft by deception (fraud), a felony. Four individuals have been charged with theft by deception and are awaiting trial. One of these is charged with a total of 39 felony counts and seven misdemeanors in four counties. One applicator was convicted of operating without a license, and a company was convicted of applying a pesticide without regard to public health, safety or welfare. Both of these charges are misdemeanors.

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. There are two industry representatives and one member representing the university. This Commission meets quarterly.

The Commission is holding public hearings on the proposed rules and regulations. Since August 5, 1982, we have held six public hearings throughout the State of Louisiana. The final hearing is scheduled for October 5-6, 1982 at the State Capitol Building, Baton Rouge, Louisiana.

The major revisions and changes to the new rules and regulations have been in the sections dealing with wood infestation reports and fumigation.

The Structural Pest Control Commission was scheduled to go before a "Sunset Committee" this past spring, however, we were given a reprieve by the legislature.

The Structural Pest Control Commission has a committee studying the possibilities of revising our methods of generating funds. This Commission operates solely on funds collected from the pest control industry.

In the past year, the commission has administered 172 exams, issued 127 licenses in the five various phases, 41 persons were certified, 707 registered employee cards were issued, 3,252 termite inspections were made and 366 termite jobs were found substandard. The Commission investigated 64 complaints. Four hearings were held and 33 violations were handled.

Harry Hughes
Governor



Wayne A. Cawley, Jr.
Secretary
Hugh E. Binks
Deputy Secretary

STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
Parole Plaza Office Building
Annapolis, Maryland 21401
PESTICIDE APPLICATORS LAW SECTION
PHONE: 301/269-2776

Association of Structural Pest Control Regulatory Officials
Romulus, Michigan
October 3-6, 1982

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 the fall of 1982.

2. WORD PROCESSOR

The Pesticide Applicators Law Section of the Maryland Department of Agriculture 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. We have also obtained a new exam grader that interfaces with the word processor to grade, record and issue exam results.

3. CERTIFICATION

We currently have 1900 certified commercial applicators and 8000 private applicators. We usually receive 55 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 case by case basis.

4. RECERTIFICATION AND TRAINING

For the past four 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 two 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 by October 21, 1982. They must participate in agricultural pesticide conferences in three of five years before renewal. The training sessions are being conducted by county extension agents. So far, 2200 out of 6500 private applicators have renewed. Approximately 900 did not receive renewals because of address changes. One hundred could not be recertified because of insufficient training and will have to be reexamined.

5. ENFORCEMENT

Approximately 60 written consumer complaints were received during the last year. Forty five of these involved termite inspection reports. We had two 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. Three 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.

Three revocation hearings were conducted in which two businesses were charged with licensing violations, and one with a chlordane misuse.

6. LEGISLATION

Maryland House Bill 188 was adopted under Maryland Pesticide Applicator's Law Section in 1982. This addition provides for the licensing and certification of consultants who do not apply pesticides. This legislation will primarily bring under regulation the home inspection firms who inspect for termites and other wood infesting insects along with other home inspection services.

AGRICULTURE
COMMISSION

STATE OF MICHIGAN



WILLIAM G. MILLIKEN, Governor

DEPARTMENT OF AGRICULTURE

Lewis Cass Building, P.O. Box 30017
Lansing, Michigan 48909

DEAN PRIDGEON, Director

David D. Diehl
Dr. S. Leon Whitney
John Kronmeyer
Robert Chaffin
Rebecca Tompkins

REPORT TO ASPCRO
OCTOBER 3-6, 1982
ROMULUS, MICHIGAN

The number of firms licensed in Structural Pest Control by the State of Michigan has increased just over 13% during 1982. This increase is believed to be a reflection of economic times in which persons are looking to supplement or replace lost income. It is not known what impact, if any, this increase may have on the pest control industry. The competition is already keen and it is hoped the appearance of new people on the block will not erode the quality of performance.

We have also experienced a steady flow of applicants for certification. In FY'82 we processed 1300 commercial applications with just over 31% of this total being for the category of structural pest control. The largest category for certification (41%) was ornamental and turf. The influx of certification applications for these two categories is believed to be influenced by economic times plus more emphasis on professionalism by licensed firms.

The number of pesticide complaints during 1982 was about 10% less than in 1981. We have no real measure to account for this reduction and therefore, do not consider this as being significant. We are experiencing more complexity with investigations due to the types of complaints received. Complaints such as alleged worker exposure, potential for exposure, pesticide odors in buildings or the next block away are not easily resolved. The public has been adversely sensitized by the news media and they have generated a fear of chemicals in the reader, chemophobia. In dealing with the chemophobe an investigator is compelled to go beyond the point of determining whether the pesticide was misused. This month we are starting our seventh enforcement grant with EPA. In setting priorities we attempted to use EPA's incident formula and found that our planned investigations will be directed about equally between urban, structural pest control and aerial applicators.

Number one priority will be responding to complaints, as it should be. Other activities will include Establishment and Marketplace inspections for sampling and label review, restricted use sales monitoring, marketplace checks for state registration and pesticide use surveillance at business locations and institutions.

Respectively Submitted,

A handwritten signature in cursive script that reads "Robert L. Mesecher".

Robert L. Mesecher, Staff Assistant
PLANT INDUSTRY DIVISION

STATE DEPARTMENT OF AGRICULTURE
Structural Pest Control Commission

RULES AND REGULATIONS

For Administration of the Structural Pest Control Law (LSA 40:1261-1274)

STATE DEPARTMENT OF AGRICULTURE
Structural Pest Control Commission

RULES AND REGULATIONS

For Administration of the Structural Pest Control Law (LSA 40:1261-1274)

- 1.0 Definitions
- 2.0 Administration of the affairs of the Commission; adoption of rules and regulations
- 3.0 Permit for operation of structural pest control business required
- 4.0 License to engage in structural pest control work required; qualifications of applicant; requirements for licensure; phases of structural pest control license; conditions of the license
- 5.0 Application for examination; contents of application
- 6.0 Registration of employees; duties of licensee and registered employee with respect to registration
- 7.0 Obligations of the licensee
- 8.0 Contracts for termite control work
- 9.0 Letters of Clearance
- 10.0 Associate licensees
- 11.0 Change in status of licensee
- 12.0 Inactive status of license
- 13.0 Adjudicatory proceedings of the Commission; violations
- 14.0 Probationary status of licensee/registered employee
- 15.0 Suspension/revocation of a license/registration certificate
- 16.0 Inspection, taking of samples
- 17.0 Prohibitions
- 18.0 Exceptions
- 19.0 Complaints against pest control operators
- 20.0 Minimum Specifications for Termite Control Work
- 21.0 Wood-destroying beetles

22.0 Fumigation

23.0 Repeal of prior rules and regulations

1.0 Definitions

- 1.1 "Act" and/or "Part" means Title 40, Section 1261-1274 of the Revised Statutes of 1950, as amended (the Structural Pest Control Law).
- 1.2 "Adjudicatory proceeding" means an open public hearing by the Commission to determine whether violations of the Act or these Rules and Regulations have occurred.
- 1.3 "Applicant" means any person making application for a license to engage in operations coming under the provisions of this Part.
- 1.4 "Associate status" means recognition given to a person who is otherwise qualified for licensure and who is involved in activities related to structural pest control work, but who is not directly involved in the business of structural pest control.
- 1.5 "Availability" with reference to direct supervision, means that the licensee must be able to reach the job site within 1½ hours after receipt of a call or have established another licensee to supervise your operations. (See 1.13)
- 1.6. "Bond" means a written instrument issued or executed by a bonding surety or insurance company, licensed to do business in this state, guaranteeing, the fulfillment of the agreement between the licensee or business entity and his customer and insuring against fraudulent practices by the licensee or business entity.
- 1.7 "Business" may mean either a single person or a group of persons organized to carry on the business of structural pest control.
- 1.8 "Branch office" means any site, i.e., office, store, warehouse, etc., where any kind of structural pest control services are offered to the general public.
- 1.9 "Certified Applicator" for the purpose of this act, means any person who holds a valid license as herein provided.
- 1.10 "Commission" means the Structural Pest Control Commission.
- 1.11 "Commissioner" means the commissioner of the Louisiana Department of Agriculture.
- 1.12 "Contract" means a written agreement executed by a licensed pest control operator for the provision of specific pest control services.
- 1.13 "Direct supervision" means physical contact at least once within a five day working period by the licensee with all

employees registered under his supervision, including giving routine and/or special instructions, prescribing pesticides, calculating volume of pesticides to be applied, calibrating equipment, and being available, whenever and wherever needed, to handle any emergency situations which might arise. (See 1.5)

- 1.14 "EPA" means United States Environmental Protection Agency.
- 1.15 "Employee" means any person employed by a licensee with the exceptions of clerical, janitorial, or office maintenance employees or those employees performing work completely disassociated with the control of insects, pests, rodents, and the control of wood-destroying organisms.
- 1.16 "FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act.
- 1.17 "Fumigant" means any substance which by itself or in combination with any other substance emits or liberates a gas or gases, fumes or vapors, destroy vermin, rodents, insects, and other pests, but are usually lethal, poisonous, noxious, or dangerous to human life.
- 1.18 "Insecticides" means substances, not fumigants, under whatever name known, used for the destruction or control of insects and similar pests.
- 1.19 "Label" means the written, printed, or graphic matter on or attached to a pesticide or device or any of its containers or wrappers.
- 1.20 "Labeling" means all labels and other written, printed or graphic matter (a) accompanying a pesticide or device at any time, or (b) to which reference is made on the label or in literature accompanying the pesticide or device, provided that the term does not apply to current official publications of the U.S. Environmental Protection Agency, the United States Department of Agriculture and the Interior, the Department of Health, Education and Welfare, State experiment stations, State agricultural colleges, and other similar Federal and State institutions and agencies authorized by law to conduct research in the field of pesticides.
- 1.21 "License" means a document issued by the Commission which authorizes the practice and/or supervision of one or more phases of structural pest control work, as follows:

docks, warehouses, and common carriers; nothing in this Part shall in any way effect the control and/or eradication of agricultural pests.

- 1.37 "Termites" means all species of the Order Isoptera which infest timbers and/or other materials containing cellulose in buildings and/or contents thereof, subdivided into two groups according to their habits, as follows:
- a) "Subterranean termites" means all species of termites which make tubes, but not pellets, and normally require contact with soil; especially species of the genera Reticulitermes and Coptotermes.
 - b) "Dry-Wood termites" means all species of termites which make pellets, but not tubes, do not require contact with damp soil; especially species of the genera Kaloterms, Cryptotermes, and Incisitermes.
- 1.38 "Termiticide" means any substance applied to buildings, wood products, or soil for the treatment of termites.
- 1.39 "Violation" means any act which is prohibited by the Structural Pest Control Act or any of these Rules and Regulations. Violations shall be classified in accordance with degree of severity, as follows:
- a) Minor violation - any act prohibited by the Act or these Rules and Regulations which does not result in danger to human health or damage to personal property, including, but not limited to, clerical error or failure to make timely reports to the Commission
 - b) Moderate violation - any act of negligence in meeting the guarantees of an agreement for structural pest control work in the licensure phase where the violation occurs, including, but not limited to, failure to apply chemicals in accordance with label or labeling requirements
 - c) Severe violation - any act which may affect human health and safety
- 1.40 "Wood-destroying Organisms" means and includes all species of insects, fungi, or other organisms which attack and damage wood in buildings for obtaining food for themselves and perpetuating the species such as the old house borer, powder post beetles, termites and wood decay.
- 1.41 "Wood-infestation Report" means any written document issued by a pest control operator which pertains to termites or other wood-destroying insects, but not including a bid, a proposal, or a contract for any structural pest control services.

- 2.0 Administration of the affairs of the Commission; adoption of Rules and Regulations
- 2.1 As provided by R.S. 40:1262, the Commissioner of Agriculture shall serve as permanent Chairman of the Commission.
 - 2.2 The State Entomologist shall serve as Secretary of the Commission.
 - 2.3 In the absence of the Chairman, the Secretary shall preside at meetings of the Commission.
 - 2.4 The Chairman shall designate a Hearing Officer, who may or may not be a member of the Commission, to preside at all adjudicatory proceedings of the Commission.
 - 2.5 The Commission shall serve as the Hearing Body in all adjudicatory proceedings and shall make the final decision with regard to the disposition of all matters coming to adjudication.
 - 2.6 The Commission shall hold regular meetings at least once during each quarter, during the months of January, April, July, and October.
 - 2.7 Meetings of the Commission shall normally be held in the domicile of the Commission.
 - 2.8 Meetings may be held at locations other than the domicile of the Commission upon the determination of the Chairman or at the written request of any three members of the Commission.
 - 2.9 Special meetings of the Commission may be called at any time by the Chairman.
 - 2.10 Whenever at least three members of the Commission desire to call a special meeting, the three members shall so advise the Chairman in writing and the Chairman shall call a special meeting to be held within thirty (30) days after receipt of the members' request.
 - 2.11 If the Chairman fails or refuses to call a special meeting upon the proper request of three members, the members may convene a special meeting of the Commission by written notice to the remaining members.
 - 2.12 The Secretary shall notify each member of the Commission by certified mail of any regular or special meeting at least one week prior to the meeting date.
 - 2.13 The Secretary shall provide clerical and other support services as may be required by the Commission and shall maintain and distribute appropriate Minute records of all meetings of the Commission.

- 2.14 There shall be no voting by proxy.
 - 2.15 No action shall be taken by the Commission unless three (3) members of the Commission shall constitute a quorum, but no action shall be taken without three (3) votes in accord.
 - 2.16 Rules and Regulations of the Commission, and amendments thereto, shall be noticed, adopted, and promulgated as required by the Administrative Procedure Act.
 - 2.17 In addition to the requirements of the Administrative Procedure Act, the Commission shall also provide prior written notice of any public hearing for consideration for adoption and/or amendment of any rules and regulations to all licensees at the last address reported by each licensee at least seven (7) days prior to any such hearing.
- 3.0 Permit for operation of structural pest control business required
- 3.1 Every place of business engaged in structural pest control work must obtain a permit for operation from the Commission prior to engaging in structural pest control work.
 - 3.2 No permit for operation shall be issued by the Commission unless there is a licensee domiciled on a full-time basis at the business location for which the permit is sought.
 - 3.3 Each permit for operation must be renewed annually, on or before June 30th of each year.
 - 3.4 The fee for issuance of a permit for operation shall be fifty (\$50.00) dollars.
 - 3.5 The fee for renewal of a permit for operation shall be fifty (\$50.00) dollars.
 - 3.6 When two or more businesses which are separate legal entities, even though owned by the same individual or the same legal entity, are operated at one physical location, each separate entity must obtain a permit for operation.
 - 3.7 Whenever a license is suspended or revoked under Rule 13.0, the Commission may also revoke the permit to operate. In such cases, the Commission shall recall the permit and require the licensee to immediately return the permit to the Commission.
 - 3.8 Whenever a permit is recalled by the Commission as provided in Rule 3.7 above, no structural pest control work of any kind may be provided by persons domiciled at the location for which the recalled permit has been issued.

- 4.0 License to engage in structural pest control work required; qualifications of applicant; requirements for licensure; phases of structural pest control license; conditions of the license
- 4.1 No person may perform structural pest control work of any kind, or advertise to provide structural pest control services, until licensed to do so by the Commission.
- 4.2 Each applicant for license must possess the following education and/or experience:
- a) Graduation from a four-year college or university with a major in entomology; OR
 - b) Completion of a minimum of four years of satisfactory structural pest control service work under the supervision of a person licensed by the Commission in the phase of structural pest control work for which the license is sought. Prior experience in pest control sales work, whether the applicant was registered with the Commission or not, will not be applied toward the required four years of experience in pest control service work.
- 4.3 Each applicant for licensure must also demonstrate the following competencies:
- a) Knowledge of the practical and scientific facts underlying the practice of structural pest control, control of wood-destroying insects, and/or fumigation; AND
 - b) Knowledge and ability to recognize and control hazardous conditions which might affect human life or health.
- 4.4 Each applicant must successfully complete the appropriate examination for certification prior to issuance of the structural pest control license.
- 4.5 In addition to the qualifications required by Rules 4.2 and 4.3, each applicant for licensure must:
- a) submit a complete application for examination as required by Rule 5.0 hereof;
 - b) be approved by the Commission to take the examination for licensure;
 - c) have successfully completed the examination for licensure no more than two years prior to the date of issuance of the license;

- d) secure a permit for operation of the business location where he will be domiciled, as required by Rule 3.0 above, provided that an applicant for license who is connected with a business location for which the Commission has already issued a permit for operation need only to advise the Commission of the business name and location of the permitted establishment where he will be domiciled;
- e) provide evidence of public liability insurance covering the business with which the applicant is connected, as follows:
 - (1) Not less than \$25,000 coverage for one individual,
 - (2) Not less than \$50,000 coverage for one accident,
 - (3) Not less than \$10,000 coverage for property damage,
 - (4) Provision for at least ten (10) days prior written notification to the Commission before cancellation.

An applicant who is not connected with a business which is insured as required above must secure the specified coverages prior to issuance of the license.

- f) provide evidence of a surety or fidelity bond covering the business with which the applicant is connected, issued by a bonding, surety, or insurance company authorized to do business in Louisiana, in the amount of \$2,000, of tenor and solvency satisfactory to a majority of the Commission. An applicant who is not connected with a business covered by the required surety or fidelity bond must secure the appropriate coverage prior to issuance of the license.
- 4.6 Out-of-state applicants for licensure must meet the educational requirements shown in Rule 4.2 (a) above OR produce evidence satisfactory to the Commission of four years of experience under the supervision of a recognized and reputable pest control operator. Experience in pest control work in another state will be verified with the appropriate regulatory agency of the other state before an out-of-state applicant will be allowed to take the examination for licensure in Louisiana.
- 4.7 The Commission shall consider each application for examination for licensure in open session. The Commission may verify the contents of any application prior to taking final action to approve/disapprove the applicant to take the examination. The Commission may disapprove an applicant, or defer action on the application to take the

examination, in any instance when the contents of the application cannot be verified. Action to grant/deny approval for the applicant to take the examination shall be taken only upon the affirmative vote of three members of the Commission. No license shall be issued until the Commission has approved the applicant.

- 4.8 All applicants who are approved by the Commission will, upon successfully completing the examination for licensure as set forth in Rule 5.0 hereof, receive a single license to engage in structural pest control work, which license shall specify on the face thereof the specific phase or phases of structural pest control work for which the license is issued, as follows:
- a) General Pest Control
 - b) Commercial Rodent Control
 - c) Termite Control
 - d) Fumigation
- 4.9 A license to engage in structural pest control work is permanent unless suspended or revoked by the Commission as provided in Rule 13.0.
- 4.10 A licensee may perform or supervise structural pest control work only in the phase or phases of the license for which he is licensed by the Commission.
- 4.11 Each license is personal to the holder and may not be transferred to another for any purpose or for any period of time and may not be utilized in any way by any person other than the licensee whose name appears on the face of the license.
- 4.12 The license must be prominently displayed in the licensee's place of business at all times.
- 4.13 The Commission may deny a license to any person proven to have committed any of the violations set forth in Rule 13.0 hereof.
- 4.14 A licensee approved in one phase of pest control work may be licensed in additional phases by successfully completing the examination for the additional phase. However, the license for additional phase or phases of structural pest control work shall not be issued until the Commission approves the licensee to take the examination for the additional phase or phases.

- 4.15 Any licensee desiring to utilize a telephone answering service shall report to the Commission at least 30 days prior to establishing such a telephone answering service.

5.0 Application for examination; contents of application

- 5.1 Application for examination for licensure may be made at any time by filing a complete application, on forms to be provided by the Commission.
- 5.2 A complete application for examination must be filed in the Commission office at least thirty (30) working days prior to any scheduled meeting of the Commission to be routinely placed on the agenda for consideration by the Commission.
- 5.3 Each applicant for examination shall pay a fee of twenty-five (\$25.00) dollars at the time of submission of the application for examination, which fee shall be non-refundable.
- 5.4 Each application for examination must contain the following information:
- a) Business name, address, and phone number of the business domicile of the applicant
 - b) Name and residence address of the applicant
 - c) Educational qualifications. For applicants seeking licensure on the basis of educational qualifications, a certified copy of the applicant's college or university transcript must be provided.
 - d) Experience in pest control work. Information to be provided includes, but is not limited to, business name and address where employed under supervision, name of the licensee providing supervision to the applicant, and evidence of registration while in the claimed employment. Applicants seeking licensure on the basis of experience must provide a notarized statement from the licensee of the Commission who supervised the applicant, attesting to the period of supervised employment and the capacity in which the applicant was employed, said affidavit to be executed on a form to be provided by the Commission. If the licensee who provided supervision is deceased, or his whereabouts are unknown, at the time of the application, the Commission may (1) waive the requirement for the affidavit of the licensee or (2) verify the applicant's supervised experience by whatever means deemed appropriate by the Commission.

- 5.5 Any applicant who is not qualified for licensure on the basis of education or experience will not be admitted to the examination.
- 5.6 Copies of applications for examinations may be provided to the Commission members for informational purposes during the interim between Commission meetings.
- 5.7 Examinations will be given once during each quarter by the assistant director or the secretary at times or places which have been previously advertised and at not other times or places.
- 5.8 The written examination may be supplemented by oral examination and/or visual identification of specific pests and insects.
- 5.9 The minimum score required for successful completion of the examination is seventy (70%) percent.
- 5.10 Each applicant shall be notified in writing within thirty (30) days after completing of the examination of the results thereof.
- 6.0 Registration of employees; duties of licensee and registered employee with respect to registration
 - 6.1 Each licensee must register every employee under his supervision with the Commission within thirty (30) days after the commencement of the employee's employment.
 - 6.2 The licensee must complete a registration form for each employee under his supervision, on a form to be provided by the Commission.
 - 6.3 The registration form for each employee must contain the following information:
 - a) Name and address of the business location where the employee is domiciled
 - b) Name, address and phone number of the licensee providing supervision over the employee
 - c) Name and residence address of the employee to be registered
 - d) Phase(s) of pest control work in which the employee will work and be supervised
 - e) Whether the employee will be engaged in sales or service
 - f) Date of employment of the employee

work with the property owner employing him, which agreement must:

- a) be in a form provided or approved by the Commission,
- b) guarantee performance for a period of one year after the treatment is made,
- c) guarantee treatment of the property in accordance with Minimum Specifications for Termite Control Work set forth in Rule 20.0 hereof,
- d) provide for at least one inspection of the property prior to expiration of the agreement.

8.2 Each contract for termite control work shall cover only one unit or one individual property, provided that the contract may include a garage appurtenant to the unit or individual property.

8.3 Contracts for "spot" termite treatments must guarantee the area treated for a period of one year.

8.4 The licensee must report to the Commission, no later than the 10th day of each month, each contract for termite work which he has entered into and performed during the previous month. If no contracts were entered into or performed during the previous month, the licensee must report this fact to the Commission no later than the 10th of each month.

8.5 The licensee shall pay fees established in R.S. 40:1272 for each termite contract reported under Rule 8.5 above when the required monthly report is filed.

9.0 Wood-Infestation Reports

9.1 No pest control operator may write a wood-infestation report on any structure unless the structure is covered by a valid contract for wood-destroying insect control work issued by a firm licensed to do business in Louisiana.

9.2 Each wood-infestation report must guarantee the structure to be free from wood-destroying insect activity for a minimum of one year following date of issuance of the Wood-Infestation Report.

9.3 All wood-infestation reports must include the date on which the contract for wood-destroying insect control covering the structure was issued and the date of the most recent treatment for wood-destroying insect control.

9.4 When there is no contract for termite control covering a structure for which a wood-infestation report is requested,

the pest control operator must treat the property in accordance with Minimum Specifications for Termite Control Work (Rule 20.0) prior to executing the contract for wood-destroying insect work or the wood-infestation report.

- 9.5 The fee required under R.S. 40:1272 and Rule 8.6 above shall be paid whenever a new contract for termite control work is executed in association with the issuance of a wood-infestation report. No fee shall be required if the structure covered by the wood-infestation report is already covered by a valid, current contract for wood-destroying insect work.
- 9.6 The wood-infestation report must clearly identify the structure and describe the conditions existing in the structure covered by the wood-infestation report.

10.0 Associate Licensee

- 10.1 Any person who is otherwise qualified for a license but is not actively and directly engaged in the treatment of structural pests may be licensed as an Associate.
- 10.2 Holders of Associate licenses shall not be required to post bond or evidence of insurance nor to obtain a permit for operation, but must demonstrate compliance with all other requirements for licensure, including successful completion of examination required under Rule 5.0 hereof.
- 10.3 The Associate license may remain valid for an indefinite period of time but may be cancelled at any time for cause by the Commission after proper notice and hearing.
- 10.4 Whenever an Associate license is cancelled by the Commission, the holder thereof shall be notified in writing of the cancellation within fifteen (15) days after cancellation by the Commission.
- 10.5 The holder of an Associate license may not be fully licensed except by compliance with all requirements of Rules 3.0, 4.0 and 5.0 hereof.
- 10.6 All applicants for an Associate license shall pay a fee of fifty (\$50.00) dollars, which fee shall be non-refundable.
- 10.7 The Commission shall approve all applicants for Associate license under the same procedures used for the approval of applicants for regular licenses.
- 10.8 Holders of Associate licenses may not solicit sales of products, provide treatment, or offer consultation leading toward treatment of specific structures.

11.0 Change in Status of Licensee

- 11.1 Any change in a licensee's status (e.g., death, retirement, prolonged illness, merger of companies, sale, change of ownership, etc.) must be reported to the Commission, in writing, within fourteen (14) days after the change in status occurs.
- 11.2 When any change in status occurs, provisions must be made for supervision at any location where there is no licensee during the interim until another licensee is approved by the Commission for examination. The person in charge of the permitted location where the change in status occurred must notify the Commission, in writing, of the name and address of the licensee providing supervision during the interim within thirty (30) days after the change occurs.
- 11.3 When the change in status results in no licensee being domiciled at a permitted location, an applicant who is eligible for licensure must be approved by the Commission for examination either (a) at the next meeting of the Commission after the change in status occurs, or (b) within ninety (90) days after the change in status occurs, whichever is later.
- 11.4 The Commission may revoke the permit for operation for any permitted location where a change in status results in no licensee being domiciled at the permitted location and no eligible applicant being approved for examination as required by Rule 11.3 above.
- 11.5 When the death or disability of a licensee occurs, resulting in no licensee being domiciled at the deceased's permitted location, the Commission may extend the period for qualifying a new licensee for an additional ninety (90) days before revoking or cancelling the permit for operation.

12.0 Inactive Status of License

- 12.1 Any licensee may place his license on inactive Status, with prior approval of the Commission, during any period of time when he will not be directly engaged in pest control work upon written notice to the Commission.
- 12.2 Notice to the Commission must include the period for which inactive status is requested and any information which may support the licensee's request for placement of his license on inactive status.
- 12.3 When the Commission places a license on inactive status, the licensee shall not be required to maintain liability insurance and/or his bond in full force and effect while the license is on inactive status.

- 12.4 The license of any licensee which remains on inactive status for four (4) years shall be revoked by the Commission upon notice and hearing as required by Rule 13.0 hereof.
- 12.5 When a license has been revoked under the authority of Rule 12.4 above, the license may not be renewed except upon compliance with all requirements for initial licensing contained in Rules 4.0 and 5.0.
- 12.6 The Commission may deny or defer action on a request to return a license to active status, regardless of the period of time when the license has been on inactive status, whenever the licensee on inactive status has been proven guilty in an adjudicatory proceeding of any of the violations enumerated in Rule 13.4.
- 12.7 The Commission may impose penalties simultaneously when authorizing the return of a license to active status, but only when the licensee on inactive status has been brought to an adjudicatory proceeding as provided by Rule 13.0 and proven guilty of acts which would have been classified as violations under Rule 13.4 if the license had been on active status when the acts were committed.
- 13.0 Adjudicatory proceedings of the Commission; violations
- 13.1 The Commission may place a licensee/registered employee on probationary status or suspend/revoke a license/registration certificate by holding an adjudicatory proceeding noticed and conducted in accordance with the requirements of the Administrative Procedure Act and the Structural Pest Control Law.
- 13.2 Whenever the Commission has reason to believe that a licensee/registered employee has violated any provision of the Act or these Rules and Regulations, the Commission shall notice the licensee/registered employee, by certified mail, at least thirty (30) days prior to the scheduled hearing date.
- 13.3 In addition to providing all information required by the Administrative Procedure Act, the notice required in Rule 13.2 above shall state that failure to appear at the scheduled hearing may result in the suspension or revocation of the license/registration certificate.
- 13.4 The Commission may place a licensee/registered employee on probationary status or suspend/revoke his license/registration certificate when any of the following violations are sustained in a properly noticed adjudicatory proceeding:

- a) misrepresentation for the purpose of defrauding
- b) deceiving or defrauding
- c) making false statements
- d) failure by a licensee to provide true and correct information to the Commission
- e) failure to comply with any of the requirements of the Act or these Rules and Regulations
- f) failure to pay required fees
- g) intentional misrepresentation in an application for license and/or employee registration
- h) conviction in any court of law violations of the Act or of any felony
- i) knowingly permitting any person under the supervision of the offender to violate any provisions of the Act or these Rules and Regulations
- j) failure to enter into a written contract with the property owner employing the pest control operator for termite work
- k) failure to comply with the Minimum Specifications for Termite Control Work set forth in Rule 20.0
- l) failure to follow the label and labeling requirement in the application of any pesticide not specifically covered in Rule 20.0
- m) failure to maintain required insurance coverages and fidelity or surety bonds in full force and effect
- n) failure to fulfill the terms of any guarantees or agreements entered into
- o) failure to attend an approved training program for commercial applicator certification during any three-year period and failure to maintain current status as a commercial applicator
- p) making any false or misleading statement in a wood-infestation report
- q) gross negligence in conducting an inspection or failing to make an inspection prior to issuance of a wood-infestation report

- r) conviction of a violation or assessment of a civil penalty under FIFRA or Louisiana Pesticide Law

14.0 Probationary status of licensee/registered employee

- 14.1 A license or registration certification may be placed on probationary status only upon the affirmative vote of three members of the Commission at an adjudicatory proceeding noticed and conducted as required under Rule 13.0.
- 14.2 When a minor violation is sustained before the Commission in an adjudicatory proceeding, a licensee or registered employee may be placed on probation for a period not to exceed six (6) months.
- 14.3 When a moderate violation is sustained before the Commission in an adjudicatory proceeding, the licensee or registered employee may be placed on probation for a period not to exceed one (1) year.
- 14.4 When multiple violations (i.e., violations of more than one provision of the Act or these Rules and Regulations OR more than one violation of the same provision of law or regulations) are sustained before the Commission, the Commission shall consider each separate violation and take appropriate action with respect thereto.
- 14.5 Whenever any licensee or registered employee is found in an adjudicatory proceeding to have committed multiple violations of the Act or these Rules and Regulations, the Commission may suspend or revoke the license/registration certificate without first imposing a period of probation.
- 14.6 Any violation of the Act or these Rules and Regulations during a period of probationary status will subject the offender to more severe penalties, including suspension and/or revocation of his license or registration certificate and/or the initiation of proceedings in a court of competent jurisdiction.
- 14.7 If the violations resulting in the imposition of probationary status are corrected during the period of probationary status, the probationary period shall automatically expire, without notice, at the end of the probationary period specified by the Commission.
- 14.8 If the violations resulting in the imposition of the probationary status are not corrected during such period of probationary status, the Commission may either (a) renew the period of probationary status or (b) suspend/revoke the license/registration certificate after an adjudicatory hearing noticed and conducted under Rule 13.0.

- 14.9 The licensee/registered employee may continue to work during any period of probationary status.
- 14.10 The Commission may place a licensee/registered employee on probationary status for one phase of pest control work for which he is licensed/registered without effect upon any other phase of pest control work for which he is licensed/registered.
- 14.11 The Commission may place all phases of pest control work for which the licensee/employee is licensed/registered for a violation occurring in only one phase of pest control work.
- 14.12 The Commission shall notify the licensee/registered employee, in writing, of:
- a) the nature of the violations sustained before the Commission, including dates and places where the violations occurred
 - b) the period of probationary status
 - c) the phases of the license/registration certificate affected by the probationary status
 - d) any additional terms and conditions imposed by the Commission.
- 14.13 A licensee/registered employee may be placed on probationary status for a cumulative total of no more than twenty-four (24) months. If any violations of the Act or Rules and Regulations occurs after twenty-four (24) months of probationary status, the Commission shall convene an adjudicatory proceeding leading to the suspension/revocation of the license/registration certificate.
- 14.14 In consideration of alleged violations, the Commission shall examine the record of the offender during the twenty-four (24) months previous to the date of the alleged violation; whenever the licensee/registered employee has been found guilty of a violation of the Act or these Rules and Regulations in an adjudicatory proceeding at any time during the previous twenty-four (24) months, the Commission shall consider the licensee/registered employee in the light of multiple violations.
- 15.0 Suspension/revocation of license/registration certificate
- 15.1 A license/registration certificate may be suspended/revoked by the Commission (a) only upon the unanimous vote of the Commission, and (b) only for a violation of the Act or these Rules and Regulations sustained before the Commission in an adjudicatory proceeding noticed and conducted as required under Rule 13.0 hereof.

- 15.2 The Commission may suspend/revoke a license/registration certificate for any severe violation without previously imposing a period of probationary status.
- 15.3 Any suspension of a license/registration certificate shall be for a specific period of time, and the licensee/registered employee shall be notified in writing of the period of time and any conditions which may be imposed on the reinstatement thereof.
- 15.4 In addition to the period of suspension, the Commission may impose additional terms and conditions which must be met before the license/registration certificate will be reinstated.
- 15.5 The licensee/registered employee may not perform any work in any phase of pest control work, including in the case of licensees the supervision of registered employees, when his license/registration certificate for that phase of pest control work has been suspended by the Commission.
- 15.6 The Commission may suspend the license/registration certificate for one phase of pest control work without effect upon any other phase of pest control work for which the licensee/employee is licensed/registered.
- 15.7 The Commission may suspend all phases of pest control work for which the licensee/employee is licensed/registered for a severe violation occurring in only one phase of pest control work.
- 15.8 Prior to the expiration of a suspension, the Commission shall notice the licensee/registered employee, as provided by Rule 13.0, to attend the next regularly scheduled meeting and demonstrate that the violations which caused the suspension have been corrected.
- 15.9 If the violations which caused the suspension have not been corrected, the Commission may conduct an adjudicatory proceeding and permanently revoke the license/registration certificate.
- 15.10 Upon provision of evidence acceptable to the Commission, either before or at the expiration date for the period of suspension, that the violations which resulted in the suspension have been corrected, the suspension may be terminated by the Commission.
- 15.11 A suspension may not be extended beyond the initial expiration date except upon the unanimous vote of the Commission at a properly noticed and conducted adjudicatory proceeding.

- 15.12 When a license/registration certificate has been revoked by the Commission, the license/registration certificate may not be reinstated until such time as the former licensee meets all requirements set forth in Rules 3.0, 4.0 and 5.0 hereof and/or the former registered employee meets all requirements set forth in Rule 6.0 hereof.

16.0 Inspection, taking of samples

- 16.1 During the course of their inspections, inspectors employed by the Commission may take soil samples and/or chemical samples of tank mixes and/or rodenticides.
- 16.2 Soil and chemical samples shall be properly marked to preserve a chain of custody record and shall be submitted to the laboratory at Louisiana State University for analysis.
- 16.3 Results of laboratory analysis of soil and/or chemical samples may be used in adjudicatory proceedings and shall be made available to the pest control operator upon request after the analysis is completed.

17.0 Prohibitions

- 17.1 A pest control operator may not engage in any phase of structural pest control work for which he is not specifically licensed by the Commission.
- 17.2 No person engaged in the sale of products for the eradication of household pests or wood-destroying insects shall demonstrate such products by applying the products to the premises of a customer without first obtaining a license from the Commission.
- 17.3 No examination for licensure will be given if the applicant is not eligible for licensure on the basis of education and/or experience.
- 17.4 No licensee/registered employee may apply restricted use pesticides unless certified to make such application.
- 17.5 No licensee/registered employee may use highly toxic gases inside buildings unless licensed in the Fumigation phase of the pest control license.
- 17.6 The licensee may not assign a registered employee to perform pest control work in any phase of pest control work for which he is not registered and/or in which he has not been thoroughly trained.

18.0 Exceptions

- 18.1 These Rules and Regulations do not apply to the application of pesticides for the control of agricultural pests.
- 18.2 These Rules and Regulations do not apply to any person, firm, corporation, association, or combination thereof engaged in the manufacture of pesticides, fumigants, insecticides, herbicides, rodenticides, repellants, or other similar substances.
- 18.3 These Rules and Regulations do not apply to any person, firm, partnership, corporation, association, or other organization or combination thereof engaged in selling products to the general public for the control of household pests and termites, provided that such entities may not apply such products, by way of demonstration or otherwise, to a customer's premises or offer any services connected with pest control unless licensed to do so by the Commission.
- 18.4 These Rules and Regulations do not apply to persons who personally applies pesticides of any kind for the control of household pests or wood-destroying insects on property which they own, rent, or lease, provided that such persons must employ such materials in such manner as to avoid any undue hazards to public health safety.

19.0 Complaints against pest control operators

- 19.1 Any citizen may file a complaint in writing against any pest control operator by contacting the Commission office in Baton Rouge.
- 19.2 Upon receipt of a complaint, the Commission staff shall:
 - a) inform the pest control operator against whom the complaint has been lodged, and
 - b) immediately conduct an investigation of the incident involved in the complaint.
- 19.3 Upon completion of the investigation required under Rule 19.2, the Commission staff shall notify the complainant and the pest control operator of the results of its investigation and enter an item for a status report to the Commission on the agenda for the next Commission meeting.
- 19.4 The Commission may bring any matter arising from a citizen's complaint to an adjudicatory hearing if, in the judgement of the Commission, the facts established in the investigation required under Rule 19.2 warrant such action.

19.5 In any instance where a citizen feels that the facts of his complaint warrant an adjudicatory hearing by the Commission, the citizen may request, in writing, that the matter be placed on the agenda for consideration at the next meeting of the Commission, provided that the citizen must appear and give sworn testimony at such hearing called at the request of the citizen. In any instance where a citizen has filed a written petition for an adjudicatory proceeding but fails to appear, upon proper notice, and give testimony, the Commission may cancel such adjudicatory proceedings without action.

20.0 Minimum Specifications for Termite Control Work

20.1 Chemicals approved for termite control work which shall remain in full force and effect until superseded by a publication of a subsequent full listing

- a) All chemicals registered by the U.S. Environmental Protection Agency and the Louisiana Department of Agriculture are approved by the Commission, but only at the chemical compositions approved by the U.S. Environmental Protection Agency.
- b) The Commission will issue an annual listing of chemicals approved by the Commission for termite control work no later than December 31st of each year. The annual listing shall become effective upon publication in the Louisiana Register and shall remain in effect for a full year unless sooner changed by the Commission. The Commission may supplement its annual listing whenever any new chemical is approved for termite control work and may also remove a previously approved chemical from its approved listing by publication in the Louisiana Register. Upon publication of the annual listing of chemicals approved for termite control work, all previous listings shall be repealed. The Commission delegates to the State Entomologist the responsibility for publication of the list of chemicals approved by the Commission.
- c) The Commission's annual listing of chemicals approved for termite control work shall also contain the chemical concentration at which each chemical is approved for usage, and the chemicals must be applied in accordance with label and labeling requirements. Chemicals shall not be applied at any less than label and labeling requirements.
- d) Proprietary materials may be used for termite control work only if (a) such materials contain one or more chemicals approved by the Commission at the concentrate

level required by the Commission and (b) such materials are compatible. Proprietary materials cannot be used for the prevention, control, or eradication of structural pests without prior written approval of the Commission. Proprietary materials which do not conform to the requirements of the Commission must be evaluated on the basis of a field trial prior to approval by the Commission.

20.2 Requirements for trench and treat

All trenches must be four (4") inches wide at the top, angled toward the foundation, and sufficiently deep (approximately six inches) to permit application of the required chemical. Apply the emulsion into the trench at a rate of two (2) gallons per ten (10) linear feet. As the soil is replaced into the trench, apply another two (2) gallons per ten (10) linear feet of backfill. Rodding will be acceptable where trenching may damage flowers and/or vegetation.

20.3 Treatment of existing pier type construction

a) Access openings

Provide suitable access openings to all crawl-space areas and to all other areas requiring inspection and/or treatment for termites.

b) Required clean-up

- (1) Remove all cellulose-bearing debris, such as scrap wood, wood chips, paper, stumps, dead roots, etc. from underneath buildings.
- (2) Trench, rod, and treat any large stumps or roots that are too sound to be removed, provided that such stumps or roots are at least six (6") inches from the foundation timbers. Stumps or roots located less than six (6") inches from the foundation timbers must be cut off to provide at least six (6") inches clearance.
- (3) Remove all temporary form boards, wherever found, which may have been left in place.

c) Elimination of direct contact of wood with ground

- (1) Piers and stiff legs must have concrete or metal-capped bases extending at least four (4") inches above the ground. Pressure-treated piling foundations are exempt from this requirement.

- (2) Wood parts on concrete floors (such as posts, door-frames, or stair carriages) which have been attacked by termites or which are set down in concrete must be cut off and set on metal or concrete bases at least one (1") inch above floor level.
- (3) Wood steps must be placed on concrete bases which extend several inches above ground and preferably, several inches beyond the steps in all directions.

d) Pipes

- (1) Remove (or if not removed, saturate) all packing around pipes with chemical, after breaking contact with ground.
- (2) Trench and treat around all pipes.

e) Skirting and lattice-work

- (1) All skirting and lattice-work must rest on solid concrete or cemented brick extending at least three (3") inches above the outside grade.
- (2) There must be at least three (3") inches clearance above outside grade if skirting or lattice-work is suspended.

f) Stucco

- (1) Where stucco extends to or below grade, dig trenches below and under the edge of the stucco and apply chemical heavily in the trenches, in sufficient quantity to assure saturation of the ground beneath the stucco.

NOTE: This is in addition to the required ground treatment.

- (2) Where ground slabs prevent saturation as required in (1) above, saturate the ground by flooding through the void between the stucco and the inner walls.

g) Masonry

- (1) Apply chemical to all porous areas, cracks, and accessible voids in foundation walls, piers, chimneys, steps, buttresses, etc., as follows:
 - (a) Flood all cracks in concrete.

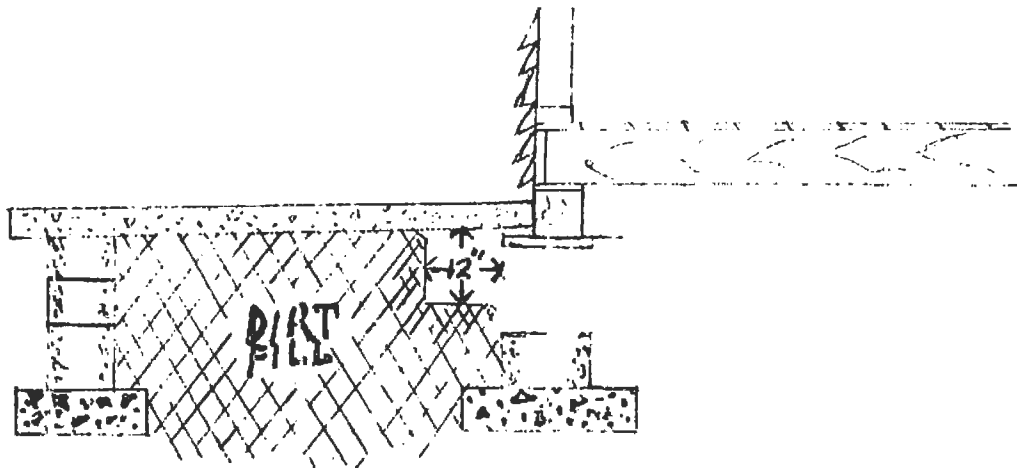
- (b) Drill holes in mortar joints, at no more than twenty-four (24") inch intervals, in all two-course brick foundations (piers, foundation walls, step buttresses, etc.) in a horizontal line and thoroughly saturate wall voids. L-shaped and T-shaped piers must be drilled a minimum of three (3) times with hole spacings no more than eight (8") inches apart. Holes must be deep enough to reach the center mortar joint and chemical must be applied under sufficient pressure to flood all cracks and voids. Drilling is not required when solid concrete footing extends above grade level or when wall is capped with solid concrete.
- (c) Drill holes in mortar joints of all three-course brick foundation walls on each side of the foundation wall at the end of every other brick, alternating the holes on the different sides of the wall as much as practicable, and apply chemical under sufficient pressure to flood all cracks and voids. Where the outside finish of a three-course brick wall makes drilling from each side of the wall impractical, drill from one side and extend every other hole for the depth of two bricks.
- (d) Drill holes into each compartment of each block of hollow concrete (or other lightweight aggregate) blocks and apply chemical into the openings at a rate sufficient to flood the area of the bottom of each block. If the foundation wall consists of a row of hollow blocks, drill each compartment and the mortar joint of every block. Drilling is not required if the opening in the block is accessible.

h) Ground treatment

- (1) Trench around each pier and/or foundation of the structure being treated.
- (2) Apply chemical in the trench in accordance with label and labeling requirements.

i) Dirt filled porches

FIGURE 1. Excavation of Dirt Filled Porches



- (1) Where the soil or other wood extends to, or below, the under side of the concrete slab, the dirt must be excavated so as to leave a horizontal tunnel at the junction of slab and foundation wall. The tunnel shall extend the full length of the fill and be at least twelve (12) inches deep (or down to grade) and twelve (12) inches wide. Soil in the tunnel shall be saturated with chemical at all points of contact with wall and slab. Supports for the slab shall be erected in the tunnel if necessary. Tunnel shall be well ventilated, but care shall be taken to assure that water does not run into those tunnels. (See Figure 1.)

EXCEPTION: If, due to construction, it is impractical to break into and excavate dirt-filled areas, a method of drilling, rodding and flooding as outlined in Section 2(b) below, may be employed. The Secretary of the Structural Pest Control Commission shall be notified in these cases and permission requested prior to treatment.

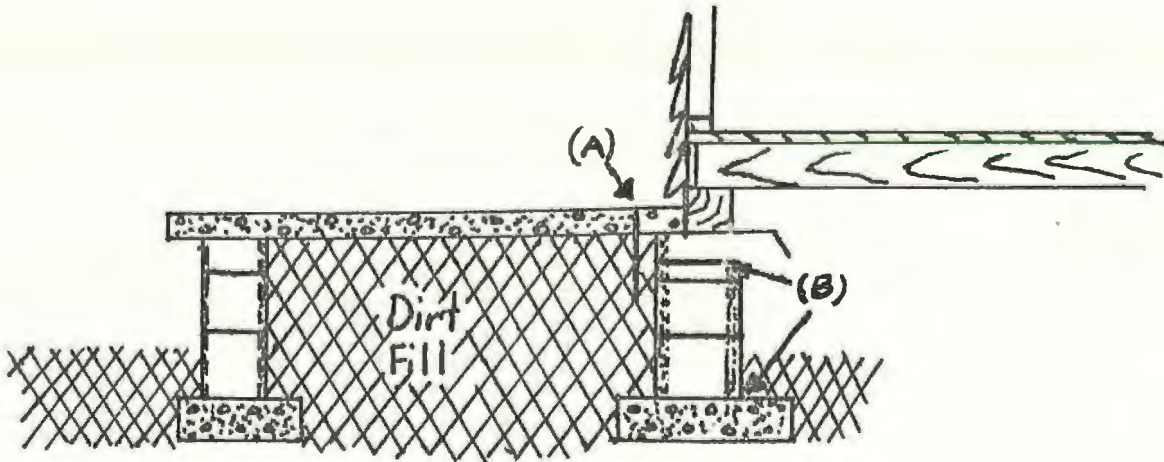
- (2) Where the sill or other wood does not extend to or below the under side of the concrete slab, the fills may be drilled, rodded and flooded as follows:
 - (a) Drill floor slab at twenty (20) inch intervals along the juncture of the porch and the buildings; rod and saturate the fill along the foundation wall of the building. (See (A), Figure 2 and 3.)

- (b) When it is impossible to rod and saturate fill because of broken concrete, rock or other non-porous material in the fill, drill the floor slab as outlined in sub-section (1) above and apply sufficient chemical to flood and saturate the floor slab beneath the surface areas. When non-porous materials are present in the fill, drill holes in a multi-course brick foundation at eight (8) inch intervals with every other hole extending into the fill. When there is a hollow-brick foundation, drill holes into the fill area every sixteen (16) inches along the foundation wall.

NOTE: This is in addition to drilling and treating voids as outlined below. (See (B) Figures 2 and 3.)

- (3) In both methods of treating earth fills (drilling, rodding and flooding, or excavation), porch foundation walls will be treated as follows:

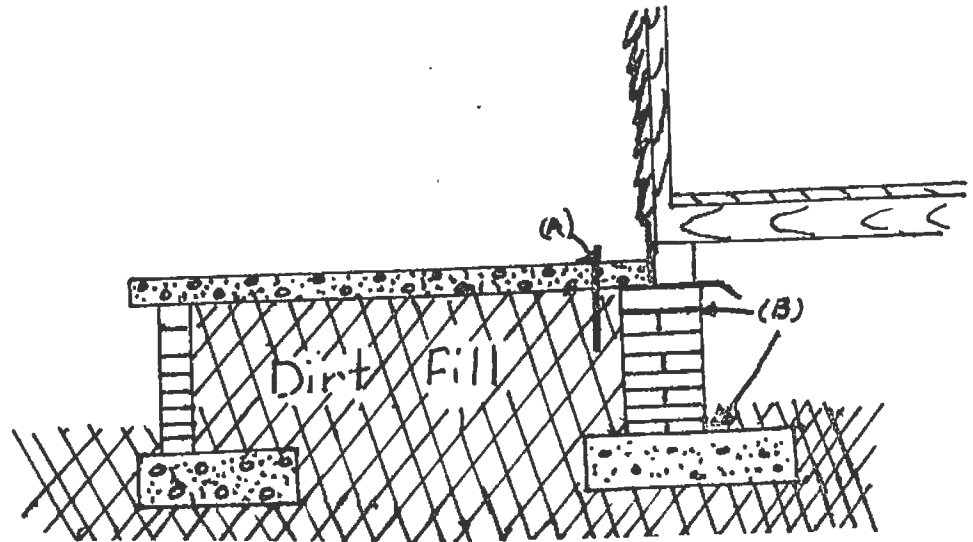
FIGURE 2. Dirt Filled Porch (Hollow Block)



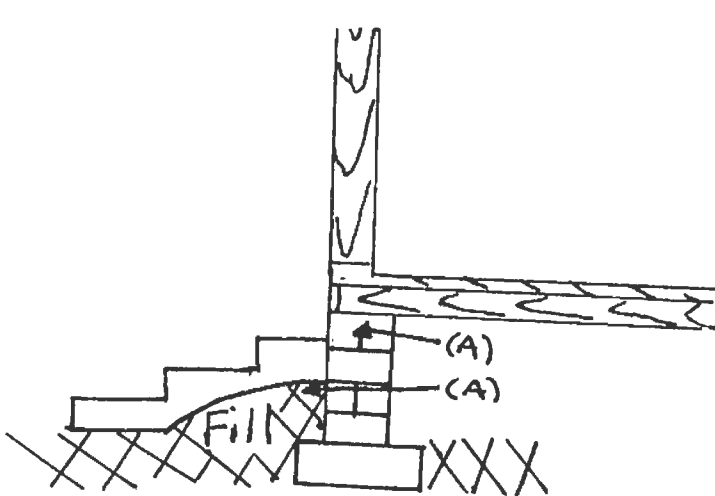
- (a) Drill hollow-block walls as near the top of the foundation wall as possible and apply sufficient chemical to cause the chemical to flood and saturate through mortar joints and into the trench at the bottom of the foundation wall. (See (B) on Figure 2.)

- (b) Drill multi-course brick walls at sixteen (16) inch intervals and pressure-treat all voids, making certain that the chemical flows into the voids on both sides of the hole being treated. (See (B) on Figure 3.)

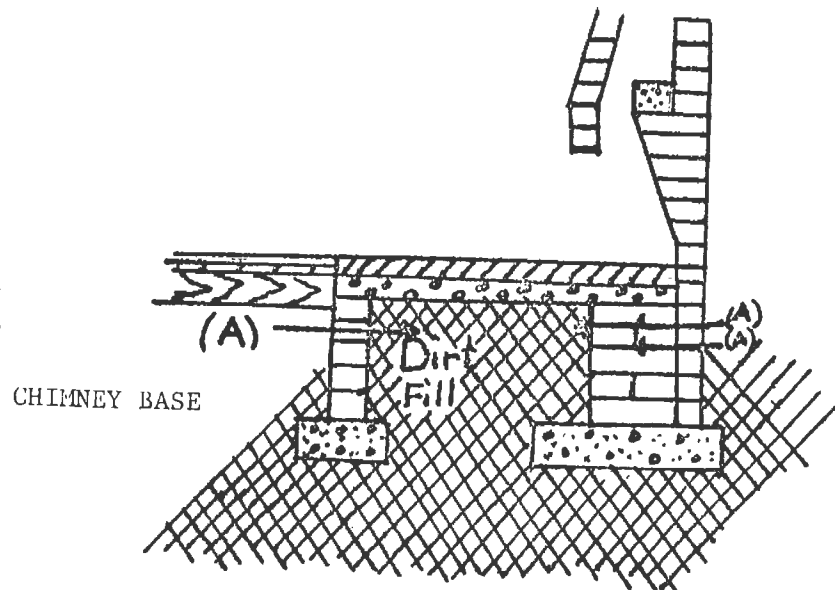
FIGURE 3. Dirt Filled Porch (Multi-Course Brick)



j) Chimney bases and dirt filled steps



DIRT FILLED STEP



- (1) Chimney bases and dirt filled steps shall be treated by drilling the foundation walls as outlined in Step 2 for dirt filled porches. (See (A) on Figures 4 and 5.)

20.4 Treatment of existing slab-type construction

a) Ground treatment

- (1) Trench around the entire perimeter of the structure being treated, adjacent to the foundation wall.
- (2) Apply chemical in the trench in accordance with label and labeling recommendations.

b) Traps and other openings

Apply chemical to bath and other trap areas in a sufficient amount to flood the trap area. If no bath or other trap is available or it is impractical to provide an opening, treat this area by drilling vertically through the slab and pressure-treating the area beneath the slab with a sufficient amount of chemical to flood all plumbing areas and all other possible points of entry.

c) Expansion joints, cracks, and other voids in slab

Rod under or drill through the slab and thoroughly saturate all areas beneath expansion joints, cracks, or other voids in the slab. When the slab is drilled, the holes must be no more than three (3') feet apart along the above state areas.

20.5 Pre-treatment of slabs

a) After the final grade has been reached, and either before or after the gravel fill has been spread, apply chemical at the following rates:

- (1) Apply 10 gallons of chemical per 100 square feet to the entire area of the foundation wall.
- (2) In addition to the treatment required in sub-section (1) above, apply chemical along the inside of exterior foundation walls on monolithic slabs at the rate of one (1) gallon per five (5) linear feet.
- (3) In addition to the treatment required above, apply chemical along all expansion and/or construction joints at the rate of two (2) gallons per five (5) linear feet.
- (4) In addition to the treatment required above, apply chemical at the rate of one (1) gallon per ten (10) square feet to critical areas, under the slab, such as around plumbing, electrical conduits, air conditioning vents, chimney bases, etc.

- b) Pre-treat the soil under open slabs, such as porches, carports, walkways, etc., attached to buildings at the rate of fifteen (15) gallons of chemical per one hundred (100) square feet along a strip extending at least three (3') feet from wall of building.
- c) Pre-treat enclosed garages, breezeways, sunrooms, etc. at the rate of fifteen (15) gallons of chemical per one hundred (100) square feet along a strip extending at least three (3') feet from wall of building.
- d) After the building is complete and the final grade has been reached along the outside of the foundation wall, trench and treat this area at the rate of two (2) gallons per linear foot. As the soil is replaced into the trench, apply another two (2) gallons per ten linear feet of the backfill.
- e) If, during the treatment of any area which will be beneath a slab foundation, the operator must leave the site for any reason prior to the completion of the application as specified in Section (A) above, the operator must prominently display a poster, to be furnished by the Commission, which states that the treatment of the area under the slab is not complete.

20.6 "Spot" treatment

- a) "Spot" treatment shall not be done on pier-type or slab construction except with the prior permission of the Secretary of the Commission.

20.7 Infested properties

- a) Whenever any agent of the Commission finds that any property is infested with termites, the operator who treated the property must re-treat within thirty (30) days after receipt of notification from the Commission.
- b) When the operator completes the re-treatment, he must notify the Commission immediately.

20.8 Responsibility of Operator to Property Owner and Commission

- a) The operator must immediately bring to the attention of the property owner the presence of any unsound wood found in portions of the building which are accessible for inspection.
- b) The operator must provide for air space on the water hose used in supplying water to the chemical tank.

20.9 Waiver of Requirements of Minimum Specifications for Termite Control Work

Whenever it is impossible or impractical to treat any structure in accordance with these Minimum Specifications, the pest control operator may request a waiver of these requirements. A waiver must be secured from the Department of Agriculture prior to any treatment in any instance where all requirements of these Minimum Specifications cannot be complied with.

21.0 Wood-destroying beetles

21.1 The licensee shall inspect the premises to determine whether there is an active infestation of wood-destroying beetles before recommending treatment or sale of a service to control, prevent, or eradicate such infestation and such determination shall be made on the basis of the following guidelines:

a) Powder Post Beetle (Anobiidae and Lyctidae)

- (1) The presence of frass will be acceptable as evidence of an active infestation of powder post beetles, however, frass must be exuding or streaming from the holes on the outside of the wood.
- (2) The presence of holes alone will not be acceptable evidence of an active infestation of powder post beetles except when live larvae or pupae are found in wood members.

NOTE: Anobiidae beetles usually infest softwoods, such as pine, and Lyctidae usually infest hardwoods, such as oak or pecan.

b) Old House Borer (Hylotrupes Bajulus)

- (1) The presence of adult beetles or oblong exit holes with frass in pine or other softwoods will be evidence of active infestation of the old house borer.
- (2) The presence of live larvae or pupae in softwood members will be evidence of active infestation of the old house borer.

22.0 Fumigation

22.1 Applicability

- a) This Rule governs all fumigation of residential and commercial structures, ships, railcars, trucks,

commodity containers, and vaults within the State of Louisiana, including ships at anchor in rivers within the borders of Louisiana and ships at anchor within a three-mile limit off the coast of Louisiana.

- b) The licensee conducting shipboard fumigations must also comply with all requirements of the U.S. Coast Guard with respect to fumigation.

22.2 Definitions

- a) "Qualified person" means a person who is licensed in the Fumigation phase of the structural pest control license.
- b) "Fumigant" means a substance or mixture of substances that is a gas or is rapidly or progressively transformed into a gaseous state through some non-gaseous or particulate matter may remain in the space being fumigated.
- c) "Fumigation" means the application of a fumigant in residential and commercial structures; ships; railcars; trucks; commodities such as dunnage on wharves, silos, or conveyors; vaults or the like.

22.3 Persons authorized to conduct fumigations

- a) All fumigations performed in Louisiana, whether of structures, ships, railcars, trucks, commodity containers, vaults or the like, must be performed by a person licensed by the Commission in the Fumigation phase of the structural pest control license.

22.4 Prior notice to Commission required: Structural and shipboard fumigations

- a) Before commencing fumigation of a residential structure, office building, church, school, or any other building frequented by people, the structure shall be inspected by an investigator of the Structural Pest Control Commission.
- b) The licensee must give notice, in writing, to be received by the Commission at least twenty-four (24) hours prior to structural and/or shipboard fumigation. If sent through the U.S. Postal Service, the notice must be mailed at least five (5) days prior to such fumigation to assure timely delivery to the Commission.
- c) When notice cannot be given as required by (A) above, notice may be given by phone but must be confirmed in writing, to be received by the Commission, within twenty-four (24) hours after the telephone notice.

- d) Notice to the Commission must include:
 - (1) Time and place where the fumigation will take place
 - (2) Name, address, and emergency phone number of the licensee
 - (3) Name and characteristics of the gas to be used
 - (4) A brief description of the property to be fumigated
- e) In the case of shipboard fumigations, a copy of the notice required to be given under Coast Guard regulations may be filed in satisfaction of the Commission's requirements for notice if such notice contains all of the information required in (C) above.
- f) In the case of shipboard fumigations, the licensee is responsible for giving notice to the person in charge of the vessel under procedures required by the Coast Guard.
- g) The licensee is responsible for giving any notice to law enforcement and/or fire protection agencies required by any governing body of the locality in which the fumigation will take place.

22.5 Responsibilities of the licensee in all fumigations

- a) The licensee is responsible for compliance with all label and labeling requirements.
- b) The licensee must personally inspect the premises to be fumigated and, in the case of shipboard fumigations, any spaces that are designated as unsafe for occupancy, immediately prior to sealing and make certain that there are no humans or animals in the area to be fumigated, adjacent areas, or (in the case of shipboard fumigations) areas which are designated as unsafe for occupancy.
- c) Immediately upon completion of the inspection required in (B) above, the licensee must seal or supervise the sealing of the area to be fumigated and assure that there is proper and secure sealing to confine the fumigant to the area that is to be fumigated, including blanking off and sealing of ventilator ducts and smoke detectors.
- d) The licensee must see that a sign or signs of sufficient size as to be conspicuous and bearing the word "POISON" and the skull-and-crossbones symbol, is (are) prominently displayed at all entrances to the area

being fumigated continuously from the time the area is sealed until ventilation is completed.

In the case of warning signs posted for shipboard fumigation, the signs must be in accordance with Section 432 of the Standard for Fumigation (NFPA No. 57-1973) of the National Fire Protection Association, copies of which may be obtained from the National Fire Protection Association, International, 470 Atlantic Avenue, Boston, Massachusetts 02210.

- e) The licensee must make certain that personal protection equipment for the fumigant that is being used is immediately accessible where the fumigation is being done. Recommended antidotes for the fumigant being used must also be immediately accessible during fumigation and until the area fumigated is declared safe for occupancy.
- f) The licensee must be present when the fumigant is released and immediately prior to the time when the fumigated area is declared safe for occupancy. At least one person, in addition to the licensee, must be present when the fumigant is released.
- g) The licensee must personally inspect the area which was fumigated when ventilation is completed to assure that the fumigated area, and adjacent areas as appropriate, is safe for occupancy.
- h) The licensee must remove all signs, fumigation containers and/or materials, and any other debris which accumulated as a direct result of the fumigation. Fumigation containers and materials must be disposed of in accordance with the manufacturers' recommendations.

22.6 Special requirements for structural fumigation

- a) The licensee must post a guard(s) to prevent entry from any unauthorized person into the area being fumigated. The guard must prevent entry by any unauthorized person into the area being fumigated. The guard, who may or may not be an employee of the licensee, is not required to be a licensed pest control operator or registered employee.
- b) Whenever one unit of a complex containing more than one unit is to be fumigated, all units of the building to be fumigated must be evacuated during fumigation and until such time as the fumigated area is declared safe

for occupancy. The licensee must inspect all units of a complex at such time as the inspection required under Rule 22.5 (B) is made and assure that there are no humans or animals in any area of the building that is being fumigated.

- c) The licensee must notify, in writing, all householders and/or all persons in charge of business located within ten (10') feet of a structure which is to be fumigated at least twenty-four (24) hours prior to the scheduled fumigation.
- d) Test lines with at least one-fourth (1/4") inch outside diameter must be appropriately located on the first floor of the structure(s) being fumigated to permit sufficient readings of the gas concentrate to determine its efficacy in destroying insects.
- e) No one shall be permitted to enter a fumigated area after fumigation until the licensee has inspected the area and declared it safe for human occupancy, except in emergency situations, which are governed by the provisions of Rule hereof.

22.7 Special requirements for shipboard fumigation

- a) The licensee must comply with all requirements of the Rules and Regulations of the U.S. Coast Guard concerning shipboard fumigation. The following is presented as a guide to Coast Guard fumigation regulations, but it is the licensee's responsibility to ascertain (1) that there are no additional Coast Guard requirements, and (2) that this guidance is in fact representative of the relevant Coast Guard regulations.
- b) Prior to fumigation, the licensee must ensure that (1) a marine chemist or other qualified person who has knowledge of and experience in shipboard fumigation evaluates the vessel's construction and configuration and determines which spaces, if any, are safe for occupancy during fumigation and the intervals when inspections must be made.
- c) During fumigation, the licensee must ensure that a qualified person inspects the vessel, using detection equipment for the fumigant that is used to ensure that the fumigant is confined to the space that is fumigated, if partial occupancy is allowed, or the vessel, if no space is determined to be safe for occupancy, and that inspections are made at appropriate intervals.

- d) If leakage occurs during a shipboard fumigation, the licensee must:
 - (1) Notify the person in charge of the vessel of the leakage
 - (2) Ensure that all necessary measures are taken for the health and safety of any person
 - (3) Notify the person in charge of the vessel when there is no longer a danger to the health and safety of any person
 - (4) After the exposure period, if the vessel is in port, the licensee shall ensure that the space which was fumigated is ventilated, as follows:
 - (a) hatch covers and vent seals must be removed; other routes of access to the atmosphere must be opened; and, if necessary, mechanical ventilation equipment must be used; and (b) personal protection equipment that is appropriate to the fumigant being used must be worn.
 - (5) If ventilation is completed before the vessel leaves port, the licensee must:
 - (a) Ensure that a qualified person, wearing the personal protection equipment for the fumigant that was used if remote detection equipment is not available, tests the space that was fumigated; determines that there is no danger to the health and safety of any person, including a danger from fumigant that may be retained in bagged, baled, or other absorbent cargo; and notifies the person in charge of the vessel of this determination.
 - (b) If it is determined that there is a danger, the licensee must ensure that all measures necessary for the health and safety of all persons are taken and notify the person in charge of the vessel when there is no longer a danger to the health and safety to any person.
- e) The licensee must ensure that a guard is posted at every entrance to the space being fumigated, and at every entrance to any space that is declared to be unsafe for occupancy during fumigation.

22.8 Special requirements for railcars, trucks, and containers

- a) The licensee is responsible for compliance with any requirements of the Department of Transportation.

- b) The licensee must require the evacuation of any employees working in any inside area where a fumigation is being done if there are any hazards to workers; the licensee should post detection equipment at appropriate locations throughout the enclosed space to determine any potential hazard to workers.
- c) All openings in vehicles being fumigated must be sealed; the licensee should check inside the vehicle along the junctures of seals in the construction before sealing for fumigation.
- d) In addition to the warning signs which are to be posted outside the vehicle, warning signs must be placed inside the vehicle, at all openings prior to sealing.
- e) Close vehicle doors securely, wedging doors if necessary. Avoid damage to any fumigation seals.
- f) If the vehicle or commodity container is to be shipped under gas, twist strands of wire through the door hasps or locking mechanisms so that the wire must be removed prior to opening the vehicle or container.
- g) After releasing the fumigant, check for leakage and repair any leaks which occur.
- h) The licensee must notify the consignee, in writing, of the characteristics, antidotes, and proper procedures for handling any vehicle or commodity container which is shipped under gas.

22.9 Emergency entrance into area being fumigated

- a) The person entering such space must wear personal protection equipment for the fumigant that is being used together with self-generated breathing oxygen supply apparatus;
- b) Entry must be made by a two-person team, with the person making entry wearing a lifeline and safety harness and the lifeline being tended by a person outside the space who is wearing personal protection equipment for the fumigant being used.

22.10 Special requirements when flammable fumigants are used

- a) Before the space to be fumigated is sealed, it must be thoroughly cleaned and all refuse, oily waste, or other combustible material must be removed.

- b) The licensee must check all fire fighting equipment, including sprinklers and fire pumps, to be sure that all equipment is in proper working order.
- c) Before and during fumigation, all electrical circuits in the space being fumigated must be de-energized.
- d) When the space to be fumigated is being sealed and during fumigation, no person may use matches, smoking materials, fires, open flames, or any other source of ignition in any spaces that are not determined safe for occupancy.

23.0 Repeal of Prior Rules and Regulations of the Commission

- 23.1 Upon promulgation of these Rules and Regulations, all Rules and Regulations of the Structural Pest Control Commission adopted prior to the effective date of these Rules and Regulations shall be repealed.

STRUCTURAL PEST CONTROL COMMISSION/COMMITTEE MEETING
PROPOSED RULES AND REGULATIONS

September 10, 1982

The following is a list of changes to the proposed rules and regulations which have been agreed upon by the commission and committee.

Page 1 ----- Delete 10.0, Associate Licensees

Page 2 ----- No Changes

Page 3 ----- Delete 1.4, Associate Status

Change 1.13 to read "Direct supervision" means physical contact at least once within five consecutive working days by the licensee with all employees registered under his supervision, including giving routine and/or special instructions, prescribing pesticides, calculating volume of pesticides to be applied, calibrating equipment, and being available, whenever and wherever needed, to handle any emergency situations which might arise. (See 1.5)

Page 4 ----- No Changes

Page 5 ----- Item No. 1.21 (a) - Add "Residential" to the beginning of the last sentence.

Item No. 1.26 - Add "and shall be indicated on the application and license" to the end of the last sentence.

Page 6 ----- No Changes

Page 7 ----- Item No. 1.39 (b) - Delete the phrase "including, but not limited to".

Item No. 1.39 (b) - Add "and minimum specifications" to the end of this section.

Item No. 1.39 (c) - Add "in the licensure phase where the violation occurs" to the end of this section.

Item No. 1.41 - In the second line add "subterranean" before termites and delete the phrase "or other wood-destroying insects"

Page 8 ----- No Changes

Page 9 ----- No Changes

Page 10 ---- No Changes

Page 11 ---- No Changes

Page 12 ---- No Changes

Page 13 ---- Item No. 4.15 - Add "other than at locations holding place of business permits" to the end of this item.

Page 14 ---- Item No. 5.7 - The third line of this section will read "have been previously advertised and at no other time or".

Page 15 ---- No Changes

Page 16 ---- No Changes

Page 17 ---- Item No. 8.1 (b) changed to read "guarantee performance for a period of not less than one year after the treatment is made,".

Item No. 8.5 - Second line, change "8.5 above" to "8.4 above".

Item No. 9.0 - Throughout this entire section the phrase "wood-destroying insects" will be substituted by the phrase "subterranean termites"

Item No. 9.3 - Last line, delete the word "control".

Item No. 9.4 - First line, add the word "subterranean" before termite.

Page 18 ---- Item No. 9.4 - Second line, add the word "subterranean" before termite.

Item No. 9.5 - First line, change "Rule 8.6 above" to "Rule 8.5 above". Second line, add the word "subterranean" before termite.

Item No. 10.0, Associate Licensee - Delete this entire section.

Page 19 ---- No Changes

Page 20 ---- No Changes

Page 21 ---- Item No. 13.4 (c) changed to read "knowingly making false statements.

Item No. 13.4 (n), include the word "written" before guarantees.

Page 22 ---- No Changes

Page 23 ---- No Changes

Page 24 ---- No Changes

Page 25 ---- Item 17.6 - Third line, delete "/or" from this line.

Page 26 ---- Item 19.2 - Change item (a) to (b) and item (b) to (a).

Page 27 ---- No Changes

Page 28 ---- Item 20.2 - First line, include the word "approximately" before "four (4) inches".

Page 29 ---- Item 20.3 (c) (2) - Changed to read: "Wood parts which are set down in concrete must be cut off and set on metal or concrete bases at least one (1") inch above floor level."

Page 30 ---- No Changes

Page 31 ---- Item 20.3 (i) (1) - First line, change the word "soil" to "sill".

Page 32 ---- No Changes

Page 33 ---- No Changes

Page 34 ---- No Changes

Page 35 ---- Item 20.5 (d)- Fourth line changed to read: "gallons per ten linear feet."

Item 20.6, "Spot Treatment" - The following will be added underneath Item 20.6 (a).

EXCEPTION: Treatment will be allowed according to 20.3 or 20.5 to any additions to the main structure or exterior slab enclosures and a fee shall be paid and a contract issued on this addition unless the main structure is under contract with the firm performing the treatment on this addition.

Page 36 ---- No Changes

Page 37 ---- Item 22.3 (a) - Changed to read: "All fumigations performed in Louisiana on structures and ships must be performed by a person licensed by the Commission in the Fumigation phase of the structural pest control license.

Item 22.3 (b) will be added. It will read: "Fumigations of railcars, trucks, commodity

containers, vaults or the like may be performed by a thoroughly trained and experienced individual under the supervision of a person licensed by the Commission in fumigation."

Page 38 ----- No Changes

Page 39 ----- No Changes

Page 40 ----- No Changes

Page 41 ----- No Changes

Page 42 ----- No Changes

Page 43 ----- No Changes

Miss.

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, 1982</u>
1.	51	14	28	27	265
2.	46	17	13	39	259
3.	27	7	11	9	70
4.	15	5	6	9	34
5.	5	0	3	2	14
6.	1	1	0	1	3
7.	15	9	2	10	404
8.	14	6	3	4	14
9.	7	4	0	3	8
A.	6	3	0	2	5
B.	3	2	0	2	10
C.	5	3	0	3	8
D.	10	6	1	6	25
E.	4	3	0	1	19
TOTALS	209	85	67	118	1,138

Number of new identification cards issued to employees of
licensed companies-----809

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 Issued</u>		<u>Permits Current June 30, 1982</u>
Category 1.	---	12	40
Category 2.	---	15	45
Category 3.	---	0	0
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(existing structure)--13,804	Crawl Space-----4,999
Termite(preconstruction)----- 5,069	Slab-----7,598
Beetle----- 310	Combination Crawl &
Other----- 173	Slab----- 605
	New Construction----5,069
Inspections made of properties treated for structural pests-	505
Treatments found to be satisfactory-----	334
Treatments found to be unsatisfactory-----	106
Houses inspected that had not been treated-----	65
Chemical and/or soil samples collected from properties	
treated for termites-----	11
Samples found to be satisfactory-----	7
Samples found to be unsatisfactory-----	4
Action taken against persons in court-----	10
Court fines assessed-----	\$781.00 and one court
	injunction to stop work

TABLE 4

COMMERCIAL PESTICIDE APPLICATORS CERTIFIED
July 1, 1981 - June 30, 1982

	Total	Cumulative Total
Number of training and testing sessions held----	16	260
Number of people passing exam for General Standards (Core Manual)-----	163	3,434
<hr/>		
CATEGORY	Total	Cumulative Total
1. Agricultural Plant-----	4	228
Agricultural Animal-----	4	208
2. Forest-----	22	680
3. Ornamental-----	78	669
4. Seed Treatment-----	1	120
5. Aquatic-----	2	143
6. Right-of-Way-----	14	222
7. Industrial, Institutional, Structural and Health Related-----	57	456
8. Public Health-----	5	302
9. Demonstration and Research-----	25	796
10. Aerial Application-----	75	875
<hr/>		
Total Number passing category exams for certification	289	4,699

COMMERCIAL PESTICIDE APPLICATORS RECERTIFIED

CATEGORY	Total	Cumulative Total
1. Agricultural Plant-----	15	249
Agricultural Animal-----	8	248
2. Forest-----	38	468
3. Ornamental-----	69	364
4. Seed Treatment-----	4	103
5. Aquatic-----	4	104
6. Right-of-Way-----	12	141
7. Industrial, Institutional, Structural and Health Related-----	83	572
8. Public Health-----	1	114
9. Demonstration Research-----	64	700
10. Aerial Application-----	369	596
<hr/>		
Total number recertified-----	667	3,659

ROBERT LIST
GOVERNOR



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STEPHEN J. MAHONEY, DIRECTOR
DIVISION OF BRAND INSPECTION

STATE OF NEVADA
DEPARTMENT OF AGRICULTURE
350 CAPITOL HILL AVENUE—P.O. BOX 11100
RENO, NEVADA 89510-1100
TELEPHONE (702) 784-6401

September 13, 1982

Robert L. Mesecher
Michigan Department of Agriculture
P.O. Box 30017
Lansing, Michigan . 48909

Dear Bob,

I appreciate your invitation to the 22nd Meeting of ASPCRO but will not be able to attend. Since July 1 our Department has had its budget reduced by 15%. In-state travel has been drastically cut while out-of-state travel is almost non-existent. Hopefully I will be able to attend the meeting next year and see you there.

I saw on the program where I was to present a report regarding the Uniform Policies Committee. I have been in contact with Dave Shriver of Maryland and he has agreed to present the report.

Enclosed is the Nevada State report. Although I won't be able to attend, I would appreciate a copy of the minutes of the meeting. Thanks.

If I can be of any help let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Larry".

Lawrence E. Blalock
Pesticide Specialist

LEB:sam

Encls.

119
U.S. ARMY
LABORATORY
1962 SEP 17 11 9:07
MICHIGAN
DEPT. OF AGRICULTURE

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TELEPHONE (702) 784-6401

Report to ASPCRO
October 3-6, 1982
Romulus, Michigan

GENERAL: The myth that the gaming industry is immune to inflation has been shattered over the past 16 months. Gaming revenues were projected to exceed or at least match inflation but in actuality lagged far behind. State agencies were directly affected as the majority of their funding is provided by taxes on gaming revenues. Subsequently, all State agencies, including the Nevada Department of Agriculture, had budget reductions of 15%. This 15% reduction was achieved through personnel cuts, mileage allotments, per diem reductions, and equipment and supply cuts. The pest control operators/certification/EPA grant programs were primarily affected with the loss of one field inspector.

CERTIFICATION: In the winter of '81-'82 Nevada conducted five training sessions primarily for recertifying applicators applying restricted use pesticides. There were 990 people eligible for recertification and we anticipated at least 50% of them would recertify. Instead only 41% of the applicators recertified. It is believed the reason for the lack of recertification was the non-use of restricted use pesticides. The idea most often expressed by people was they originally thought they needed to be certified to apply any pesticide.

Of those persons attending training sessions, over one-third were there for initial certification. We therefore believe that certification training must be an ongoing function.

Three training sessions are scheduled for winter '82-'83 utilizing the same format as last year.

PEST CONTROL OPERATORS: Training manuals for all license categories have been printed and are currently being distributed at cost. Examination questions are now taken directly from the manuals and are either true - false or multiple choice. We found that after the manuals were initially distributed the passing rate increased sharply. Now, however, the passing rate has declined to a level lower than that before the manuals were printed.

Report to ASPCRO
October 3-6, 1982
Romulus, Michigan
Page 2

The number of licensed pest control firms increased from last year and is now at an all time high. Due to the nature of the economy we expected a decline in the number of firms, and therefore have no plausible explanation for the increase. A favorable point regarding the increase is there has not been a proportionate increase in violations. The may be due to the majority of new licensees originating from currently licensed firms.

The Wood Destroying Pests Inspection Report has been revised to incorporate portions of National Pest Control Association's technical release ESPC 054020 and directives from HUD. Our form is now accepted by HUD and VA. Copies of both are attached.

EPA GRANT: In October we will be starting our seventh enforcement grant. In setting priorities we were required to use EPA'S incident formula and found that our investigations will be directed toward urban & structural applicators. Primarily we will be concentrating on pre-treat termite applications because during the last enforcement grant we had overformulations of chlordane, under applications of total gallons, and abnormal drift.

Respectfully submitted,



Lawrence E. Blalock
Pesticide Specialist

LEB:sam

Attachments

WOOD DESTROYING PESTS INSPECTION REPORT

No. 30251

Firm (PCO).....License No.....Inspection Date.....
 Address.....FHA/VA/Escrow or Mort. No.....
 Address of Property Inspected.....
 Inspection Ordered by.....Report Sent to.....
 Owner's Name and Address.....

This is to certify that the undersigned qualified inspector has visually inspected and sounded all accessible areas of the structure(s) located at the above address for wood destroying pests with the following findings:

INFESTATION: (See diagram and explanation below)

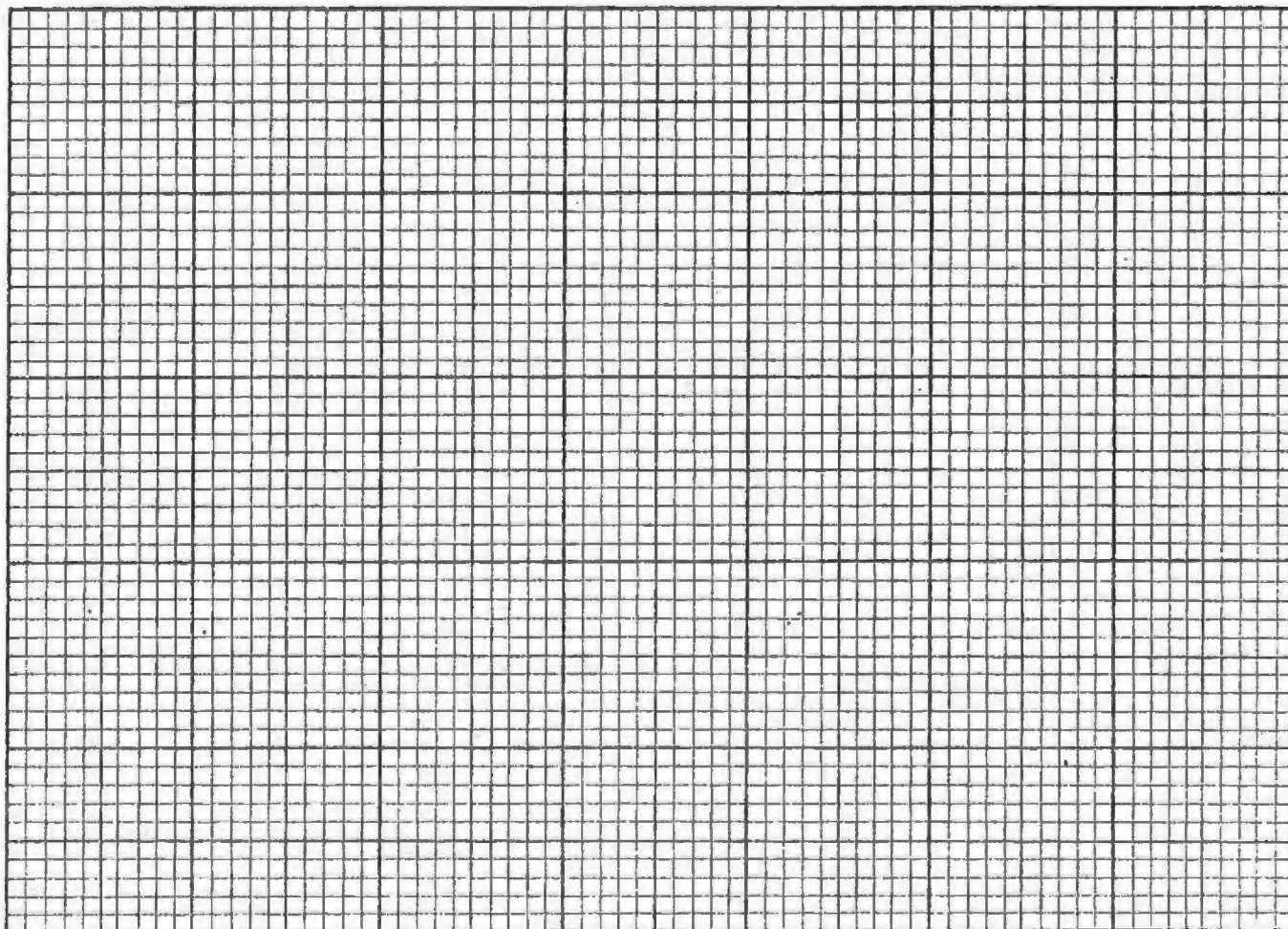
CONDITIONS CONDUCTIVE TO INFESTATION:

	ACTIVE		INACTIVE				
	Yes	No	Yes	No		Yes	No
Termites.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Earth-Wood Contacts.....	<input type="checkbox"/>	<input type="checkbox"/>
Other Wood-destroying Insects.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Faulty Grades.....	<input type="checkbox"/>	<input type="checkbox"/>
Wood-destroying Fungi.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Insufficient Ventilation.....	<input type="checkbox"/>	<input type="checkbox"/>
					Excessive Moisture.....	<input type="checkbox"/>	<input type="checkbox"/>
					Cellulose Debris.....	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ This is not a structural damage report. ☐ This is not a guarantee against future infestations.
☐ This is not a structural soundness report. (Structural soundness should be determined by qualified building experts.)

Neither I nor the company for which I am acting have had, presently have, or contemplate having any interest in the property. I do further state that neither I nor the company for which I am acting is financially associated in any way with or related to any party to this transaction.

Signature of Inspector



I have received the original or a legible copy of this form.

Date

Signature of Purchaser

WOOD DESTROYING PESTS INSPECTION REPORT

Nº 29701

Firm (PCO)..... License No..... Inspection Date.....
 Address..... FHA/VA/Escrow or Mort. No.....
 Address of Property Inspected.....
 Inspection Ordered by..... Report Sent to.....
 Owner's Name and Address.....
 Buyer's/Interested Party.....

This is to certify that the undersigned qualified inspector has visually inspected and sounded all accessible areas of the property located at the above address for termites or other wood destroying pests with the following findings:

INFESTATION:

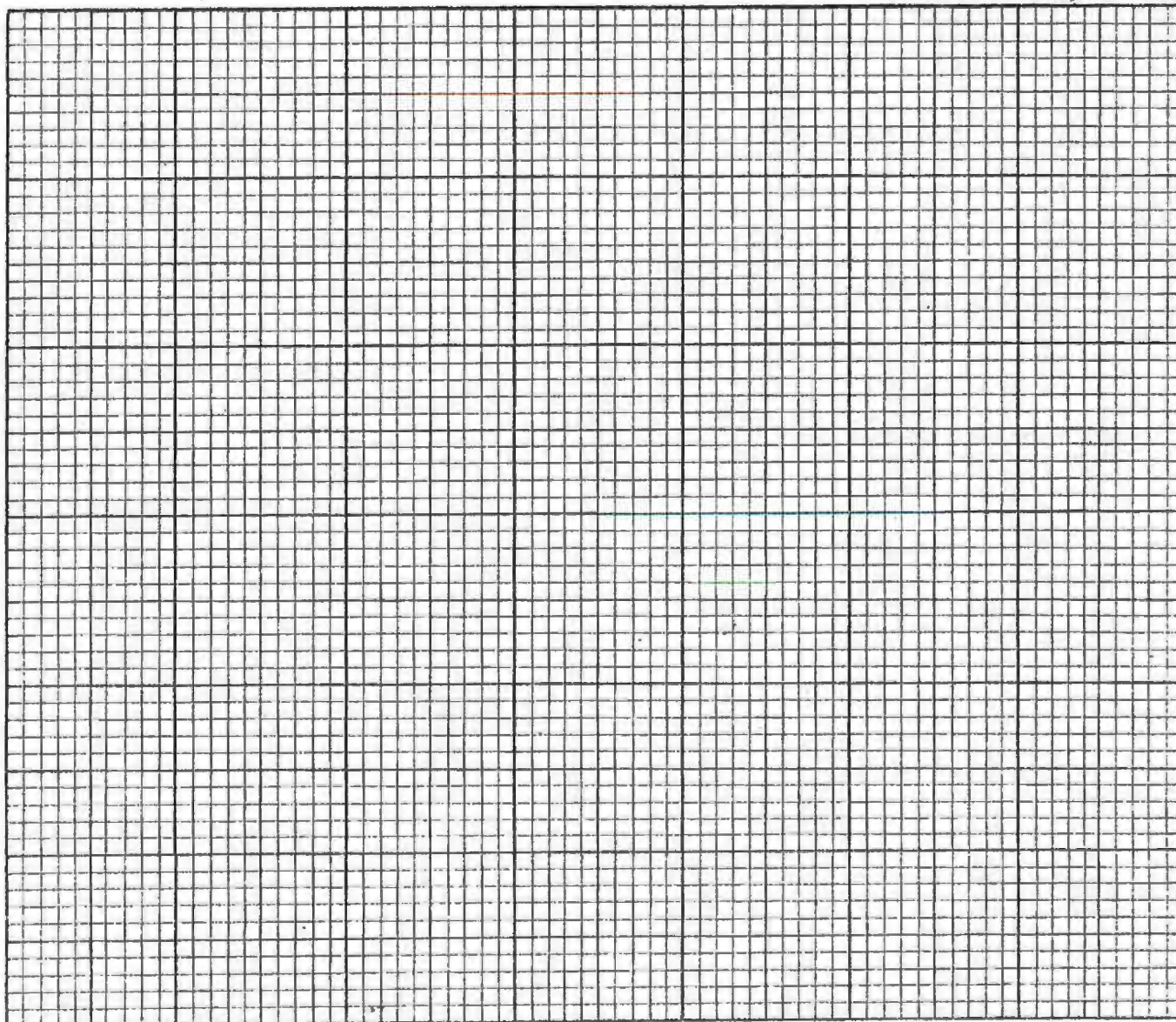
(See diagram and explanation below)

	ACTIVE		INACTIVE	
	Yes	No	Yes	No
Termites.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Wood-destroying Insects.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wood-destroying Fungi.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CONDITIONS CONDUCIVE TO INFESTATION:

	Yes	No
Earth-Wood Contacts.....	<input type="checkbox"/>	<input type="checkbox"/>
Faulty Grades.....	<input type="checkbox"/>	<input type="checkbox"/>
Insufficient Ventilation.....	<input type="checkbox"/>	<input type="checkbox"/>
Excessive Moisture.....	<input type="checkbox"/>	<input type="checkbox"/>
Cellulose Debris.....	<input type="checkbox"/>	<input type="checkbox"/>

.....
 Signature of Inspector



Inasmuch as New Hampshire has not previously sent a representative to this meeting, I am at somewhat of a loss as to exactly what information you are seeking, however I would like to report on a few aspects of our programs for a start. I am very pleased to be here in Detroit and look forward to meeting the various state representatives and discussing matters of common interest.

1. General Information - New Hampshire, with a population of approximately 880,000 people, has about 150 certified pest control operators, most of which are out-of-state firms coming into New Hampshire from Massachusetts, principally. Our State requires that all commercial applicators, whether using general use or restricted pesticides, be certified; we certify at two levels. One member of the firm must be licensed or certified at the supervisory level; in addition, one member of each crew operating in this State must be certified at the operational level. Both levels are in compliance with EPA mandates. Our State requires that vehicles, used in conjunction with the application of pesticides, be identified with company name and a special number that we assign to them. Firms, as well as individuals, have to be licensed or registered in this State. Our regulations require that all applicants in New Hampshire submit annual records of pesticides applied. There is various information which must be submitted with these records including materials applied, target pests, rates of application etc. Our State conducts a very active enforcement program. Our philosophy is that regulations cannot be effective unless they're adequately enforced.
2. Enforcement Actions - One of our top priorities relative to enforcement concerns pest control operators. We have identified this as an area that needs attention due to the amount of violations that we experience. I don't mean to cast a bad reflection on pest control operators because we have many fine individuals, and firms, operating in this State, however there are a certain number of those who do not operate in compliance with our statutes and regulations and these tend to create a bad name for all of those operating in the State. Nevertheless, some of our most serious violations concern pest control operators. We conduct many use investigations each year on pest control operators. Depending on the severity of the violations that we encounter there are a number of options that we have at our disposal for taking enforcement actions. These actions can range anywhere from a letter of warning to prosecution or legal proceedings through the Attorney General's Office. We fund an attorney, in the Attorney General's Office, so we have had excellent cooperation as far as the handling of our cases. Those cases which go through the court system generally involves fines which range anywhere from \$800 up to \$10,000, again depending on the severity of the violation. We always publicize the outcome of these legal proceedings as a deterrent to others in the business and we feel that this has been effective.

One of the biggest problems that we encounter with our enforcement activities is the lack of cooperation from federal and municipal housing authorities. It's quite amazing to us that these people don't have more of an interest in an agency, such as ours, that is policing those contractors with whom they are doing business. Nevertheless, to the contrary, we find that these housing authorities will generally cover up for poor applicators and tend to condone poor practices. Perhaps the reason for this is that they are hiring pest control operators as cheaply as possible. I think another reason is that the housing authority people tend to regard those tenants who are occupying their properties, as low-life people and therefore they have little concern for their health and well-being. We have had a number of instances where the actions of the housing authority has actually deterred us from adequately conducting inspections etc. Even though our State law gives us the authority to inspect and search, we still encounter many problems due to the lack of cooperation from these people. We would like to change our attitudes but this is going to require some type of educational effort.

All of our inspectional work is done on an unannounced basis and this sometimes creates problems with these housing authorities and officials who think they should be consulted before we inspect. We, nevertheless, do not intend to start operating on a notification basis as we would lose the element of surprise and become less effective in our work.

3. Chlordane Matter - The State of New Hampshire, like other locations in the country, is experiencing various difficulties and adverse publicity concerning the use of Chlordane for termite control. We have several military installations, including an air force base and a navy yard, along our Seacoast region and recently the Department of Defense Authorities found several housing units that had higher than safe levels of Chlordane according to their standards. The news media has picked up on this and we are now experiencing many inquiries from other people in the State who have had their homes treated for termites. In general, New Hampshire does not have a great deal of slab type housing due to our climactic conditions, nevertheless this has raised a lot of concern among the population here. I would be very interested in talking with people from other states who may have been experiencing similar problems. I have a fear, due to the media, this thing may escalate and become a major problem. I'm also concerned about the situation with the termites as this is a major pest problem in New Hampshire, as well as other places. There certainly needs to be tools to combat this pest problem.

The situation with Chlordane has been somewhat of a nightmare since EPA took their official action to eliminate most of the uses of this material. Because they allowed old label Chlordane to be used and did not set any time limitation on the use of these old products, we have experienced many people or firms

that have retained the old containers and merely use them as service type containers for new Chlordane that they're receiving. This is a very difficult thing to handle enforcement-wise and of course it allows the holders of this material to use it under the old label and again we're somewhat powerless to enforce this. We also have a much more serious problem in that quantities of Chlordane, half gallon containers generally, are readily sold by the dealers in this State with the termite and fireant label, to the general public who uses the product for ants. Most everyone knows that Chlordane has been used for years to combat ant problems so whether or not the label states this, this is what they're buying it for. New Hampshire does not have any fireants. Therefore there was a great deal of abuse of the use of this material by the home owner. In general, we do not think that this material should be available to them however we have quite a bit of difficulty within our agency and within our Pesticide Control Board to gain support for restricting the use of Chlordane. We think that EPA should have set the time limits on the use of old products and old label material, and in addition should have restricted the use of it to commercial applicators only.

It's always been our feeling that if Chlordane had been restricted to certified applicators only, then this might be some insurance that the material would be available for a while. Now with all the adverse publicity coming out against Chlordane, it wouldn't surprise me if the use of this material was lost in the very near future. I would see this as a serious problem due to the fact that termites are probably our number one economic pest.

4. Termiticides - The only materials that are available for termite use in the State of New Hampshire are Chlordane and recently Dursban. Aldrin and Heptachlor have been prohibited in New Hampshire for many years. I would not anticipate that either of these latter materials would ever be brought back into use in this State either.

Again, I appreciate the opportunity to report to this group. I also apologize that this report is probably not exactly what you were looking for and I can assure you that the next time around I will have a better idea of what should be done.

Respectfully submitted,

Murray L. McKay
Pesticide Control Supervisor
Pesticide Control Division

MLM/jmw

State of New Mexico

Annual Report 1982

22nd Annual Meeting

Association of Structural Pest Control Regulatory Officials

STATE OF NEW MEXICO
ANNUAL REPORT 1981-82

The division of Pesticide Management consists of five Inspectors, Divisional Chief and Assistant Chief. All ten EPA applicator categories are regulated by the Division. Category seven is split into four parts: 7A - Structural Insects, 7B - Vertebrate, 7C - Fumigation, and 7D- Termite Control.

The PCO Industry has been fairly stable in the number of operators since the two year experience requirement was passed in 1979.

A "Do-It Yourself" pest control business is currently being established by several licensed PCO's in New Mexico. They feel even though they sell the pesticide to the home owner, the home owner will be back and have the PCO to do a cleanout possible getting them on a monthly contract..

The Division is planning to amend our law to include the licensing of pesticide dealers who sell "general use" pesticides. "Restricted Use" pesticide dealers are already licensed in the state.

A non-commercial category is in effect for apartment house managers or owners, greenhouse operators, nurserymen who use "RUP's" but not for hire.

No reciprocity agreements have been entered into, as the PCO Industry is very much against it.

Mr. Barry Patterson
Chief
Division of Pesticide Management
Dept. of Agriculture
Box 3AQ
Las Cruces, New Mexico 88003

1982 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 4-6, 1982
DETROIT, MICHIGAN

I. History and Organization

The Structural Pest Control Division (SPCD) of the North Carolina Department of Agriculture (NCDA) operates under the authority of the "Structural Pest Control Act of North Carolina of 1955." In addition to creating the SPCD as the enforcement agency, this law creates the Structural Pest Control Committee (SPCC) as the rulemaking body for the Structural Pest Control Program. Licensing and registration of employees have been required since the inception of the program. Licenses are issued for three phases of pest control work: (1) control of household pests (p); (2) control of wood-destroying organisms (W); and (3) control of either of the above by fumigation (F). Certification requirements were incorporated into the program in 1976 in response to FIFRA. Certified applicator's identification cards are issued in each of the phases outlined above. Recertification requirements remain unchanged from last year.

The SPCD currently employs a staff of 17 people consisting of:

The Director
1 Administrative Assistant
4 Clerical Persons
2 Field Supervisors
9 Inspectors

The Field Supervisors and all administrative personnel are headquartered in Raleigh. The Inspectors are stationed throughout the state with each maintaining an office in his home. Each inspector is responsible for enforcing compliance with applicable laws and regulations by all licenses and certified applicators within his territory.

II. Activities of the Structural Pest Control Program During 1981-82 Year (July 1, 1981 - June 30, 1982)

A. Structural Pest Control Committee

The SPCC conducted three informal hearings and five formal hearings. The purpose of an informal hearing is to discuss a problem with a pest control operator (PCO) to obtain voluntary compliance with regulations. Licenses, etc. are not subject to suspensions as a result of an informal hearing. The purpose of a formal hearing is to determine whether a license or identification card should be suspended or revoked. As a result of the five formal hearings, four structural pest control licenses were suspended or revoked. In the remaining formal hearing, the individual's application for a license was denied.

In addition to the hearings outlined above, the SPCC conducted a public hearing to hear views on whether the Model Rules for Administrative Procedures should be adopted. Following the public hearing, the Model Rules were adopted. (Activities of the SPCC are summarized in Appendix I).

APPENDIX I

STRUCTURAL PEST CONTROL COMMITTEE ACTIVITIES

Number of persons who applied to Committee for license exam:	75
Number who were refused examination for licenses:	7
Number who took the examination for licenses:	68
Number to whom initial licenses were issued:	36
Number who applied for licenses by reciprocity or comity:	0
Number who were granted licenses by reciprocity or comity:	0
Number of informal hearings held: (license not subject to suspension or revocation)	3
Number of formal hearings held: (license subject to suspension or revocation)	5
Number of licenses suspended:	1
Number of licenses revoked:	3
Number of license examinations given:	309 (194 of them repeats)
Number passed:	P-39, W-31, F-1
Number failed:	P-119, W-118, F-1

APPENDIX II

SUMMARY OF STRUCTURAL PEST CONTROL OPERATORS

(1981 - 1982)

	<u>P</u>	<u>WDO</u>	<u>PHASE</u> <u>F</u>	<u>TOTAL</u>
Licenses:				
Renewals	404	389	39	422
Issued (original)	34	27	1	36
TOTAL	438	416	40	458
Suspended		1		1
Revoked	2	1		3
Certified Applicators:				
3-Digit (Employed by PCOs)	328	269	25	350
4-Digit (Employed by other than PCOs)	350	156	136	382
Registered Employees of PCOs (Operator ID Cardholders)				1,041

B. Structural Pest Control Division

In addition to the inspection activities outlined in Appendix III and IV, the SPCD completed its presentation to the Legislative Committee on Agency Review, which replaced the old Sunset Committee. (Under this new committee, automatic termination of licensing programs has been deleted from the review legislation.) Prior to a brief appearance before the Review Committee, a request for information was received from the Committee. The resultant volume comprised twelve pages of text outlining statutory authority, a narrative of the program, objective or need addressed and how fulfilled to date, program goals for the future, detailed budget information, complete and itemized schedules of personnel costs, information on related Federal laws or programs, agency recommendations for retention or termination of program, and recommendations for changes in enabling law with draft language. The appendices submitted in support of the text included copies of regulations and FIFRA, a complete history of court cases for twelve years previous, a summary of SPCC hearings including licenses suspended and revoked, and a statistical summary of division activities for five years previous with particular emphasis placed on requested and complaint inspections.

Although final Legislative action is still pending for the 1983 Legislative session, it is anticipated that the SPC Program will be recommended for retention as is.

APPENDIX III

STRUCTURAL PEST CONTROL DIVISION ACTIVITIES

(1981 - 1982)

INSPECTION TYPE	# INSPECTIONS	# SUBSTANDARD	% SUB.
Wood-Destroying Organisms (WDO)	2,478	682	28
WDO Soil Samples	2,215	139	6
Pesticides, Equipment & Records	752	54	7

Criminal Actions:

Cases Heard in District Court (Violation of G.S. 106-65.25(a)(1) operating without valid state license)	9
Convictions	7
Prayer for Judgment Continued	2
Cases appealed to Superior Court (upheld, defendant filed notice of appeal)	1

Recertification:

Licensees (4 by examination)	25
Certified Applicators (6 by examination)	74

III. Program Changes

A. Statutory

The main thrust during the 1981-1982 year in the area of Legislative action has been "Sunset Review." Therefore, no attempts were made to obtain statutory revisions during the 1982 Legislative session. However, given the appropriate climate in 1983 we hope to obtain statutory changes in several areas including the addition of civil penalties.

B. Regulatory

No changes to the Structural Pest Control Rules and Regulations were adopted during 1981-82. Regulations to govern the sale and performance of wood destroying fungus work have been formulated and will hopefully be adopted by the SPCC soon.

C. Certification/Recertification

Working with neighboring states, the SPCD has developed and established reciprocal certification agreements with the states of Georgia, Tennessee, and Virginia this year. An agreement with Kentucky is pending. These agreements apply to original certification only and only to non-residents. Certified applicators will still be subject to recertification requirements in each state certified.

Recertification requirements remain the same as last years and are fulfilled by the "Continuing Certification Unit" method. However, the number of courses approved by the SPCC for CCU assignment by the SPCD has increased. Added to the

list of approved courses for 1981-82 were:

- (1) Quality Bakers of America - Sanitation Seminar
Greenwich, Connecticut
- (2) University of Kentucky - Fumigation Short Course
Lexington, Kentucky

In addition, we are currently processing applications from Virginia Polytechnic Institute, The Food Sanitation Institute, and Purdue University.

D. Computer Inspection and Billing System

The last phase of computerization for the SPCD has now been completed. All inspection, reinspection, and reinspection fee and billing information is all on computer. Summary and annual reports as well as actual invoices for reinspection fees are now being prepared by computer. While there appears to be little savings in time to process individual reports, a considerable savings will be realized in the preparation of reports. The system will also provide for easy monitoring of individual licenses as well as work performed by our inspectors.

E. Enforcement Policy on Household Pest Control (HPC) Inspections

Due to a lack of pesticide tolerances on household goods, a lack of accurate data on pesticide drift, and to EPA policy on the focus of on-site inspections (routine use inspection vs. misuse investigation) the SPCD is no longer performing routine HPC inspections. Research is now underway at NCSU to investigate drift and establish its impact on pesticide residue samples. It is hoped that routine inspections can be resumed in the near future. Complaints and/or requested inspections are, naturally, still being performed.



STATE DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY DIVISION

DALE O. LAUBACH
DIRECTOR

JACK D. CRAIG
COMMISSIONER

CLIFFORD W. LEGATE
DEPUTY COMMISSIONER

OKLAHOMA REPORT TO ASPCRO

ROMULUS, MICHIGAN

OCTOBER 3 - 6, 1982

I would like to preface this report by saying that we are saddened by the departure of Mr. Ray Elliott from his position of Pest Management Section Supervisor. Ray's new position is with the Dairy Marketing Division as Assistant Director. We would like to wish him all the best in this new endeavor. As of the presentation of this report, his successor has not been selected.

Oklahoma's pest control related complaint activities are summarized in the following table:

<u>COMPLAINT ACTIVITIES</u>	<u>CY 81</u>	<u>TO DATE (30 Sept 82)</u>
Pest Control Complaints Received	283	253
Pest Control Complaints Closed	280	137
Notice of Violations	38	540
Court Cases Filed	15	17
Enforcement Visits Held	28	18
30 Day Letters Sent	110	98
Referrals to EPA	1	4
Board Hearings	12	9

As can be seen from the above table, we are again running ahead of previous years. One factor is the increased number of inspectors, 28 in all. Probably the primary factor is publicity, both throughout the industry and the public with regard to our enforcement track record. Overall, the number of companies we are having problems with are declining, and we are able to concentrate our efforts more where they are needed.

We have found that our best ally is now the District Attorney. This has come about through a long educational and learning process on both



sides and we are now at a point where they are eager to assist us.

Oklahoma is still working with EPA Region VI under Enforcement and Certification grants and would like to commend the regional staff for their assistance and understanding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Chada". The signature is stylized with a large, prominent "R" and "C".

Robert L. Chada
Program Administrator
Pest Management Section

slw

THE STRUCTURAL PEST CONTROL
PROGRAM
MINISTRY OF THE ENVIRONMENT
PROVINCE OF ONTARIO

The Structural Pest Control Program under the Pesticides Control Section of Environment Ontario administers the licensing and termite control programs.

In 1981, 187 operators (businesses) and 1,000 structural exterminator's licences were issued. Several exterminator licences were endorsed in the following categories: indoor plant maintenance, greenhouse fumigation, structural spider control outdoors, vertebrate pest control and spot fumigation.

Before a licence is issued, the candidate must undergo an oral or written examination. Approximately 750 structural examinations were given during 1981. The examination fee for any class of licence is \$25.00, renewal of a business licence is \$30.00 and an exterminator's licence is \$15.00. Licences must be renewed annually. A structural operator must carry insurance with inclusive limits of \$700,000.00 PLP.

The structural specialist and entomologist conducted 40 training seminars and symposiums in 1981. This included a 2-day symposium organized annually involving 400 registrants.

Several permits were issued for schedule 1 restricted pesticides:

A.	space fumigation	a) MeBr	41
		b) AL PH ₃	5
		c) HCN	1
B.	Bat Control - DDT		119
C.	Bird Control - Rid-a-Bird-Fenthion		15
D.	Mouse Control - Stychnine		1
E.	Roach Control - NaFl		<u>5</u>
	TOTAL		187

Rid-a-Bird perch is no longer a restricted compound in the Province of Ontario. An inspection of all premises must be carried out before a permit can be issued.

The Termite Control Program has been in operation since 1975. The program covers the cost of 60% of chemical treatment and 60% of the cost of removing wood/soil contact. There are currently 18 municipalities now under an agreement with the province to finance termite control.

The budget for the termite control program is as follows:

1980 - 81 -	\$250,000.00
1981 - 82 -	325,000.00
1982 - 83 -	500,000.00

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.

The termite treatment program promotes carrying out block treatments to reduce the spread of these insects. With any treatment, wood/soil contact must be broken to prevent reinfestation. 400 treatments were performed in Ontario last year for termite control.

SOUTH CAROLINA

REPORT 1982

STRUCTURAL PEST CONTROL ACTIVITIES

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

South Carolina is now in its seventh year regulating structural pest control through the Plant Pest Regulatory Service, Division of Regulatory and Public Service Programs, Clemson University. The Standards for Prevention or Control of Wood Destroying Organisms have been in effect for nearly two years now. These Standards detail termite treatment procedures, describe criteria necessary to determine wood infesting beetle activity, and mandate the use of the State Wood Infestation Report (copy of latest revision attached).

The Standards are not excessive in their treatment demands. Essentially, they are label directions with a few additions e.g. removal of termite shelter tubes. However, for the second year our inspections reveal that the Standards are not being met. During fiscal year 1980-81 45% of all compliance inspections passed our Standards. In fiscal year 1981-82 only 36% of the 67 compliance inspections passed our Standards. Our major effort this next fiscal year will be to help the PCO's bring this rate to a more acceptable level. Our enforcement practice of additional inspections on companies whose work did not comply during earlier inspections negatively skews the rate. One hundred and fourteen treatment site soil samples were drawn and analyzed. Using the 100 ppm acceptable termiticide residue level, 68% were found to contain more than the minimal level.

Two hundred and forty-six Structural Pest Inspections were conducted in South Carolina last year. Most of these were complaints. Often conflicting opinions concerning wood destroying organism activity are given the homeowner by different PCO companies. Over \$58,000 in monetary savings to the consumer occurred due to our reports. The reports present an objective opinion on the activity of the wood destroying organisms. In some cases money expended by the consumer for unnecessary treatments is refunded.

The acceptance of the Official South Carolina Wood Infestation Report has been excellent by industry, federal agencies, lending institutions and realtors. Only 35 complaints have been investigated regarding omissions on the Wood Infestation Reports. Most PCO's were relieved to now be officially required by the state to disclose all wood destroying organism damage and activity. A number of realtors went through extensive philosophical changes to accept the 100% disclosure as now required. However, it is obvious that the PCO and the consumers are benefiting.

While enforcement actions are detailed below, a number of incidents deserve particular note. An individual died from drinking about a pint of 57% malathion contained in a beer bottle in Dillon, SC. This individual was a derelict and retrieved the malathion from a dumpster. However, it illustrates the severe consequences that may occur if pesticides are removed from their original containers. A housewife and her small child may have received exposure to ethylene dibromide during a crawl space termite treatment. Representatives of the PCO firm state that a small residual of ethylene dibromide was inadvertently mixed with conventional termiticide and applied during the termite treatment. Ethylene dibromide is still currently registered with EPA

(although it is not registered in South Carolina) for termite control - slab injection.

In the next legislative session or during the first months of 1983, mandatory licensing for all structural pest control operators will be enforced in South Carolina. Industry and the consumer will be served by this requirement. The promises made by the EPA during the beginning of the certification program concerning classification of pesticides in a timely manner seem all too hollow, now. There are so few restricted used pesticides used by PCO's that there is no incentive to become licensed but the PCO's desire to demonstrate his professionalism. The timing is right to pass this legislation requiring licensing and key industry support, lacking before, is now present.

Principal Structural Pest Control Enforcement action consisted of:

47 Warning Letters

5 Pre-hearing Conferences

5 Consent Orders - Penalties totaled \$4,600

5 Criminal Prosecutions - Fines were levied totalling \$1,000 and one individual was sentenced to one year imprisonment and another sentenced to thirty days.

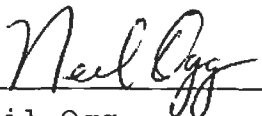
67 Compliance Inspections

179 Complaint Inspections

The EPA enforcement grant has been an asset to our operations particularly due to the states' funding shortfalls and also because very few outputs in the grant were not presently being accomplished. State forms are being utilized to lessen the administrative burden.

Future goals for our program include reduction of noncompliance to the Standards for Prevention or Control of Wood Destroying Organisms and enforcement of mandatory licensing.

Submitted by: _____


Neil Ogg
Pesticide Coordinator

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? ☐ ☐
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) _____

☐ ☐

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 Appropriate
Block 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 initially at \$_____ 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"/> |

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.

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.

STATE OF TENNESSEE
1982 ASPCRO REPORT

Tennessee's Pest Control Section is part of the Department of Agriculture. Our staff consists of 3 investigators, 6 inspectors and a supervisor. Our headquarters is in Nashville, but we have field people stationed in different parts of the State. During this past year we made 2,950 routine inspections with 223 being sub-standard and had to be re-treated. We made 756 investigations of complaints..

We had 28 warrants issued for different violations with 23 ending in convictions. We held 12 hearings of people licensed with us.

We require a written contract for any wood destroying organism treatment with a one year guarantee. The State collects a \$3.00 fee for each contract written. This and the other fees we collect is enough to run our section without any tax monies being used. During the 1981-82 period we had 37,960 wood destroying organism contracts written amounting to \$113,880.00.

During the 1981-82 year we chartered 356 pest control companies. There was 700 licenses issued. During this time 14 new companies were chartered and 10 companies went out of business. We issued 69 pilot licenses and registered 65 airplanes. The revenue amounting from this being \$49,250.00.

On 2nd September 1982 a public hearing was held to give interested people a chance to have input into changes in our pest control rules and regulations. Some of our regulations are over 30 years old and really need revising. From comments and suggestions at this meeting there will be several changes made.

We are trying to improve our methods of inspections and investigations into pest control work. We have been using soil sampling for conformation of proper treatment. We are tryiNg different types of sampling methods to come up with the best way. If there are any other states doing this we would like to exchange information.

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

1982 Virginia Report

Harry K. Rust
VDACS

By mandate of the Virginia General Assembly, the responsibility for the regulation of all pesticide chemicals and pesticide applicators is with the Virginia Department of Agriculture and Consumer Services and in turn, the Pesticide, Paint, and Hazardous Substances Section. Unlike many states, Virginia does not have various regulatory boards and/or committees involved in pesticide regulation. The Virginia law does, however, establish an Advisory Committee to the Department to deal with pesticide matters. This committee meets as needed. All Rules and Regulations are promulgated by a Board appointed by the Governor.

The Pesticide, Paint, and Hazardous Substances Section is staffed by one (1) Supervisor, one (1) full time and one (1) part time Assistant Supervisor, four (4) Clerk Stenographers, and the part time services of four (4) Regional Supervisors and thirty three (33) Field Inspectors/Investigators.

One group collects routine samples of pesticide formulations, while the other group provides the other inspection and investigation services. Both groups also have field services responsibilities in areas other than pesticides.

Only those structural pest control operators applying, or supervising the application of pesticides, with a restricted use classification are required to be certified and licensed. The same is true of all other commercial applicators except for persons applying pesticides aerially. Certification and licensing is required of all aerial applicators regardless of the classification of the pesticide(s) applied.

The principal commercial category for structural pest control operators i.e. Industrial, Institutional, Structural, and Health Related Pest Control has been divided into the four (4) sub-categories of; General Pest Control, Wood Destroying Organisms Pest Control, Food Processing Pest Control, and Fumigation. I am inclined to believe that the sub-categories, General and Food Processing should be combined. This may be accomplished by expanding the General Pest Control sub-category to include bird and rodent control. We believe our entire pest control operator category has been made stronger by going to the sub-category concept. This is in keeping with our original strategy for this group.

We continue to be concerned in Virginia with the repeated misuse of termiticides. General surface applications of chlordane, even applications directly into heating and ventilating systems continue occasionally. It appears that experienced and knowledgeable pest control operators continue to have problems in treating slab on ground construction without penetrating these ventilating systems. We are convinced that much of the problem lies with the management level of pest control operator businesses. In all too many cases, particularly with the small local companies, the management level people attend training workshops and seminars while the service

technicians continue with application as usual practices. We are attempting to utilize local and regional pest control organizations in an effort to provide training for the service people.

The priorities in Virginia for use investigations continue to be non-agricultural ground applications (mostly PCO's) and agricultural and non-agriculture aerial applications.

NATIONAL PEST CONTROL ASSOCIATION, inc.

P. O. Box 377 • 8100 Oak Street
Dunn Loring, VA 22027 • (703) 573-8330

1982 SEP 27 AM 9 27

September 22, 1982

To: State and Regional Pest Control Associations
State and Federal Pesticide Regulatory Agencies

SPECIAL ALERT: -- Recent Media Reports on Chlordane Contaminations

On September 14 and 15 WETA, the National Public Radio Station in metropolitan Washington, DC area, included in their 5:00 p.m. to 6:30 p.m. news program "All Things Considered" a report on Chlordane Contaminations prepared by one of their news reporters, Daniel Zwerdling.

The report advised the public that anyone who had their home treated with chlordane was susceptible to poisoning due to chlordane contamination of the air in the structure. Qualifications of the type of structures at risk and the number of persons at risk were very few -- and these tacked on at the end of the second day's report. No information was provided on the importance and benefits in protecting the nation's building structures from termite damage. As a result, many listeners were scared, some even horrified, by the announcement, particularly if their home had received a termite treatment or was faced with receiving a termite treatment for a recently discovered infestation. The program fostered public suspicion and fear of pesticides even if no direct personal exposure was involved.

The NPR station has a sizable audience especially of middle to upper income families. Several newspapers in the Northeast United States immediately picked up on the sensational investigative radio news report by Mr. Zwerdling. We have also received word the WETA report was rebroadcast elsewhere in the nation via NPR affiliated stations.

We are supplying you with the enclosed FACT SHEET to assist in responding to inquiries from your customers, the news media, or the general public. It attempts to put in perspective the inconclusive data on chlordane as a hazard, the frequency of chlordane contamination and the benefits provided to the nation from its use.

protecting our health and property

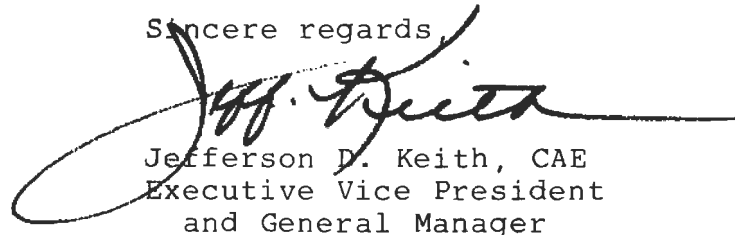
For additional information on the Air Force housing chlordane contamination referred to in the WETA and subsequent news media reports, see our earlier Special Alert on this topic issued May 7, 1981.

It would be helpful if you would:

1. Inform all PCO firms in your area, both NPCA members and nonmembers and the state cooperative extension service about the possibility of expanded news media coverage and public inquires on chlordane use. Supply them a copy of the attached FACT SHEET.
2. Let NPCA know of general news media coverage of the topic in your area. Send us a copy of the newspaper articles or a note of the radio or TV stations that carry the information, the date and the station location.

Hopefully the above information will be useful to you in responding to any inquires that are received on this situation. Please contact us if we can be of further help with information or action.

Sincere regards,



Jefferson D. Keith, CAE
Executive Vice President
and General Manager

JDK/mt

Enc.

cc: NPCA Board of Directors
NPCA Government Affairs Committee
NPCA State Government Affairs Coordinators

September 22, 1982

- FACT SHEET -

To respond to Public Inquires on Chlordane Contamination and What can be Done About It:

QUESTION: What is chlordane? Why is it used? How safe is it to use?

- ANSWER:**
- Chlordane is a chlorinated hydrocarbon insecticide.
 - Chlordane is used commercially in a highly diluted form (1% solution) as a termiticide, which is applied underneath the soil surface adjacent to buildings to kill existing termites and prevent future infestations. At one time (prior to 1972), the Military Procurement Office required the use of a 2% chlordane solution on facilities within their command.
 - It has been safely used for over 30 years to protect wood in structures in the United States and worldwide.
 - The National Academy of Science in 1977 evaluated whether chlordane and heptachlor causes cancer. The NAS report concludes "There are no adequate data to show these compounds are carcinogenic in humans, but because of their carcinogenicity in certain mouse strains and extensive similarity of the carcinogenic action of chemicals in animals and in humans, the committee concluded that chlordane, heptachlor, and/or their metabolites, may be carcinogenic in humans." From the same data the NAS report concludes "There is no statistically significant evidence that any of the compounds are carcinogenic in rats" (as contrasted with the studies of effects on mice).
 - There have been no known deaths or permanent illness to humans due to the application of chlordane as a termiticide according to the EPA approved label use instructions.
 - Chlordane has one of the safest records of all pesticides when it is applied professionally according to EPA label directions.

QUESTION: What are some of the benefits from chlordane use?

- ANSWER:**
- Chlordane alone or chlordane in combination with other approved termiticides is a preferred pesticide for protection of structures against termite damage by 90% or more of all certified professional structural pest control operators. It is preferred because it has proven its effectiveness in killing termites in structures such

as homes, offices and factories and preventing reinfestation from these insects. A single treatment, properly applied and without the chemical barrier being broken, has been shown to be effective for over 20 years.

- Shelter is the largest item (29%) contributing to our high cost of living. The value of housing in the U.S. is an unbelievable 4 trillion dollars! Chlordane helps protect our homes from termite attack and saves billions of dollars per year in repair costs nationwide.
- Used in a very low (1%) concentration and placed under the soil surface there is minimal opportunity for exposure to humans or other non-target organisms to the chemical. Once placed in the ground, chlordane stays -- and does not easily leach out.

QUESTION: What can be done to prevent chlordane accidents such as that presented in the news stories reported? When a contamination or exposure occurs what can be done to clean it up?

- ANSWER:**
- In certain situations it may be necessary seal off the old ducts and install an above slab system.
 - The expertise necessary to decontaminate a structure lies only with the manufacturer of the pesticide.
 - Use a professional state certified pest control operator for application of any termiticide. Untrained or inexperienced persons should not attempt to use a termiticide like chlordane.
 - Property owners of buildings with slab foundation construction and heating systems within or under the slabs should provide the PCO with a diagram showing the location of the heating ducts. The property owner should also work with PCOs in verifying the condition of the duct system before any termiticide is applied. PCOs in the industry need to provide information to architects and building construction engineers to alert them to the importance of protecting homes and possessions from wood destroying organisms, such as termites, and the necessity of designing structures that will not create a risk when treated with a termiticide.

QUESTION: What is the cause of chlordane contamination accidents such those reported?

- ANSWER:**
- In structures that have heating ducts under or within the foundation slab, it is possible for power drills to enter the duct without being detected by the PCO doing the drilling. When chlordane is then injected, it enters the ducts and is picked up when air is forced through the heating system. In older homes with slab heating systems the heating ducts are constructed of materials that may decay, crack or split over

time. When this happens and an application of chlordane is made it can enter the ducts and chlordane vapor can be blown into the heating system where human beings may be exposed to the contamination.

- Because of the problems inherent in this type of heating system construction, particularly in houses built in the early 1950s, there is an increased risk of exposure.
- The vast majority of certified PCOs are aware of the dangers of termiticide applications to houses with heating ducts within or under slab foundation. The PCO treating such structures knows that extra caution is needed in applying any termiticide, including chlordane, especially when applied under pressure to a structure. Some houses with this construction cannot be safely treated for termites unless the duct system is sealed and relocated above the ground.
- The reported frequency of chlordane contamination in the type of structures cited above is very low when compared to the total of such homes that are treated each year with termiticides. The National Pest Control Association hears of less than six (6) chlordane contaminations a year out of the one half to one million homes that are treated annually with termiticides in the USA.

QUESTION: NPCA by directing nonuse in plenum housing and extreme care and caution in the case of slab housing is admitting potential danger. Why would the organization endorse the product for any purpose?

ANSWER: ● NPCA and the industry has always emphasized that the product may be hazardous unless properly applied in accordance with labeled instructions. When circumstances indicate that the care and caution necessary to safe application and use cannot be reasonably expected, we recommend nonuse.

QUESTION: If these "isolated" instances have been occurring since the early 1970s, why did NPCA not issue its "nonuse" and "extreme caution and care" advisories before December 1980?

ANSWER: ● NPCA was not aware that such incidents had continued beyond those which occurred in 1976 and were reported afterward. Upon learning to the contrary in 1979, we issued a Service Letter on plenum housing. When the GAO report referred to continuing problems with slab housing the Technical Release stressing care and caution was circulated.

QUESTION: Where can I get information on whether my house may have termites and if so how it may be safely treated?

ANSWER: ● Obtain the services of a state licensed and certified professional pest control operator. For help in locating a reputable PCO in your area, contact either:

1. The pest control association in your state
2. The state government pesticide regulator authority, usually located in the state capitol.
3. The National Pest Control Association
8100 Oak Street
Dunn Loring, VA 22027
(703) 573-8330

QUESTION: Where can I get information on whether my house may have chlordane contamination?

ANSWER: ● Contact your state pesticide regulatory authority or state health department.

QUESTION: Where can I get information if I have possible physical symptoms of chlordane poisoning?

ANSWER: ● Contact your personal physician or a nearby medical facility or hospital in your community and discuss the need for physical examination and laboratory tests to determine if the symptoms are due to chlordane poisoning.

NOTE: This information has been prepared to assist members of the structural pest control industry, the media, and relevant public officials in responding to public inquiries. For additional information, contact:

National Pest Control Association, Inc.
8100 Oak Street
Dunn Loring, VA 22027
(703) 573-8330

Attn: Mr. Jefferson Keith, CAE
Executive Vice President
and General Manager

or

Richard V. Carr, Ph. D.
Director of Research

Pesticide poses hazard in homes

By D. W. NAUSS

Staff Writer

In April 1980, Dr. Amanullah Khan contacted an exterminator to treat his East Dallas home for termites. After the treatment, a pungent odor hung in the air of his attractive, contemporary house.

The exterminator, Miss Phoebe's Pest Control Co., assured Khan the smell of pesticide soon would go away. But the odor persisted and worsened when the air conditioning was turned on.

Soon, Khan, his pregnant wife and their two young daughters were complaining of headaches, fevers, numbness, fatigue, irritability

and other health problems. Only when they moved out of the house did their symptoms begin to disappear.

More than two years later, the Khans still have not returned to their house at 4328 Briar Creek Lane, which they have valued at \$250,000. And they never will.

Their dream house, the Khan's claim, is haunted by an unseen chemical that has rendered it uninhabitable.

"It's like Love Canal next door," said Glenn C. Hunt, a friend and former neighbor of the Khans. "Nobody can live there. They would

See CHEMICAL on Page 6

Dallas Times Herald
9/13/82 page 1A

Chemical firm blames misa

CHEMICAL — From Page One

just about have to take that house and burn it and start over."

The family also continues to suffer from the exposure to chlordane, the powerful pesticide applied to their house, according to records filed in state district court here.

Chlordane, a chlorinated hydrocarbon that chemically is related to DDT, can disrupt the function of the nervous system, causing headaches, disorientation, apprehension, weakness, muscle twitching and convulsions. It is one of the most persistent pesticides in the environment.

The insecticide, which causes cancer in laboratory mice and is suspected of causing cancer in humans as well, was banned by the U.S. Environmental Protection Agency for most purposes in 1978. But it is still approved and widely used for subsurface termite control.

The General Accounting Office, Congress' investigative agency, warned in 1980 — the year the Khan home was treated — that chlordane use presented the potential for a national housing contamination problem, because an estimated 80 million homes nationwide have been treated with the pesticide.

But in spite of the warnings, little has been done by government agencies to contain and better define the problem. No studies have been conducted on the effects of low-level, long-term exposure to chlordane, and safe residential exposure levels have not been established.

Although it has been banned from all agricultural use since 1978, chlordane and similar toxic pesticides are becoming increasingly common in the urban setting. Yet state and federal laws do little to

In the Khans' case, a board investigator found that the exterminating company did not follow the label instructions and sprayed chlordane directly into air conditioning ducts located in the building's slab. But the board took no action against the exterminator.

Khan, a native of Pakistan who is now an American citizen, has filed a lawsuit in state District Court seeking more than \$369,000 from the exterminating company and Velsicol, the manufacturer of the pesticide used in the Khan household.

In the suit, the family alleges that the exterminator negligently sprayed Gold Crest C-100, whose active ingredient is chlordane, into the air-conditioning duct system. The pesticide was spread throughout the house by the cooling system, they charge, permanently contaminating the home and causing health problems, the suit says.

The family is seeking \$250,000 for loss of their house, \$30,000 for their furniture, \$25,000 for their clothing and other possessions, \$64,000 for a condominium used as alternative housing and an unspecified amount for physical and mental damages.

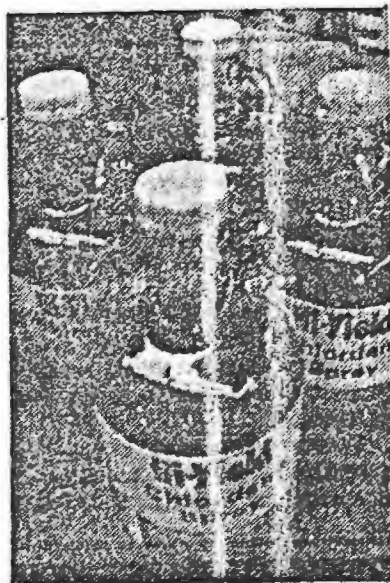
Khan, a researcher at the Wadley Institute of Molecular Medicine, declined to be interviewed. The case is supposed to come to trial in March 1983.

The defendants deny the allegations of the suit.

"It was an accident," said Phoebe Brandt, who has operated the extermination company for 20 years. "But how bad it is, is up to the experts."

She declined further comment on advice of her lawyer.

Richard F. Blewitt, Velsicol's vice president for corporate affairs, said he could not address the Khan suit directly. But speaking generally, he



Chlordane banned by Environmental Protection Agency for most uses in 1978, but is widely used for subsurface control.

tices ... that could be injurious to the public health, safety or to the environment" or for "making a pesticide application inconsistent with the labeling of any pesticide."

Charles Chapman, the board's executive director, said no action was taken against Miss Phoebe's because the chlordane injection into the duct was accidental.

"It wasn't an intentional misuse," Chapman said.

Asked if he thought such an application of chlordane could be damaging to the Khans' health or safety, he said, "It would be an irritant. As far as a health problem, I don't know."

Medical records filed in court indicate that in August 1980, Khan, 42, complained of fatigue, irritability, headaches, lack of concentration and numbness and tingling of his fingers. He was admitted to St. Paul

hospital for a variety of ailments since the spraying, including rashes and fevers, as well as cal records.

The effect of chlordane has drawn a 1978 study exploring childhood tumors, prenatal and postnatal chlordane and six diseases linked to pesticide.

Dr. William A. N. of laboratory medicine at Columbia Hospital in Columbia, Mo., study showed a possible link between chlordane and tumors, but more research is needed to determine if there is a

The Khans sought treatment at the Environmental Health Clinic specializing in chemical sensitivity.

long-term exposure to chlordane, and safe residential exposure levels have not been established.

Although it has been banned from all agricultural use since 1978, chlordane and similar toxic pesticides are becoming increasingly common in the urban setting. Yet state and federal laws do little to alert city dwellers to the dangerous chemicals — many with carcinogenic properties — that are applied in their homes and whose harmful residues often remain there for years.

The Dallas case involving the Khan household is not unique. Instances of families being forced from their homes because of chlordane applications have been reported in Kansas, Illinois, California and Massachusetts.

From 1966 to July 1980, 561 unconfirmed incidents involving chlordane were reported to the EPA's pesticide incident monitoring system. Scores of other chlordane incidents go unreported each year, officials said.

The Texas Structural Pest Control Board, which regulates household pesticide applications, investigated 1,341 pesticide complaints in dwellings and businesses in 1981 and 597 during the first six months of this year. Most of the complaints relate to ineffective insecticide treatments rather than pesticide misuse.

But one of those misuse complaints was lodged by Helen Auten, another Dallas resident who testified in June before a subcommittee of the Texas House Health Services Committee, which is investigating the public health dangers of pesticides. Mrs. Auten told legislators that an insecticide sprayed in her Dallas home had rendered it uninhabitable.

Mrs. Auten said Allied Pest Control Inc. of Dallas treated her home with chlorpyrifos, a pesticide manufactured and marketed by Dow Chemical Co. under the trade name Dursban, on Aug. 31, 1981, after carpet beetles had infested two Oriental rugs.

She declined further comment on advice of her lawyer.

Richard F. Blewitt, Velsicol's vice president for corporate affairs, said he could not address the Khan suit directly. But speaking generally, he said, "One of the problems you run into with the usage of chemicals is there has to be caution in applying them. We can't defend any misapplications."

Khan complained to the state pesticide board of a lingering odor in his house on May 12, 1980, two weeks after the pesticide treatment. At the board's request, two representatives of Miss Phoebe's visited the home and reported that they could not detect any odor, according to board records.

Sixteen days later, Khan again complained to the board that the odor persisted and that his wife had become ill. On June 2, Khan had tests taken by a specialist, who determined that there was chlordane in the home's air.

The following day, Joe Clark, a pest control investigator, and Bob Beaman, an official of the pest control firm, visited the house. The air conditioning vents were taped shut and the air conditioning turned on. They immediately heard air coming through a hole in an air duct.

"We determined that a hole had been drilled in the duct," Clark said in his investigation report, filed more than a year after the incident. "At that moment, I got down on my hands and knees and I could detect a chemical odor."

Clark reported that Beaman told Khan, "We did drill into the duct and did pump chlordane into the duct and we will take care of it to your satisfaction."

His report said that Beaman, who has since left Miss Phoebe's, contacted two contractors to clean or replace the ducts, but Khan refused to allow the workers in his house.

aging to the nation's health or safety, he said. "It would be an irritant. As far as a health problem, I don't know."

Medical records filed in court indicate that in August 1980, Khan, 42, complained of fatigue, irritability, headaches, lack of concentration and numbness and tingling of his fingers. He was admitted to St. Paul Hospital on Aug. 30 with a fever and swelling of the thyroid gland. The same symptoms persisted for the next year.

Khan's wife, Fran, complained of irritability, sinus problems, dizziness, headaches and fever in July 1980. Blood samples analyzed by the Texas Pesticide Hazard Assessment Project in San Benito indicated that she had inhaled or otherwise ingested chlordane.

Mrs. Khan, 35, was pregnant when the house was sprayed. She gave birth to a 6-pound, 1-ounce baby on Jan. 2, 1981. The infant was normal.

The other Khan children, Roxanna, 7, and Sabrina, 5, have suf-

fered laboratory medicine. Hospital in Columbus. study showed a possible chlordane and tumors but more research is in termining if there is a di-

The Khans sought the Environmental Health Clinic specializing in tri sensitive to chemicals. 1980, Dr. William I. Khan family was suspected pesticide poisoning and pesticides in the future.

Government agencies aware of a potential d ing chlordane contam homes since 1970, w fumes were detected homes at Webb Air Big Spring, Tex. The veloped after chlorda: ed accidentally into ai in the slabs.

Two years later, the ceived numerous con unusual odor in hon Patterson Air Force B Ohio. The homes had

Several days after the spraying, she woke up sweating and gasping for air. Her eyes and throat burned. This was followed by nausea and vomiting. She said she still suffers symptoms of the pesticide poisoning.

Like the Khans, the Autens abandoned their fashionable, four-bedroom home, which has been appraised at \$190,000, only days after it was treated in 1981.

Mrs. Auten, who has been living with her sister in Garland since she and her husband left their home last year, has spent months fighting the exterminator and Texas Structural Pest Control Board, which regulates professional pesticide applications in homes, over the alleged damage to her residence.

The state board investigated the extermination and concluded there was no misuse of any pesticide in the Auten home. Mrs. Auten says she will take the matter to court.

Gene Bryant, a contractor hired by Khan, said it was not possible to seal the old ducts beneath the floor and build a new heating and cooling system above the ceiling because the house had no attic.

The EPA never became involved in the Khan matter. Don Pascal, EPA's pesticide project officer for Texas, said the agency would become involved only if requested to do so by the state or if it believed the state board had not done its job properly.

The board, which is controlled by pest control operators, has the power to revoke and suspend exterminator licenses or issue warnings when an operator engages in "prac-

protecting our health and property

NATIONAL PEST CONTROL ASSOCIATION, inc.



P. O. Box 377 • 8100 Oak Street
Dunn Loring, VA 22027 • (703) 573-8330

August 6, 1982

TO: AAPCO, Officers and Board of Directors
ASPCRO, Officers

FROM: Jack Grimes, Director of Government Affairs

oh J.S.

Enclosed is a copy of testimony Jeff Keith, Executive Vice President of NPCA, presented to the Senate Agriculture Committee on June 22, 1982.

I am also enclosing a copy of a letter from the Agriculture Extension Service to the Senate Committee bill sponsors endorsing the NPCA recommendation for a minimum four million dollars for state grants for pesticide applicators and training programs.

If AAPCO and ASPCRO wish to express a viewpoint on this issue, I would urge you to address letters individually or as a group to the Senate Agriculture Committee Chairman:

Jesse A. Helms
322 Russell Senate Office Building
Washington, DC 20510

and the House Agriculture Committee Chairman:

E de la Garza
1301 Longworth House Office Building
Washington, DC 20515

Hearing on the House floor reauthorization is now scheduled for Tuesday, August 10, 1982. The Senate Agriculture Committee is expected to schedule this for vote the end of the month.

If I may be of help on this issue, please let me know.

AJG/mt

Enc.

ADM. STATE PLANT BOARD

1982 JAN 25 AM 11:04

12 51 49

College of Agricultural Sciences

S. C. CROP PEST COMMISSION
PLANT PEST REGULATORY SERVICE
Clemson, SC 29631-2775

January 19, 1982


The Honorable Senator Jesse Helms
United States Senate
Committee on Agriculture, Nutrition
& Forestry
4213 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Senator Helms:

Thank you very kindly for your letter requesting further information regarding the Association of Structural Pest Control Regulatory Officials resolution to exempt termiticides from the 2(ee) amendments to the Federal, Insecticide, Fungicide, and Rodenticide Act. As you are aware, these amendments allow pesticide applicators to apply pesticide at any dosage, concentration, or frequency less than that specified on the labeling. We, as members of ASPCRO, and reputable pest control operators are concerned that this provision of the Act could be misused and termiticides could be applied at less than the label rate. It is evident from U. S. Forest Service research that less than the label rate of a termiticide will not adequately protect a home from termite attack. Therefore, we seek exemption of termiticides from this less than the label rate. This will allow termiticides to be applied only at labeled application rates and therefore, would insure that homes are adequately protected from termite attack.

I would be happy to provide additional information on this subject or any background information should you desire. Thank you. It is quite an honor to be able to write to one of our own South Carolinians concerning this very important issue to the members of the Association of Structural Pest Control Regulatory Officials.

Sincerely,


Neil Ogden
Pesticide Coordinator

jg

cc: R. M. Russell
Don Alexander ✓

Association of
Structural
Pest
Control
Regulatory
Officials

1982 MAY 20 AM 8:46

May 14, 1982

Ms. Suzanne H. Harker, Chief
Policy & Liaison Staff Registration
Division (TS-767-C)
Office of Pesticide Programs
Environmental Protection Agency
1921 Jefferson Davis Hwy.
Arlington, VA 22202

Dear Ms. Harker:

Reference my November 16, 1981 correspondence (enclosed) concerning incorporating as a part of the label improvement program, a provision that termiticide labels state that the products not be used at less than the label rate. Would you please give me a status report on your efforts to accomplish this?

Sincerely,



Neil Ogg, President
ASPCRO
Clemson University
210 Barre Hall
Clemson, SC 29631

NO/jac

cc: Don Alexander, Secretary
James Arceneaux, Vice Pres.

Association of
Structural
Pest
Control
Regulatory
Officials

1982 JUL -5 AM 10 35

July 2, 1982

Mr. Tom R. Clark
Deputy Counsel
Senate Agricultural Committee
U. S. Senate
4213 Dirksen Senate Office Building
Washington, DC 20510

Dear Mr. Clark:

As President of the Association of Structural Pest Control Regulatory Officials, I would like to lend our association's support of senate bill S2621. This bill amends the FIFRA to define state authority as not including local political subdivisions. While not every single state in ASPCRO supports this bill, the majority of the states support the implementation of FIFRA at the state level. Our association feels that the state should be the principle unit without further subdivisions for regulating aspects of the federal law. If I can answer any questions regarding ASPCRO's feelings on this matter or help in any way for passage of this bill, please feel free to call on me.

Sincerely,


Neil Ogg
President

NO/jg

cc: Jimmy Arceneaux, Vice President, ASPCRO
Don Alexander, Secretary, ASPCRO ✓
Barry Patterson, President, AAPCO
Jack Grimes, Director of Government Affairs, NPCA

Association of
Structural
Pest
Control
Regulatory
Officials

1001 AUG -2 AM 11:03

July 29, 1982

Ms. Suzanne H. Harker, Chief
Policy and Liaison Staff
Registration Division
United States Environmental Protection Agency
Office of Pesticides and Toxic Substances
Washington, DC 20460

Dear Ms. Harker:

Reference your June 15, 1982 response concerning the Association of Structural Pest Control Regulatory Officials (ASPCRO) resolution regarding use of termiticide products at less than label rate. As you are aware, ASPCRO feels that any use of termiticide at less than a label rate would not be a proper application rate for control of termites.

Enclosed is a Region IV Report from Dr. Von H. McCaskill, Region IV Representative of the SFIREG Committee which brings to light several misunderstandings on your part regarding termiticide use. Principally, you are mistaken in your belief that efficacy of termiticides can be determined through the Market Place. If you allow termiticides to be used at less than labeled rate, research demonstrates that lower dosages will give less protection from termite attack. The time span that the termiticide will protect the structure will be lessened. It is obvious that Market Place regulation would almost be impossible due to the long time spans of termiticide efficacy. Additionally, as Dr. McCaskill points out, very few homeowners would recognize an active termite infestation; a professional is needed to identify this activity.

Secondly, you indicate that depending on soil types, lower dosage rates may be effective. The research which established termiticide rates recommends treatment rates which will be efficacious when applied to all types of soil. Essentially a lower dosage rate means that the duration of effectiveness is limited. The lower the dose the less amount of time the home will be protected by termites.

Association of Structural Pest Control Regulatory Officials

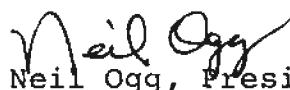
Ms. Suzanne H. Harker
July 29, 1982
Page 2

Also, you state that the homeowner would be guided by the label dosage and would not choose to lower it. Very few termite treatments are performed anymore by the homeowner. Principally, we are concerned that termiticide label rates, whether applied by the homeowner or the professional, should be maintained at their full labeled rate level.

Your third point is that the producer of the termiticide is in the best position to know whether adequate control can be obtained at less than the labeled dosage rate. Essentially, this statement is self contradicting in that the producer of the termiticides places upon the label the rate at which he feels effective termite control will occur. Therefore, it is obvious that the pesticide producer feels the labeled rate should not be reduced or provision for this would be on the label. For example, Velsicol, the largest producer of termiticides states that no Velsicol termiticide product be used at less than the label rate. The producer may be free to put a label restriction on the label, however, I feel, as a State Regulatory Official, and you, as a Federal Regulatory Official, should address this issue and prohibit use of a termiticide at less than a label rate.

Again, I am very disappointed that you have not placed this requirement that termiticides be used at less than the label rate in your label improvement program. I am in high hopes that you will be of a different opinion and indeed carry this measure to its completion by requiring termiticide labels to bear prohibition against use at less than the labeled rate.

Sincerely,



Neil Ogg, President
ASPCRO

NO/jg

cc: Don Alexander ✓
Jimmy Arceneaux

College of Agricultural Sciences

S.C. CROP PEST COMMISSION
PLANT PEST REGULATORY SERVICE
Clemson, SC 29631-2775

CLEMSON
UNIVERSITY

November 16, 1981

Ms. Suzanne H. Harker, Chief
Policy & Liaison Staff Registration
Division (TS-767-C)
Office of Pesticide Programs
Environmental Protection Agency
1921 Jefferson Davis Highway
Arlington, VA 22202

Dear Ms. Harker:

I am currently serving a two year term as President of the Association of Structural Pest Control Regulatory Officials. This Association represents the pest control regulatory officials of the 50 states and Canada.

At our 21st annual meeting, October 5-7, 1981 our Association passed the following resolution.

--- Resolution ---

Whereas, the September 30, 1978 amendments to the FIFRA, 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

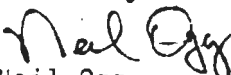
Whereas, the ASPCRO states that application of any registered termiticide at any dosage, concentration or frequency less than that specified on the labeling would result in less than effective control of the target pest.

Now, therefore, be it resolved. That the ASPCRO solicits the EPA full cooperation and urge that immediate, appropriate action be taken to insure that termiticides be excluded from the 1978 2(ee) amendments.

Our contact with Senate and Congressional leaders indicates that the most appropriate technique to exclude termiticides from the 2(ee) FIFRA amendments would be to incorporate a termiticide label revision which states that the termiticide can be used only according to the label directions. Specifically, that lower dosage ratios are not allowed.

I know that you are presently revising termiticide labels. I urge you to include this provision in your label improvement program requirements.

Sincerely,


Neil Oqq

jac
cc: Don Alexander

Association of Structural Pest Control Regulatory Officials

October 19, 1982

Mr. Walter D. Schroeder, CCPA.
1052 William Floyd Pkwy.
Shirley, New York 11967

Dear Mr. Schroeder:

Reference your August 19, 1982 letter to Don Alexander. I will just briefly outline our reasons for desiring that less than the label rates of termiticides be excluded from the 78 FIFRA Section 2(ee) amendments. Essentially, our concern is that pesticides be used at the labeled rate. I am quite aware that less than the label rates of termiticides are effective in some areas for control of termites. However, in the same article that you cited in your letter (Part Three of Ray Beal's publication on subterranean termites) quote: "based on Forest Service data and publications of test results the registered rates of (termiticides) application and concentration are valid. In some cases the data show that concentrations lower than the registered ones might be effective. None of these lower concentrations has been shown to give effective control, for as long as the registered rates. A building owner (and pco) will benefit by using the registered recommended rates." My comments are in parenthesis.

This is essentially the thrust of our request: that the less than label rate not be allowed. The problem, of course, is that a number of pest control operators are not properly treating the homes. This practice could be more effectively regulated provided it was a violation to use a termiticide at less than the label rate. Your concern with the Long Island area of New York and its rather unique water table are well noted. The Temik-ground water problem in New York which was thought to be a national problem and thought to occur in Florida, illustrates the very uniqueness of the New York, Long Island area, and I could conceive of New York state regulations specifically addressing use at less than the label rate. However, I think the rest of the United States would benefit from provisions disallowing the use of termiticides at less than the label rate.

When the U. S. Forest Service researchers began to recommend chlordane use at the 1/2 percent rate and manufacturers allow this use on the label, then I certainly see no problems reducing the rate.

I am sure that you are aware that Velsicol is officially stating that they do not recommend a 1/2 percent rate for chlordane. In fact, I am wondering whether

Mr. Walter D. Schroeder, CCPA.

Page 2

October 14, 1982

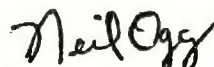
the pest control operators insurance would indeed provide damage repair coverage if the label directions had been cut in half. Perhaps your liability by using less than the recommended rate is a more pertinent question, than the one you posed to me in your letter regarding our association being responsible for detrimental recommendations. I don't think you nor I believe that using a pesticide at the label rate is a detrimental recommendation.

Finally, in summary, it's my understanding from the research that I have read that once organochlorines bind to the organic molecules in the soil only the actual movement of this soil will move the termiticides further down in the water table. All research I have seen indicates no movement of organochlorines, even in the high rainfall areas of the Gulf area. If you have data that this event is occurring in New York, I would be interested in receiving a copy.

Your point concerning homes that had been previously treated and which the real estate transactions frequently occur is well noted. I could certainly see waiver of some parts of the treatment for these structures. I am not sure the answer is to cut the rate in half.

I apologize for hastily drafting this answer to your letter, if you have additional questions I would be happy to discuss this matter with you.

Sincerely,



Neil Ogg
President

jac

cc: Don Alexander

NEW MEXICO DEPARTMENT OF AGRICULTURE
DIVISION OF PESTICIDE MANAGEMENT
Box 3AQ Las Cruces, New Mexico 88003
Telephone (505) 646-2133

RECEIVED
ARK. STATE PLANT BOARD
1983 JAN 25 AM 8:36



January 20, 1983

Mr. Neil Ogg, President
Association of Structural Pest
Control Regulatory Officials
Plant Pest Regulatory Service
212 Barre Hall
Clemson University
Clemson, South Carolina 29631

Dear Neil:

I believe your letter regarding SFIREG was timely. At the last meeting we urged SFIREG representatives to be more diligent in getting reports of the meetings back to their regional states and to also include all agencies involved and not just the lead agencies.

The SFIREG meetings are open meetings and all persons are welcome. We encourage audience participation in our discussions. If you would accept the additional work, I would gladly make copies of the minutes available to you for distribution to the structural pest control officials. I will also inform you of the meeting dates and places. Structural pest control officials would also be welcome at the working committee meetings held prior to the full SFIREG meetings.

These meetings are often more informative and offer a better place for input of ideas and suggestions.

Of course the limiting factor in all this is that SFIREG grant funds cannot be offered to non-members for travel expenses.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Barry'.

Barry Patterson
President, SFIREG

/ja

cc: Don Alexander, Arkansas State Plant Board ✓

Association of
Structural
Pest
Control
Regulatory
Officials

RECEIVED
ARK. STATE PLANT BOARD
1983 JAN 17 AM 8:46

January 11, 1983

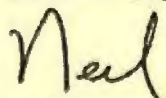
Mr. Barry Patterson
President, SFIREG
Div. of Pesticide Management
Dept. of Agriculture
Box 340
Las Cruces, NM 88003

Dear Barry,

Recently at the annual ASPCRO meeting we resolved that I, as president of ASPCRO, should write to the chairman of SFIREG and ask that ASPCRO members, who are not represented by the lead agency for pesticide regulation, be availed an opportunity to attend the SFIREG meetings. So many things that the Environmental Protection Agency does affects the structural pest control regulatory individuals. ASPCRO should have representation at the SFIREG meetings. The principal advantage of this representation would be the needed input from the structural pest control regulatory officials. Additionally, this would allow feed back from EPA to those structural pest control regulatory officials.

Would you please consider this and if possible extend an invitation for the SFIREG meetings to the states who have separate structural pest control regulatory agencies? We will be glad to assist or to identify these agencies, or to jointly communicate this information to those agencies.

Sincerely,



Neil Ogg
President

NO/jg

xc: Don Alexander ✓
Jimmy Arceneaux

Association of
Structural
Pest
Control
Regulatory
Officials

RECEIVED
ARK. STATE PLANT BOARD
1983 FEB 25 AM 8:43

February 18, 1983

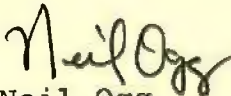
Mr. Don Alexander, Head
Commercial Pest Control
Arkansas State Plant Board
P. O. Box 1069
Little Rock, Arkansas 72203

Dear Mr. Alexander:

I have recently received correspondence from Mr. Barry Patterson, Chairman SFIREG, inviting the Regulatory Officials and Structural Pest Control who are not affiliated with the other Pesticide Regulatory Agencies for that state to participate in the SFIREG meetings. Chairman Patterson solicits our input and invites us to attend these meetings and provide this SFIREG committees with our valuable advice. Attached is a SFIREG membership for 1983. Those of you who are in the various EPA regions can select the appropriate individual to contact in order that you may obtain SFIREG meeting dates, etc. Structural Pest Control Regulatory Officials in Region III should contact Mr. Patterson for this address.

This completes the task that we set forth at the last ASPCRO meeting in obtaining representation on the SFIREG committees for Structural Pest Control Regulatory Officials not attached with the other Pesticide Regulatory Agencies. I was happy to be instrumental in accomplishing this.

Sincerely,


Neil Ogg
President

NO/jg

ENCLOSURE:

SFIREG MEMBERSHIP
1983

Mr. Barry Patterson
Chairman, SFIREG
Division of Pesticide Management
New Mexico Department of Agriculture
P. O. Box 3AQ
Las Cruces, NM 88003
505/646-2133

Mr. Ray Perry
Pesticide Section Director
South Dakota Dept. of Agriculture
Anderson Bldg.
Pierre, SD 57501
605/773-3724

Mr. Philip R. Benedict, Director
Plant Industry Division
Vermont Dept. of Agriculture
116 State Street/State Office Bldg.
Montpelier, VT 05602
802/828-2431

V. H. McCaskill
Pesticide Supervisor
Plant Pest Regulatory Services
Clemson University
Clemson, SC 29631
803/656-3006

Mr. Orlo R. Ehart, Chief
Pesticide Use and Control
Wisconsin Dept. of Agriculture, Trade
& Consumer Protection
801 West Badger Road, P. O. Box 8911
Madison, WI 53708
608/266-7135

Mr. John R. Hagan, Supervisor
Bureau of Pesticide Control
Missouri Dept. of Agriculture
P. O. Box 630
Jefferson City, MO 65102
314/751-2462

Mr. Rodney A. Awe, Supervisor
Pesticide Enforcement
Idaho Dept. of Agriculture
Division of Plant Industries
P. O. Box 790
Boise, ID 83701
208/334-3240

Mr. Grier Stayton
Pesticide Compliance Supervisor
Delaware State Dept. of Agriculture
P. O. Drawer D
Dover, DE 19901
302/678-4815 or 17

Mr. L. O. Nelson
SFIREG Working Committee
Office of Indiana State Chemist
Department of Biochemistry
Purdue University
West Lafayette, IN 47907
317/494-1587

Mr. Robert McCarty
SFIREG Working Committee
Division of Plant Industry
Mississippi Department of Agriculture
& Commerce
P. O. Box 5207
Mississippi State, MS 39762
601/325-3390

Mr. Phil Martinelli
Nevada Department of Agriculture
350 Capitol Hill Ave., P. O. Box 1110
Reno, NV 89510
702/784-6401

ASSOCIATION OF STRUCTURAL
PEST CONTROL REGULATORY OFFICIALS

22ND ANNUAL MEETING

OCTOBER 5, 1982

TOPIC:
RESTRICTED USE PESTICIDE SALES REPORTING SYSTEM

MICHIGAN DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY DIVISION
Lansing, Michigan 48909

DEPT. USE ONLY

File Number

Co. Code

APPLICATION FEE:**\$10.00**

**COMMERCIAL PESTICIDE
APPLICATOR'S CERTIFICATION APPLICATION**

SEND APPLICATION IN AT LEAST 3 WEEKS PRIOR TO THE DATE YOU WISH TO TAKE THE EXAMINATION

PLEASE PRINT or TYPE

NAME	Last	First	Middle	TELEPHONE NUMBER, Area Code ()
------	------	-------	--------	------------------------------------

ADDRESS (Number & Street or RFD)

CITY	COUNTY	STATE	ZIP CODE	BIRTH DATE Mo. Day Year
------	--------	-------	----------	----------------------------

BUSINESS NAME (Of employer or self employed)

BUSINESS TELEPHONE NUMBER

Area Code ()

BUSINESS ADDRESS (Number & Street or RFD)

CITY	COUNTY	STATE	ZIP CODE
------	--------	-------	----------

ARE YOU CERTIFIED BY ANOTHER STATE?

☐ YES If Yes complete
☐ NO next two items

STATE ISSUING CERTIFICATE

EXPIRATION DATE

HAVE YOU EVER BEEN FOUND GUILTY IN A COURT OF LAW OF MISUSE OF PESTICIDES?

☐ YES ☐ NO IF YES GIVE PARTICULARS. Use another sheet of paper.

DO YOU APPLY PESTICIDES BY AIRCRAFT?

☐ YES ☐ NO
DO YOU PERFORM SPACE FUMIGATION AS DEFINED IN
REGULATION NO. 636? ☐ YES ☐ NO

Check The Appropriate Box

☐ INITIAL APPLICATION☐ ADDITIONAL CATEGORIES

If additional categories are indicated, enter your File Number and Certificate Number as shown on your plastic Certification Card.

FILE NO. _____

CERTIFICATE NO. _____

CHECK CATEGORIES OF PEST CONTROL IN WHICH YOU WISH TO BE CERTIFIED. FOR DEFINITIONS SEE REGULATION NO. 636, RULE NO. 3.

- | | |
|--|--|
| <input type="checkbox"/> 1. AGRICULTURAL PEST CONTROL
<input type="checkbox"/> 1A. FIELD CROPS
<input type="checkbox"/> 1B. VEGETABLE CROPS
<input type="checkbox"/> 1C. FRUIT CROPS
<input type="checkbox"/> 1D. ANIMAL
<input type="checkbox"/> 2. FOREST PEST CONTROL
<input type="checkbox"/> 2A. WOOD PRESERVATION
<input type="checkbox"/> 3. ORNAMENTAL AND TURF PEST CONTROL
<input type="checkbox"/> 3A. TURF PEST CONTROL (only)
<input type="checkbox"/> 4. SEED TREATMENT
<input type="checkbox"/> 5. AQUATIC PEST CONTROL
<input type="checkbox"/> 5A. SWIMMING POOLS (only)
<input type="checkbox"/> 5B. COOLING TOWERS (microbial pest control) | <input type="checkbox"/> 6. RIGHT-OF-WAY PEST CONTROL
<input type="checkbox"/> 7. INDUSTRIAL, INSTITUTIONAL, STRUCTURAL AND
HEALTH RELATED PEST CONTROL
<input type="checkbox"/> 7A. GENERAL PEST CONTROL
<input type="checkbox"/> 7B. WOOD DESTROYING ORGANISMS
<input type="checkbox"/> 7C. CONTRACTUAL PUBLIC HEALTH PEST CONTROL
<input type="checkbox"/> 7D. VERTEBRATE PEST CONTROL (only)
<input type="checkbox"/> 8. PUBLIC HEALTH PEST CONTROL (government employees)
<input type="checkbox"/> 9. REGULATORY PEST CONTROL (government employees)
<input type="checkbox"/> 10. DEMONSTRATION AND RESEARCH PEST CONTROL

(Indicate category(s) in which you intend to perform demonstrations and research) |
|--|--|

DOES YOUR TYPE OF OPERATION DIFFER FROM THE ABOVE CATEGORIES, AS DESCRIBED IN REGULATION NO. 636?

☐ YES ☐ NO IF SO PLEASE BRIEFLY DESCRIBE YOUR OPERATION. USE ANOTHER SHEET OF PAPER.

This is to certify that the foregoing is true and accurate to the best of my knowledge and belief and that I will comply with the provisions of Act 171, Public Acts of 1976 and all Regulations promulgated thereunder. I understand that falsifying information on this application is grounds for denying or revoking certification.

DATE

APPLICANT (signature)

FEE MUST ACCOMPANY APPLICATION
APPLICATION FEE CANNOT BE RETURNED IN CASE CERTIFICATION IS NOT GRANTED

Make remittance, by check or money order, payable to State of Michigan.

Mail to MICHIGAN DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY DIVISION
5th Floor Lewis Cass Bldg., P.O. Box 30017
Lansing, Michigan 48909

PESTICIDE APPLICATOR CERTIFICATION CATEGORIES

Commercial

- C - The basic or 'core' area for Commercial applicators.
- 1A - Field Crops
- 1B - Vegetable Crops
- 1C - Fruit Crops
- 1D - Livestock
- 2 - Forest Pest
- 2A - Wood Preservation
- 3 - Ornamental
- 3A or T0 - Turf Only
- 4 - Seed
- 5 - Aquatic
- 5A or P0 - Pools Only
- 5B or CT - Cooling Tower
- 6 - Right of Way
- 7A - General Pest
- 7B - Wood Pest
- 7C - Contractual Public Health
- 7D or VC - Vertebrate Control
- 8 - Public Health
- 9 - Regulatory
- 10 - Demonstration and Research
- AE - Aerial
- SF - Space Fumigation

Private

- C - The basic or 'general' area for Private applicators.
- AE - Aerial
- SF - Space Fumigation
- SO - Soil Fumigation
- GR - Grain Fumigation

STATE OF MICHIGAN

DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY DIVISION

**PESTICIDE
APPLICATOR
CERTIFICATE**

THIS CERTIFICATE ISSUED IN ACCORDANCE WITH THE PROVISIONS OF ACT 171,
PUBLIC ACTS OF 1976.

EXPIRES

FILE COPY

PESTICIDE APPLICATOR IDENTIFICATION

The certified applicator named below has been certified by the Director of Agriculture to use or supervise the use of restricted pesticides subject to the provisions of Act # 171, P.A. of 1976 or as hereafter amended. The Director of Agriculture makes no other claims, either expressed or implied, relative to the use of this certification card. This card remains the property of Michigan Department of Agriculture (Issuer). It may be revoked or cancelled at any time for cause, and shall be immediately surrendered to the issuer upon demand.

**PLEASE REMOVE YOUR I.D.
CARD AND SAVE IT! YOU
WILL BE REQUIRED TO
SHOW IT WHEN YOU PUR-
CHASE RESTRICTED PESTI-
CIDES.**

 **CERTIFIED PESTICIDE APPLICATOR**

HAS BEEN
CERTIFIED AS A



FILE NUMBER EXPIRATION DATE CERT. NO.

ISSUED BY MICHIGAN DEPT OF AGRICULTURE—THIS CERTIFICATE NON-TRANSFERABLE

RESTRICTED
USE
PESTICIDE
SALES
REPORTING
SYSTEM

MICHIGAN DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY DIVISION
RESTRICTED USE PESTICIDE SALES SUMMARY - 1979

ALDICARE

COUNTY NAME	CO. TOTAL	-----FRUIT	--VEGETABLE	-----GRAIN	-----FORAGE	--INSTRUCTURE
CALHOUN	831.2					692.7
OAKLAND	5.0					5.0
VAN BUREN	3.8			3.8		
OTHER OUT OF	867.0					789.5
CHEMICAL TOT	1,707.0			3.8		1,467.2

AVITROL

COUNTY NAME	CO. TOTAL	-----FRUIT	--VEGETABLE	-----GRAIN	-----FORAGE	--INSTRUCTURE
BAY	1.7			1.7		
KALAMAZOO	.3					.3
OAKLAND	.6					.5
OTTAWA	.3			.3		
CHEMICAL TOT	2.9			2.0		.8

PURPOSE OF ENHANCEMENTS

1972 FIFRA AMENDMENTS

BROADER RESTRICTION OF PESTICIDES

CERTIFIED APPLICATORS

1976 MICHIGAN PESTICIDE CONTROL ACT

NATIONWIDE INCREASED CONCERN FOR TOXIC SUBSTANCE
APPLICATION USE AND DISPOSAL

OBJECTIVES

ENCOURAGE TIMELY SALES REGISTER REPORTING BY THE
DEALER

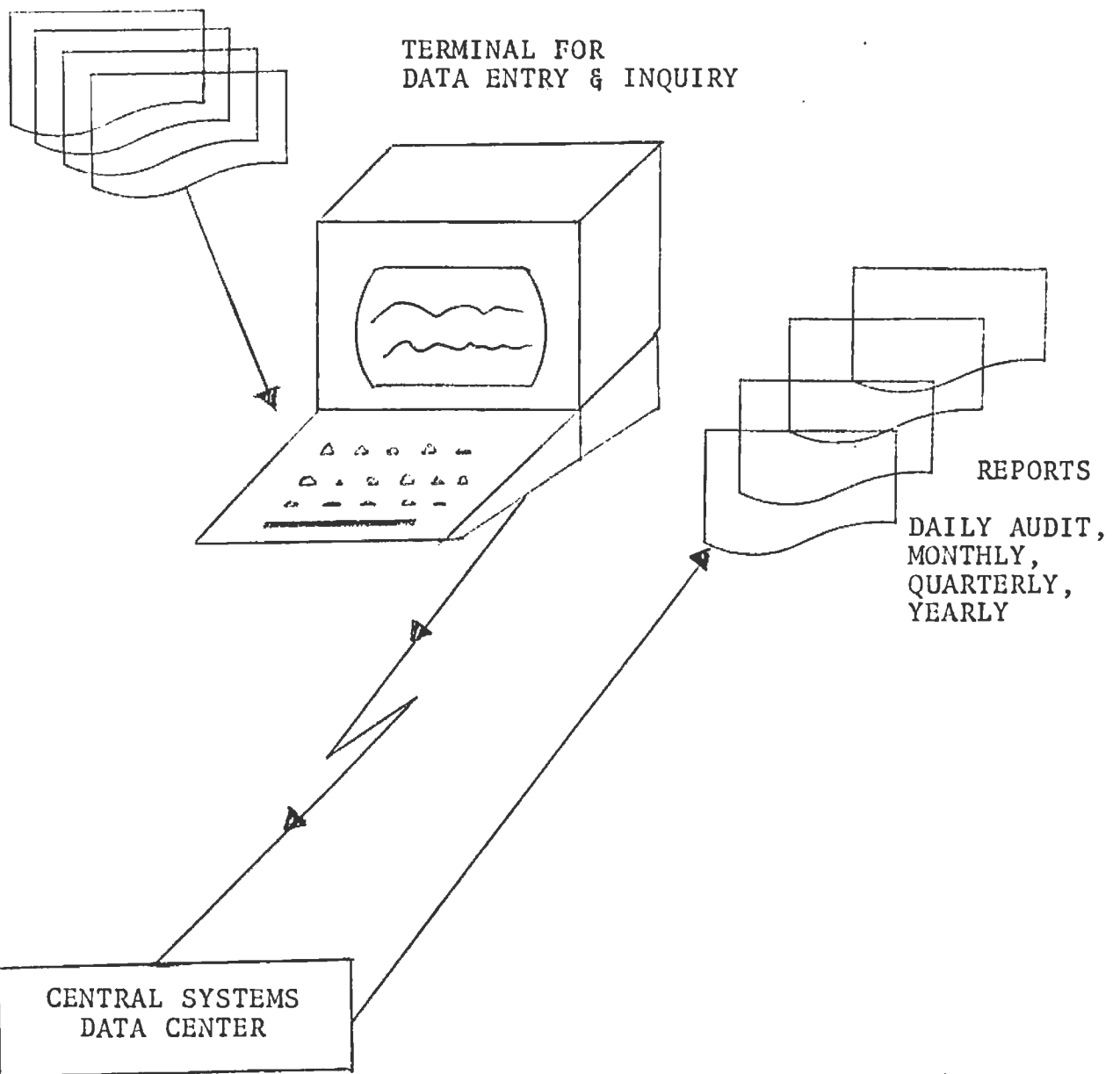
MONITOR PESTICIDE USAGE BY THE CERTIFIED APPLICATOR

CONTINUE YEARLY SALES SUMMARY

RESTRICTED USE PESTICIDE SALES
REPORTING SYSTEM

DOCUMENT PROCESSING

SALES REGISTERS



MICHIGAN DEPARTMENT OF AGRICULTURE
RESTRICTED USE PESTICIDES
DELINQUENT DEALERS
REPORT MONTH - OCTOBER
REGION 2

GRAND TRAVERSE

DEALER NO.	DEALER-NAME	STREET ADDRESS	CITY
00015	KROUPAS, INC.	11586 CENTER RD.	TRAVERSE CITY
00038	KROUPAS, INC. PLANT #2	16961 CENTER RD.	TRAVERSE CITY
00224	GROWER SERVICE CORP.	7133 TOWNLINE RD.	KINGSLEY
00433	TRAVERSE CITY CANNING CO	3710 S CASS RD PO BOX 427	TRAVERSE CITY

COUNTY TOTAL 5

***LEELANAU ***

DEALER NO.	DEALER-NAME	STREET ADDRESS	CITY
00079	STALLMAN CHEMICALS & FERT	BOX 203	SUTTONS BAY

COUNTY TOTAL 1

MICHIGAN DEPARTMENT OF AGRICULTURE
RESTRICTED USE PESTICIDES
UNAUTHORIZED SALES/APPLICATORS OCTOBER
REGION 3 - KENT

DEALER NUMBER	DEALER NAME	STREET ADDRESS			CITY	STATE
00185	MILLER, W.F. CO.	274 MART ST., S.W.			GRAND RAPIDS	MI
CERT NO.	APPLICATOR NAME	EPA NO.	INV NO.	USE	STATUS	STATUS DATE
004745	PASTOOR, STEPHEN L.	000372-00005	17157	3A ***INVALID		
005753	HUIZENGA, HENRY J.	000372-00005	17152	3A	OVERDUE RENEWAL	092681
006446	JUSTICE, BOBBY J.	000372-00005	6968	3A	OVERDUE RENEWAL	072581
013231	LAUX, RICHARD G.	000372-00005	6969	3A ***INVALID	OVERDUE RENEWAL	030481
		001001-00004	6969	2A ***INVALID	OVERDUE RENEWAL	030481
013359	DEGLER, JERRY M.	000372-00033	17155	5A ***INVALID		
		001001-00004	6967	2A ***INVALID		
013574	SRUBA, DONALD R.	000372-00005	17158	3A ***INVALID		
		001001-00004	17162	2A ***INVALID		
013710	HAMILTON, BRIAN R.	000372-00033	17163	5A ***INVALID		

RUP CHEMICAL EQUIVALENT FILE 09/16/82

<u>EPA NUMBER</u>	<u>CHEM CODE</u>	<u>PRODUCT AND CHEMICAL NAME</u>	<u>% CHEM</u>	<u>LBS/GAL</u>
02169-00100	936	PAMIDA BAG WORM SPRAY TOXAPHENE		4.000
002217-00108	393	GORDONS 914 WEEVIL KILLER ETHYLENE DIBROMIDE		.820
002217-00108	398	GORDONS 914 WEEVIL KILLER ETHYLENE DICHLORIDE		7.260
002224-00037	373	MOCAP 10% G ETHOPROP	.1000	
002224-00044	373	MOCAPEC ETHOPROP		6.000

EXAMPLE

<u>PRODUCT</u>	<u>QUANTITY PURCHASED</u>	<u>FACTOR</u>	<u>AMOUNT OF CHEMICAL</u>
MOCAP 10% G	40 POUNDS	.1000%	4 POUNDS
MOCAPEC	5 GALLONS	6.0000	30 POUNDS

MICHIGAN DEPARTMENT OF AGRICULTURE
 RESTRICTED USE PESTICIDES
 QUARTERLY RUP DEALER SALES REPORT - 3RD QUARTER 1981
 REGION 2

04-ALPENA

DEALER NUMBER	DEALER NAME	CHEMICAL NAME	EPA NUMBER	QUANTITY IN LBS	CERT. NUMBER	CTY	REG	SALE MOS
00294	THUNDER BAY SANDY ACRES	AZINPHOS METHYL	003125-00193	10.0	007068	04	2	07
				10.0				
		DISULFOTON	003125-00172	15.0	002295	04	2	06
				3.0	011832	04	2	06
				30.0	011846	70	3	06
				48.0				

MICHIGAN DEPARTMENT OF AGRICULTURE
 RESTRICTED USE PESTICIDES
 QUARTERLY RUP APPLICATOR SALES REPORT - 3RD QUARTER 1981
 REGION 3

CERT. NUMBER	APPLICATOR NAME	STREET ADDRESS	CITY	ST	COUNTY CODE/NAME
002424	TOWNE, GARY L.	RFD 1 BOX 372C, LAKE MONTCALM	SIX LAKES	MI	59/MONTCALM

CHEMICAL NAME	EPA NUMBER	QTY IN LBS	DLR. NUMBER	NAME	CTY	REG
PARATHION	000239-01268	160.0	00172	DESCO CHEMICAL, INC.	41	3
		100.0	00054	STANTON SEED & SUPPLY CO	59	3
		200.0	00456	CRAWFORD FARMS INC	59	3
		<u>460.0</u>				
METHAMIDAPHOS	003125-00280	120.0	00456	CRAWFORD FARMS INC	59	3
		120.0				

COMPUTER SYSTEM

Burroughs B1855

Main Memory: 786K Bytes

Peripherals:

1, Printer 1600 LPM
3, 1600 BPI Tape Drives
4, DUAL Density Disk Drive 87M Bytes/Disk

Communications:

Burroughs Poll Select
Baud Rate 1800

Languages:

COBOL 74
RPG II
NDO Network
UPL User Program

Terminals:

Burroughs TD830
MT983

RUP SALES COMPUTER PROGRAMS

Data Entry	2
File Maintenance & Updating	6
Report Printing	10
Chemical Conversion	1
Recovery & Backup	<u>3</u>
	22 TOTAL

STATE OF ARIZONA

Submitted by B. Wyckoff
Structural Pest Control Board
2207 S. 48th St., Suite M
Tempe, Az. 85282

ANNUAL REPORT
1981-1982
STRUCTURAL PEST CONTROL BOARD

For the 17th 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 A.R.S. 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 17 years. The Board met once each month during the past year.

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.

Bruce Burr, Chairman of the Structural Pest Control Board, submitted his resignation and it was accepted by the Governor on November 18, 1981 after four and a half years of service. Mr. Burr was an industry member.

A new member, representing the industry, was appointed to the Board on July 1, 1982. The new appointee is Fred Holly, lisenese holder for Terminix International in Tucson.

Staff

We have three office staff and two 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 - 1981 - 1982

Total Individuals Examined - - - - -	75
Total Individuals Licensed - - - - -	50
General Pest Exams Administered - - - - -	63
Termite Exams Administered - - - - -	36
Fumigation Exams Administered - - - - -	10
Weed Exams Administered - - - - -	14
Horticulture Exams Administered - - - - -	10

Licensed Companies - 1981 - 1982

New Companies Licensed - - - - -	36
Total Companies Licensed - - - - -	352
General Pest Licenses - - - - -	339
Termite Licenses - - - - -	246
Fumigation Licenses - - - - -	28
Weed Licenses - - - - -	78
Horticulture Licenses - - - - -	31

License Fees

The fee for examination still remains at \$100.00 per examination, \$100.00 for the license and \$100. renewal. 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.

House Bill 2099 was approved in the Thirty-fifth Legislature and became law July 24, 1982, raising the fees, not to exceed the following amounts: \$150. for license examination, \$150. for the license, \$150. for the annual renewal and adding a temporary license, the fee not to exceed \$100. The Board amended R4-29-04.A increasing the license examination fee to \$130, the license fee to \$150. and the renewal fee to \$130 and also adding the temporary license fee of \$100. This rule amendment was submitted to the Attorney General's office on July 22, 1982. This rule amendment is still pending.

The Legislature also approved deleting the sentence in 32-2313.A giving the partnership, corporation or association 90 days to make application for the licensing of another responsible person in the event of death or disassociation of the licensee. This allowed the company to be without a responsible party for up to 90 days. ARS 32-2314 now states that when the responsible person

withdraws his license, that company cannot operate until another person has qualified for the license. The responsible person must notify the Board 30 days prior to withdrawing his license. The Board may issue a nonrenewable temporary license to a representative of the company to be effective for a period not to exceed 60 days. Proof of financial responsibility, a \$2,000. surety bond and a fee must accompany the application for a temporary license.

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. This rule was certified by the Attorney General's office on October 13, 1981. In the past we collected \$25. 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. 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. fee is paid and a statement indicating that one is not operating a business at this time must accompany the fee.

Financial Responsibility

Formerly each applicant had to submit proof of bond, insurance, cash or certified check in the amount of \$25,000. public liability and \$25,000. property damage, each separate, minimum amount. House Bill 2099, approved by the Legislature, became effective July 24, 1982, raising the financial responsibility to \$100,000. public liability and \$100,000. property damage, each separately and it shall be maintained at not less than that amount at all times during the licensing period.

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 from that office.

Penalties

The Board may revoke or suspend any license if the licensee has committed any of the 10 acts provided for in the chapter. The new legislation, passed by the Legislature, that became law July 24, 1982, adds civil penalties, not to exceed \$1,000. or probation, excepting adjudication of bankruptcy, conviction of a crime of moral turpitude, conviction of a felony or having a license revoked for cause and not reinstated in another jurisdiction. The license can be revoked or suspended for the above and for the other 10 acts provided for in this chapter.
(32-2322)

This act also adds that prior to taking any action in this section, a written notice stating the nature of the charge against the holder of the license and the time and place of the hearing shall be served not less than 20 days prior to the date of said hearing.

The Board may also apply to the Superior Court for an injunction if any person is operating without a license.

Summary of Penalties Issued in 1981 - 1982

Hearings Conducted - - - - -	16
Consent Agreements Entered Into - - - - -	53
Consent Agreements Involving Misuse of Pesticide - - - -	5
Licenses Suspended - - - - -	1
Licenses Revoked - - - - -	2
Notices of Warning Sent - - - - -	14
Letters of Warning Sent - - - - -	2
Licensees Required To Attend Training Course by Board -	1
Referrals to City or County Prosecutors Office - - - - -	7

Complaints

The Board processed approximately 298 telephone complaints and 49 formal complaints during the past year.

Inspections

277 termite jobs have been inspected and 63 general pest control inspections in the last year, while 1,198 inspections have been made on chemicals, records and equipment. 490 inspections have been done concerning chemical use/misuse. 23 soil samples were delivered to the State Chemists for analysis and 2 incident reports were investigated and forwarded to the Environmental Protection Agency.

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 352 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.

Minimum Standards Committee

A committee was formed in July, 1982 to study minimum standards for treating for termites in existing structures, including representatives from the Board and industry members. The committee report has been completed and will be presented to the Board at the next regular meeting scheduled for October 27 for their consideration.

Proposed Continuing Education

The industry has expressed strong interest in continuing education as an alternative to the present method of recertifying every three years by examination. A committee of industry members headed by Dr. David Bryne, Cooperative Extension Service, University of Arizona, was formed to study the feasibility of continuing education. Their report indicated that continuing education should be implemented as soon as possible. The Board is taking their report under consideration.

Definitions Added In New Legislation

House Bill 2099, which became law July 24, 1982, now defines "pesticides" and "structural pest control". Golf courses and cemeteries were also added to the list of persons that must be licensed by the Structural Pest Control Board.

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	- - - -	1,177
Number of Applicators in Category III	- - - -	247
Number of Applicators in Category V	- - - -	69
Number of Applicators in Category VII	- - - -	1,103

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 five years.

Grant application has been made for federal assistance in the amount of \$60,000. If approved, this will establish two additional inspector positions.

The Board has also entered into a cooperative agreement, in the amount of \$8,300. for fiscal year 1983 for pesticide applicator training and certification. This was accepted September 22, 1982, effective from October 1, 1982 to September 31, 1983.

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 PLANT
BOARD

P.O. Box 1069 ■ Little Rock, Arkansas 72203

Phone 225-1598

Melvin C. Tucker

Director

September 27, 1982

A S P C R O

Arkansas Report

Don Alexander, Head
Commercial Pest Control

Enclosed is a copy of our regulation and fee changes effective April 12, 1982.

Also enclosed is a report of the activities of this section during the fiscal year 1981-1982.



ARKANSAS STATE PLANT BOARD

P. O. Box 1069 ■ Little Rock, Arkansas 72203

(501) 225-1598

Robert W. Anderson
Director

PC NO. 5 - April 12, 1982

TO: All Licensed Pest Control Operators

FROM: Don Alexander, Head, Commercial Pest Control Section

SUBJECT: Regulation and Fee Changes Effective April 12, 1982

FEE CHANGES

SECTION I - REGULATIONS APPLYING TO ALL OPERATORS

3. Fees: The following fees have been established to carry out the provisions of this Act: (Page 8, Circular 6)

License:

First Classification.....	\$100.00
Each Additional Classification.....	\$ 75.00
	\$200.00 Maximum

Registration:

Agent.....	\$ 20.00
Solicitor.....	\$ 20.00

Examination:

First examination (one classification).....	\$ 75.00
Subsequent examinations and classifications, each....	\$ 50.00

Reporting:

Each property on which a contract is issued.....	\$ 3.00
Late fee (30 or more days after due date).....	\$ 6.00

Inspection:

First 5 properties treated by new licensee, (Termite & Other Structural Pest) each.....	\$ 15.00
General Fumigation.....	\$ 10.00

Reinspection:

Each property found not in compliance.....	\$ 25.00 First Notice
	\$ 50.00 Second Notice
	\$100.00 Third Notice

OTHER CHANGES

5. Hearings, Invalidation of Licenses. (Page 8, Circular 6)

Any person who is refused a license, or whose license is not renewed, or whose license is being considered for invalidation, may secure a hearing before the Pest Control Committee before final Board action is taken. This Committee shall consist of the Board member who represents the Head of the Department of Entomology, University of Arkansas, who shall act as the Chairman, the Board member who represents the Arkansas Pest Control Association. The remaining members shall be appointed by the Chairman of the full Board. This Committee may hold hearings regarding licenses as indicated above to take testimony and evidence regarding same. Such testimony and evidence shall be made available to the Board for consideration and final action.

SECTION IIIA. MINIMUM REQUIREMENTS FOR STRUCTURAL PEST WORK ON EXISTING STRUCTURES (Page 17, Circular 6)

22. Foam Treatment for Concrete Slab and Masonry Veneer.

Treatment is accomplished by drilling no farther apart than on 6 feet centers. Foam application shall be of sufficient duration to apply termiticide dosage equivalent, as required by label, to liquid treatment.

23. Foam Treatment for Crawl Space.

Treatment is accomplished by applying the required dosage of termiticide in a 3 inch trench along foundation walls, piers, pipes, etc. The rate of termiticide application shall be equivalent, as required by label, to liquid treatment.

NOTE: Specify on all contracts and graphs when foam treatment is used.

SECTION IIIB. MINIMUM REQUIREMENTS FOR STRUCTURAL PEST WORK ON NEW CONSTRUCTION (PRE-TREAT) (Page 17, Circular 6)

Conventional Construction (Crawl Space)

New structures which are treated for termite control before or during construction must meet all of the minimum requirements given for existing structures in Section IIIA, except 13B and 15 through 22. Treatments should be made as directed in the "Chemical Treatment" section below.

Slab Construction

Pre-treated slab structures shall meet all of the minimum requirements in Section IIIA except 1,3(a), 4, 9, 10, 11, 12, 13(b), 15 through 20, and 23.

Chemical Treatment

1. Apply 2-4 gallons of chemical to each 10 linear feet of trench around the inside and outside of foundations, pipes, ductwork, piers, etc., after soil has been leveled.
2. Treat all soil surface to be covered by structure and adjacent to it with 1 gallon of chemical to every 10 square feet.
3. Apply same treatment as in 2 above to soil under and adjacent to steps, porches, garage floors, carport slabs, or any other structure adjoining the building.
4. Foam Treatments. Foam application shall be of sufficient duration to apply termiticide dosage equivalent, as required by label, to liquid treatments outlined in Steps 1, 2 and 3 above.

NOTE: Specify on all contracts and graphs when foam treatment is used.

NOTE: On structures which are part slab and part crawl space, appropriate minimum requirements shall be met on each part.

NOTE: Added language in both IIIA and IIIB is underlined.

SECTION IV - HOUSEHOLD PEST AND RODENT CONTROL (Page 18, Circular 6)

Remove the third paragraph.

SECTION V. TREE SURGERY (CLASSIFICATION 4); ORNAMENTAL, TREE AND TURF PEST CONTROL (CLASSIFICATION 5); WEED CONTROL (CLASSIFICATION 6); GOLF COURSE PEST CONTROL (CLASSIFICATION 7); PECAN PEST CONTROL (CLASSIFICATION 8); FRUIT TREE PEST CONTROL (CLASSIFICATION 9); VINEYARD PEST CONTROL (CLASSIFICATION 10) (Page 19, Circular 6)

1. Plant Board will investigate complaints against license-holders and may cancel license for fraud, misrepresentation, failure to carry out promises, use of improper methods or materials, or other reasons specified in the law. Additional inspections or investigations may be performed at the discretion of the Director.

NOTE: Tree Surgery includes cavity filling and/or repair, bracing, cabling, and wound treatment (wounds made and treated during pruning not included). No license is required for pruning, feeding, budding or grafting.

COMMERCIAL PEST CONTROL SECTION

Don Alexander, Head

Kiven Stewart

Pest Control Inspector Supervisor

Brenda Delk, Secretary

Hector Sanchez, John Clark, Harold Conklin, John Lansdale,
Manley Mason, Brent Logan
Inspectors

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: 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.

210 structural pest control license holders of 152 companies reported 18,237 termite and other structural pest control jobs performed for the fiscal year ending June 30, 1982. A total of 4,469 properties were inspected by the staff and are broken down as follows:

- 2,747 jobs inspected routinely
- 650 jobs inspected at homeowners request
- 1,030 reinspections of substandard work
- 42 request for prior approval of substandard work

405 reports of substandard work were issued on properties inspected routinely. 54 properties were found infested with termites and reports of substandard work were issued. The number of infested properties increased by thirty over last year.

188 of the 650 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.

Illegal Pest Control Investigations: 9 warrants have been obtained for individuals performing pest control work without a license. 5 were convicted or forfeited bond. 3 were found not guilty. 1 has not come to court. 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. Routine inspections are only performed at request of property owners starting April 12, 1982. Operators reported treatment of 3,220, a record number, properties over the state. Inspectors checked 147 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 82 use dilution samples and made 33 pesticide record checks. 40 complete inspections including record checks. 10 household pest complaints investigated under grant. The EPA Enforcement grant aids this section in enforcement of the Pest Control Law.

Examinations: 216 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	18
Household Pest & Rodent Control	29	48
General Fumigation	4	4
Tree Surgery	4	0
Ornamental, Tree and Turf Pest	13	18
Weed Control	22	7
Golf Course Pest	2	0
Pecan Pest Control	2	5
Fruit Tree Pest Control	0	0
Vineyard Pest Control	0	0
Food Mfg. Processing and Storage	3	8
Food Related Fumigation	8	8

At the present time 802 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 982 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.

Pest Control Hearings: Hearings before the Pest Control Committee of the Plant Board are afforded pest control operators to show cause why the licenses should not be revoked or suspended, or to state their cases in matters of dispute with the staff. 3 companies were called in for license revocation hearings during the year. As a result 2 companies were placed on probation and increased inspections. 1 company license has been suspended. The Pest Control Committee afforded 3 companies to present cause why a license revocation proceedings should not be ordered. Each pest control company consented to increased inspections and making necessary corrections to alleged violations. The Pest Control Committee recommends action to full Plant Board at regular Board Meetings. The Pest Control Committee and full Board held hearings for regulation changes which was approved. The Pest Control Committee and full Plant Board applied a great deal of time in the for mentioned areas along with staff preparation.

State of Florida
Annual Report 1982
22nd Annual Meeting
Association of Structural Pest Control Regulatory Officials
Detroit, Michigan
3 - 6 October 1982

STATE OF FLORIDA
ANNUAL REPORT 1981-82

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

F. R. Du Chanois
Entomologist-Supervisor

Shirley M. Hofacker
Supervising Secretary

COMMERCIAL PEST CONTROL

For the 35th 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 authority granted by the Pest Control Act, Chapter 482 of the Florida Statutes (F.S.), and Rules of DHRS, Chapter 10D-55 of the Florida Administrative Code. The primary purpose of this program is to regulate the operation and practice of commercial pest control in the interest of safeguarding of the public and industry health, safety and welfare.

The principal elements of the program are licensure, examination-certification and regulation-enforcement. Program activities, performance and administrative policies continued to set and maintain high standards with respect to advancing and upgrading, fairly and impartially, the quality, safety, reliability and legitimacy of pest control services offered to and provided the citizens of Florida and the State's many visitors.

Personnel. A complement of 9 permanent career service employees was assigned full-time to the Commercial Pest Control Jacksonville office throughout the reporting period. A temporary clerk-typist was employed on 4-5-82 and a temporary secretary on 4-23-82. Both filled in for returning permanent employees on extended leave and both were on board at the close of the fiscal year (FY). All supervisors attended one or more DHRS sponsored management training sessions during the year.

Seven field Entomologist-Inspectors were on duty during all of the FY. These professional Entomologists continued to respond effectively to increased requests and demands from the public, industry and other agencies for service and assistance in relation to pest control complaints, technical assistance and regulatory-enforcement matters. Field Entomologist-Inspectors are stationed in Jacksonville, Marianna, Miami, St. Petersburg, Tampa, West Palm Beach and Winter Park (Orlando).

As a result of legislative action in April 1982 in connection with revision and readoption of the Pest Control Act, pursuant to the Regulatory Sunset Act, 4½ new pest control positions were authorized. The authorization covers 2 new Entomologist-Inspectors and 2½ secretarial positions with the necessary funding.

Regulatory. The "Regulatory Sunset Act" of 1976, as amended 1981, affected Chapter 482, F.S., relating to pest control, effective 10-1-82. Under the law the respective House and Senate legislative committees began sunset review in July 1981, 15 months prior to the repeal date. The committees make recommendations for continuation, (readoption), modification (revision), or repeal on or before 1 February prior to the repeal date.

The Department of HRS and its Office of Entomology were called upon and cooperated closely and fully with the Committees and staffs throughout the sunset review procedure. Many hours were spent by the Director, in particular, and his staff in preparation and presentation of material, meeting with committee staffs and industry members, and in attending subcommittee and full committee hearings. The Florida Legislature passed House Bill 26-D, amending and readopting Chapter 482, F.S., the Pest Control Act, on 4-7-82. The Bill was approved by the Governor on 4-28-82, was filed with the Secretary of State on 4-29-82, and takes effect 10-1-82.

As a result of the "sunset review" and subsequent legislation Chapter 482, F.S., underwent many changes, some of a major, many of a minor nature. A copy of Pamphlet Law 82-229 (House Bill No. 26-D) is appended to and made a part of this Annual Report due to its importance to the Commercial Pest Control regulatory program and the industry regulated. Significant amendments and additions to the law include the following:

- 1) The definition of "Licensee" in effect prior to 10-1-78 was restored to provide for "....engaging in pest control in a particular business location."
- 2) For the first time a definition of "Certified Operator in Charge" was added.
- 3) The Department of HRS was given statutory authority to adopt rules requiring licensees to comply with their written contracts.
- 4) The business license issuance and renewal fees were increased from \$25 to \$50, and a late renewal charge of \$50 set for delinquent renewal after a 30-day grace period

following the anniversary renewal date. The license automatically expires 60 calendar days after the anniversary renewal date unless timely renewed.

A license automatically expires upon change of business location address, or change of registered business name, and a new license required for the unexpired term (of the old license) for a fee of \$10. A new license is required upon transfer of business ownership for a fee of \$50.

5) Pest control identification cards must be applied for by either the certified operator in charge or the licensee within 30 days of employment of a prospective cardholder. However, a person is not authorized to perform pest control without carrying a valid card. A new provision requires that a person have at least 5 days of field training under the direct supervision, direction and control of a certified operator. The identification card fee was increased from \$2 to \$5.

6) For every person who performs termite or other wood-destroying/^{organism} inspections the licensee must apply for an identification card which identifies that person as having received special training to perform such inspections. The application must be accompanied by an affidavit to that effect. The requirement does not apply to certified operators certified in termite control.

7) The pest control operator's certificate renewal fee was increased from \$25 to \$50, and a late renewal charge of \$50 set for delinquent renewal after a 30-day grace period following the anniversary renewal date. A certificate automatically expires and becomes null and void if not renewed within 180 calendar days after the anniversary renewal date.

The issuance fee for an original (new) certificate was increased from \$25 to \$50. Application must be made and the fee paid for a new certificate within 60 days from the date of written notification of passing the examination. However, a certificate may be issued during a 30-day grace period following expiration of this 60-day period upon payment of the issuance fee and a late issuance charge of \$50. An original certificate cannot be issued after expiration of the 30-day grace period without re-examination.

8) Emergency pest control certificates may be issued for an initial 10-day period and for additional 60-day periods (reduced from 90-day periods in the old law) up to a maximum of one year. A significant change provides that emergency certificates issued to the same licensee may not exceed one year during any 3-year period. The fee for an initial certificate was

increased from \$10 to \$25, and from \$10 to \$50 for each additional certificate issued.

9) For the first time the law requires a certified operator to complete 4 hours of continuing education or to pass an examination (one or the other annually) as a prerequisite to annual renewal of a certificate. The certified operator is required to submit with his or her application for renewal a statement certifying that 4 hours of continuing education have been completed.

10) The requirement for high school education or equivalent is extended to all examination applicants after 10-1-82 regardless of whether the applicant qualified for examination prior to 1-1-66 as provided in the old law.

11) The fee for examination for certificate was increased from \$25 to \$75 for each category examination.

12) The issuance fee for an original (new) special identification card was increased from \$5 to \$25. Application must be made and the fee paid for a new special identification card within 60 days from the date of written notification of passing the examination. However, a special identification card may be issued during a 30-day grace period following expiration of the 60-day period upon payment of the issuance fee and a late issuance charge of \$25. An original special identification card cannot be issued after expiration of the 30-day grace period without examination.

The special identification card renewal fee was increased from \$5 to \$25, and a late renewal charge of \$25 set for delinquent renewal after a 30-day grace period following the anniversary renewal date. A special identification card automatically expires and becomes null and void 60 calendar days after the anniversary renewal date, unless timely renewed.

13) The fee for examination for special identification card was increased from \$10 to \$75.

14) A certified operator having no employees is exempted from the requirement that his or her primary occupation be in the pest control business and from the requirement of being employed full-time by the licensee. Therefore, such a certified operator who otherwise qualifies is eligible for licensure.

15) The section on disciplinary remedies was amended to allow for application for reinstatement of revoked credentials 3 years after revocation. This section also provides that any charge of violation shall affect only the license of the business location to which the alleged violation applies, and that another license cannot be issued to the same licensee

for a new business location in the same county or any adjacent county for 3 years from the effective date of revocation.

The most salient change in this section, and perhaps in the entire law, enables DHRS, pursuant to Chapter 120, F.S., the Administrative Procedure Act, for the first time and in addition to or in lieu of any other remedy provided by state or local law, to impose an administrative fine not exceeding \$500, nor less than \$25, as a civil penalty for violation of any provision of Chapter 482, F.S., or Chapter 10D-55, F.A.C.

The section also clarifies the remedy of public reprimand as distinguished from that of private reprimand. DHRS is required by this section to publish quarterly and provide to each licensee a list of disciplinary actions taken.

16) A licensee disciplined for any violation of Section 482.226, Termite or Other Wood-Destroying Organism Inspection Report; Notice of Inspection or Treatment, may be required to submit reports of wood-destroying organism inspections and treatments performed, no more frequently than once a week.

17) In addition to previous exemptions provided for the exemption clause of the law now clearly exempts aquatic weed control; other weed control not specifically regulated by the law; area mosquito control; pest control on manufacturing premises, which includes fumigation of any commodity or product utilized in the manufacturing process; and pest control, other than fumigation, performed by a person, corporation, firm, partnership, or other ownership entity upon their own individual residence or property.

18) A termite or other wood-destroying organism inspection report must be provided by the licensee to the party requesting the inspection when an inspection for wood-destroying organisms is made for purposes of real estate transfer or is requested by the customer. The law itself now sets forth the information that must be included in the prescribed Wood-Destroying Organisms Inspection Report form, and requires that the licensee retain a copy of the inspection report for a period of no less than 3 years.

The inspection report must contain a statement that a notice of the inspection has been posted on the property and give the location of the notice (see para. 19).

19) When a wood-destroying organism inspection is made, the licensee is required to post notice of the inspection on the property inspected. In addition, when a licensee

performs control treatment for any wood-destroying organism the licensee is required to post notice of such treatment on the property treated.

20) A new section was added limiting the use of the terms "guarantee" and "warranty" in contracts for treatments to control termites or other wood-destroying organisms.

There were no rules changes during the FY ending 6-30-82. It will be necessary to revise DHRS Pest Control Rules, Chapter 10D-55, F.A.C., during FY 1982-83 in order to conform to the statutory changes previously outlined herein.

Meetings. During FY 1981-82 the Director and staff attended meetings of the Florida Senate Committee on Health and Rehabilitative Services and the Florida House of Representatives Committee on Regulatory Reform, and the committees' staffs, in connection with regulatory sunset review of the Pest Control Act. The staff also met with the Legislative Committee of the Florida Pest Control Association (FPCA) in relation to the sunset review.

DHRS through its Office of Entomology was privileged to host the 21st annual meeting of the Association of Structural Pest Control Regulatory Officials (ASPCRO) on 5-7 October 1981 in Tampa. ASPCRO is presently made up of regulatory officials of all 50 states and (Provinces of) Canada whose duties include the regulation of structural pest control within their states. The purpose of the Association is to advance and promote the common interests and pursuits of states and state officials involved in the structural pest control regulation and enforcement process. It is an organization of career regulatory officials dedicated and working together to maximize the benefits of sound regulatory programs.

Other meetings, training courses or workshops attended by pest control staff included those with the Florida Entomological Society, FPCA, The Dow Chemical Company (fumigation training seminars); Institute of Food and Agricultural Sciences, University of Florida; Florida A&M University, and DHRS Health and Technical Support Management and legal staff. Management support specialists reviewed or advised on the program in relation to computer programming, records disposal and retention, management skills, and fee clearance procedures. Productive in-house staff meetings continued on a regular weekly basis.

Computer programming and support will, at long last, become a reality for Commercial Pest Control. Electronic data processing of pest control functions and records has been approved and will be phased in incrementally beginning with renewal of business licenses and certificates for FY 1982-83 on or about 6-1-83. The pest control examinations supervisor was designated as office liaison person to coordinate and implement this newly developing program.

Examination-Certification. During FY 1981-82, the Office of Entomology reviewed 2,032 examination applications by category; and in 4 examinations given each time at 2 locations, approved 1,936 and examined 1,743 category applicants for pest control operator's certificate and special (fumigation) identification card, compared to 1,981 and 1,725 respectively in 4 exams in FY 1980-81. As a result, DHRS issued 463 new certification credentials in FY 1981-82, of which number 255 were new pest control operator's certificates, 138 were category additions to existing certificates, and 70 were new special identification cards.

Continuing survey of the certificate records reveals that 42 certificates, not being used for licensing purposes, expired permanently for non-renewal and non-payment of fees exceeding 5 years allowed by law. (This provision was repealed by the 1982 legislature and effective 10-1-82, all certificates, active or inactive, whether being used or not, automatically expire if not renewed within 180 days after the anniversary renewal date). There were 2,819 certificates and special identification cards outstanding as of 8-19-82 based on the official mailing list.

In FY 1981-82, based on applications received for the current and all back renewal years, DHRS renewed 2,849 certificates (a backlog of 563 renewals had not been processed at the end of FY 1980-81 and were carried over into FY 1981-82), and 304 special identification cards (81 renewals carried over from FY 1980-81) in force and good standing. See Table 1 for additional information.

Licensure and Fee Receipts. There were 1,441 pest control licensees in business as of 6-30-82. Business licenses (including 165 change-of-address) and identification cards issued tallied 1,523 and 14,100 respectively, increases of 10.6 and 1.1 per cent in that order (See Table 1 for additional information). On a direct fee basis, these documents

yielded \$67,100, up from \$62,923 the previous year. Fee receipts from this source actually deposited in the Pest Control Trust Fund were \$68,970 contrasted to \$63,949 in FY 1980-81, a 7.9 per cent increase. In addition, the sum of \$112,535 was collected and credited to the Trust Fund Account in FY 1981-82 from fees for certificate, special identification card, and emergency certificate issuance and renewal, examinations, and service fees for returned checks (increased from \$5 to \$10 per dishonored check). This compares with \$108,130 collected the previous year, a 4.1 per cent gain. Revenue from all sources in FY 1981-82, the bottom line, increased 5.5 per cent, from \$172,079 collected in FY 1980-81, to another record high of \$181,505. As of 6-30-82 the Pest Control Trust Fund balance carried forward was \$59,260.88. A deposit of \$1,458.00 from fee receipts for FY 1981-82 was credited on 7-1-82 which brings the balance to \$60,718.88 to begin the new FY.

Receipts and document issuance clearance procedures and accounting practices, as directed and modified by DHRS Central Financial Services, were strictly followed. The Auditor General's Office conducted annual audit of the financial records for FY 1980-81 in February 1981, and at fiscal year's end closing (cash on hand) on 6-30-81. Emphasis will continue to be placed on reducing overhead and operating costs and improving productivity, accountability, accuracy and responsiveness throughout the section. Computer program support is expected to contribute materially in reaching these goals in time, without eliminating any permanent positions.

Pursuant to DOA and DHRS memos of 8-19-82 and 8-25-82 respectively, witness fees formerly surrendered by OPHEN personnel for deposit to the Pest Control Trust Fund Account will be henceforth retained except in those cases where public funds are the source of such fees.

Regulatory-Enforcement Actions. The office acted upon 133 applications for emergency certificates vis-a-vis 153 in FY 1980-81, to enable firms losing their certified operators to continue in business temporarily; made 272 fumigation inspections and 23 pesticide misuse or alleged misuse investigations; issued several hundred notices of inspection or violation by Entomologist-Inspectors in the field; convened 2 formal Administrative Hearings and one informal request conference; responded to 51 Writs of Subpoena for trial or deposition

involving complainants' civil litigation or criminal prosecution of illegal (unlicensed) operators; took 10 false use of certificate actions to remove certified operators not in charge; issued 5 Final Orders of revocation, suspension, probation and denial, and 14 Final Orders of Reprimand; and collected, cleared and accounted for all fee receipts and documents issued. See accompanying Table 1 for additional related registration, certification, examination and disciplinary-enforcement data.

TABLE 1
SUMMARY OF COMMERCIAL PEST CONTROL
REGISTRATION AND ENFORCEMENT
FLORIDA, 1977-82

REGISTRATION	1977	1978	1979	1980	1980- 1981	1981- 1982
Pest Control Business Licenses issued.....	1,240	1,244	1,097	1,408	1,377	1,523
Change-of-address Business Licenses issued.....	119	124	146	138	118	165
Employee Pest Control Identification (ID) Cards issued.....	10,429	12,211	11,346	14,483	13,954	14,100
Business Licenses issued to New Companies.....	-	67	93*	169	173	209
CERTIFICATION AND EXAMINATION						
Pest Control Operator's (PCO) Certificates issued (new).....	210	175	187	177	238	255
PCO Certificates & Special Identification Cards renewed.....	1,278	1,846*	1,703	2,624	1,490	3,153
Emergency Certificates issued (initial and renewal).....	125	204	235	212	153	133
Pest Control Examination applicants approved.....	1,164	1,298	1,374	1,451*	1,716	1,936
Pest Control Category Examinations administered.....	1,356	1,486	1,530	1,504	1,725	1,743
DISCIPLINARY MEASURES AND ENFORCEMENT ***						
Pest Control Business Licenses revoked, suspended or denied..	3	6	2	8	10	4
Business Licenses placed on probation.....	1	2	1	1	1	1
Certificates revoked, suspended or denied.....	6	7	6	5	4	2
Certificates placed on probation.....	0	1	1	1	1	0
Employee ID Cards revoked, suspended, denied or stopped.....	20	25	22	13	25	16
Employee ID Cards placed on probation.....	1	1	2	2	3	0
Property Holder Complaints investigated.....	281	290	283	346	326	363
Unlicensed illegal pest control operators investigated.....	58	61	40	50	47	44
Warrants and injunctions filed against unlicensed operators**	3	6	1	7	9	5
Cease and desist orders issued to unlicensed operators.....	38	46	34	37	38	38
Accidental poisonings reported by licensees.....	18	19	24*	23	22	31
Inspections made of licensees.....	1,274	906	755	921	859	988
Enforcement miles traveled (Jax'vl office only thru FY'80-'81)	12,037	27,394	18,847	23,624	23,176	107,596
Telephone assistance by all Entomologist-Inspectors.....	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 stopped. #Unavailable.

State of Georgia
1982 Report

Structural Pest Control Operators in the State of Georgia are governed by the Structural Pest Control Act of 1955. This law establishes the Structural Pest Control Commission, created requirements for certification and licensing, and set standards for treatments.

As of June 30, 1982 the State of Georgia had 526 licensed Pest Control Companies which is an increase of 30 companies over the past year. There are 795 certified operators and about 3100 I.D. cards for employees.

During the fiscal year ending June 30, 1982, 67,162 wood destroying organism jobs were reported along with 59 fumigations. This figure represents an increase of 15,000 jobs over last year when the figure fell to 53,000 jobs it's lowest point in recent years. The Department of Agriculture inspected 2,525 of these reported jobs and found that 587 or 23% had one or more violations of the minimum standards. Of these 587 substandard jobs 196 were reinspected and 97 still had violations.

During this time 414 soil samples were taken and 214 fell below the required 100 PPM and required retreatment. The Department is going to be taking a look at its policy on soil samples to strengthen it during the coming year.

Inspectors made 918 company visits and investigated 555 homeowner complaints.

The Department now has 8 Structural Pest Control Inspectors with an additional one in training.

During the past year we held 22 informal hearings where the certified operator is required to appear before members of the Entomology Division and answer certain questions on circumstances that have arisen. Six hearings were held under the Commissioner of Agriculture's Authority where fines of up to \$1000 may be imposed in lieu of revocation or suspension of a license. Of these 6 hearings fines of \$750 were imposed. One company voluntarily surrendered its category of Wood Destroying Organism category under threat of revocation. The category of Household Pest Control was retained.

The first 5 year period for recertification will end on October 21, 1982. Of the 795 operators only 50 operators failed to accumulate the necessary 10 hours of recertification training credit. These operators will now have to retake the Structural Pest Control Exam in order to again hold a certification.

During the past year Georgia entered into a Reciprocal Agreement with North Carolina. This agreement is in addition to the one already formed with South Carolina.

At present all testing and licensing under the Act is conducted by the Office of Secretary of State operating under the Structural Pest Control Commission. The regulatory section of the Act is handled by the Department of Agriculture. There are plans for the Pest Control industry to introduce legislation during the upcoming 1983 Session of the General Assembly to transfer the functions of the Secretary of State to the Department of Agriculture. It is felt that this would provide the most efficient handling of the program.

Effective August 1, 1982, Mr. Carl Scott, the Director of the Division of Entomology for the past 19 years retired. With his retirement, the Department merged the Entomology Division and the Pesticide Division under the Directorship of Ron Conley.

There are no plans at the present for any major changes in the enforcement of the Structural Pest Control Program.

State Chemist and Seed Commissioner
A R HANKS

Associate State Chemist
E D SCHALL

Administrative Staff
J G EIKENBERRY
R G LOFLAND
L W NEES
L O NELSON
R J NOEL
C R PAUL
R C RUND

INDIANA STATE CHEMIST AND SEED COMMISSIONER
Department of Biochemistry • Purdue University
West Lafayette, Indiana 47907
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INDIANA REPORT
to the
Association of Structural Pest Control Regulatory Officials
Romulus, Michigan
October 4-6, 1982

Pesticide Regulation:

- 1) Indiana Pesticide Registration Law (IC 15-3-3.5)
- 2) Indiana Pesticide Use and Application Law (IC 15-3-3.6): effective July 1, 1975 and for enforcement purposes October 21, 1976. Provides for licensing and regulation of all types of pesticide applicators.

A new Site Awareness and Direct Supervision of Non-Certified Applicators regulation was adopted effective May 21, 1982. The intent is to reduce the potential for pesticide misuse by requiring written "site specific" instructions be provided to the non-certified applicator.

Indiana State Chemist Office Staff: (Reorganization)

State Chemist: Alan R. Hanks (effective August 16, 1982)
Pesticide Administrator: L. O. Nelson
Deputy Pesticide Administrator: Ed McCoy
Manager, Applicator Certification and Licensing: Dave Scott
Pesticide Compliance Officer: Ed White
2 Full-time investigators
1 Part-time investigator handling primarily category 7 (structural) complaints and misuse cases.

Certification:

Five (5) year period.
Initial certification through core and at least one category specific exam.
Only three (3) attempts at any one exam allowed in a one year period from the date of first exam (policy change).
Recertification through re-examination or accumulation of sufficient Continuing Certification Hours (CCH's). -- 1 CCH = 1 hour of approved training

Category	CCH's over 5 years
7A (Industrial, Institutional, and Health Related)	18
7B (Wood Destroying)	12
7C (Food Manufacturing, Processing, and Storage)	18
7C2 (Fumigation Specialty)	6 + 7C
7A1 (Vertebrate)	12

Licensing:

Fees: Operator's (Business) - \$50.00 (includes one applicator)
Applicator's - \$25.00
Public - no fee
No exam fee

Licensing Period: April 1 - March 31, renewable annually

Licenses Issued 1982:

Category	Operators (Business)	Applicators (for hire)	Applicators (not for hire)	Public
7A		504	37	30
7B		508	28	19
7C		178	136	6
7C2		94	28	0
7A1		25	6	4

Reciprocity:

Will reciprocate for certification purposes with all states except Kentucky in structural categories.

Enforcement:

All ultrasonic pest control devices are presently under statewide Stop Sale Use and Removal, as no registrant has been able to supply required efficacy data.

Major enforcement tools being utilized include the obtaining of statewide court injunctions with the aid of our State's Attorney General's Office, issuance of warning letters and acting on applicator's licenses.

Structural Pest Control Complaints/Investigations:

Complaint Involves	#	Disposition
Substandard Termite Treatments	12	8-Warnings, 2-Conditional licenses
Wood Infestation Reporting	8	7-Warnings, 1-Informal Hearing
Unlicensed Operator	5	5-Warnings, 1-Informal Hearing
General Pesticide Misuse	4	2-Warnings, 1-License Suspension, 1-Formal Hearing Pending

--Most warning letters were accompanied by requirements to rectify the situation.

State Chemist and Seed Commissioner
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Applicator's - \$25.00
Public - no fee
No exam fee

Licensing Period: April 1 - March 31, renewable annually

Licenses Issued 1982:

Category	Operators (Business)	Applicators (for hire)	Applicators (not for hire)	Public
7A		504	37	30
7B		508	28	19
7C		178	136	6
7C2		94	28	0
7A1		25	6	4

Reciprocity:

Will reciprocate for certification purposes with all states except Kentucky in structural categories.

Enforcement:

All ultrasonic pest control devices are presently under statewide Stop Sale Use and Removal, as no registrant has been able to supply required efficacy data.

Major enforcement tools being utilized include the obtaining of statewide court injunctions with the aid of our State's Attorney General's Office, issuance of warning letters and acting on applicator's licenses.

Structural Pest Control Complaints/Investigations:

Complaint Involves	#	Disposition
Substandard Termite Treatments	12	8-Warnings, 2-Conditional licenses
Wood Infestation Reporting	8	7-Warnings, 1-Informal Hearing
Unlicensed Operator	5	5-Warnings, 1-Informal Hearing
General Pesticide Misuse	4	2-Warnings, 1-License Suspension, 1-Formal Hearing Pending

--Most warning letters were accompanied by requirements to rectify the situation.

KANSAS REPORT
to the
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
September 27, 1982
by
Dean Garwood

Since October 21, 1977, Kansas pest control operators have been licensed and certified under the Kansas Pesticide Law. This statute replaced the Kansas Pest Control Act under which the ornamental and structural pest control industries had been regulated since 1953. The current law provides for the licensing of pest control businesses and the certification of applicators of restricted use pesticides.

Applicators must pass an examination in order to become certified and then may legally purchase and apply restricted use pesticides. The examination requirement applies only to certification, not to business licenses. There were no educational or examination requirements for business licenses under the current law when it was enacted. As a result, pesticide business licenses were issued to virtually anyone who applied. Over the past five years, the Board of Agriculture has had no choice but to issue licenses to numerous apparently incompetent and/or unscrupulous companies and individuals. The problem was brought to the attention of the legislature, and an amendment was passed which will require that each licensee have at least one certified applicator. This amendment will take effect January 1, 1983 and will effectively reinstitute the prelicensing examination requirement that was a part of the old Pest Control Act. It is hoped that this change in the law will upgrade the quality of pest control work in Kansas and reduce the number of consumer complaints.

During 1981, the Entomology Division received 133 complaints against pesticide applicators. To date, 144 complaints have been received in 1982.

Many cases were found to involve no violations of the law and were dismissed. In others, investigators acted as intermediaries between the customers and the pest control companies, making sure that the companies took care of the customers' complaints. Warnings were issued to five companies and four formal hearings were held to deny, suspend or revoke business licenses and/or commercial certification.

In cases turned over to county attorneys for prosecution since January, 1981, four individuals have been convicted of a total of nine counts of theft by deception (fraud), a felony. Four individuals have been charged with theft by deception and are awaiting trial. One of these is charged with a total of 39 felony counts and seven misdemeanors in four counties. One applicator was convicted of operating without a license, and a company was convicted of applying a pesticide without regard to public health, safety or welfare. Both of these charges are misdemeanors.

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. There are two industry representatives and one member representing the university. This Commission meets quarterly.

The Commission is holding public hearings on the proposed rules and regulations. Since August 5, 1982, we have held six public hearings throughout the State of Louisiana. The final hearing is scheduled for October 5-6, 1982 at the State Capitol Building, Baton Rouge, Louisiana.

The major revisions and changes to the new rules and regulations have been in the sections dealing with wood infestation reports and fumigation.

The Structural Pest Control Commission was scheduled to go before a "Sunset Committee" this past spring, however, we were given a reprieve by the legislature.

The Structural Pest Control Commission has a committee studying the possibilities of revising our methods of generating funds. This Commission operates solely on funds collected from the pest control industry.

In the past year, the commission has administered 172 exams, issued 127 licenses in the five various phases, 41 persons were certified, 707 registered employee cards were issued, 3,252 termite inspections were made and 366 termite jobs were found substandard. The Commission investigated 64 complaints. Four hearings were held and 33 violations were handled.

Harry Hughes
Governor



Wayne A. Cawley, Jr.
Secretary
Hugh E. Binks
Deputy Secretary

STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
Parole Plaza Office Building
Annapolis, Maryland 21401
PESTICIDE APPLICATORS LAW SECTION
PHONE: 301/269-2776

Association of Structural Pest Control Regulatory Officials
Romulus, Michigan
October 3-6, 1982

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 the fall of 1982.

2. WORD PROCESSOR

The Pesticide Applicators Law Section of the Maryland Department of Agriculture 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. We have also obtained a new exam grader that interfaces with the word processor to grade, record and issue exam results.

3. CERTIFICATION

We currently have 1900 certified commercial applicators and 8000 private applicators. We usually receive 55 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 case by case basis.

4. RECERTIFICATION AND TRAINING

For the past four 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 two 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 by October 21, 1982. They must participate in agricultural pesticide conferences in three of five years before renewal. The training sessions are being conducted by county extension agents. So far, 2200 out of 6500 private applicators have renewed. Approximately 900 did not receive renewals because of address changes. One hundred could not be recertified because of insufficient training and will have to be reexamined.

5. ENFORCEMENT

Approximately 60 written consumer complaints were received during the last year. Forty five of these involved termite inspection reports. We had two 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. Three 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.

Three revocation hearings were conducted in which two businesses were charged with licensing violations, and one with a chlordane misuse.

6. LEGISLATION

Maryland House Bill 188 was adopted under Maryland Pesticide Applicator's Law Section in 1982. This addition provides for the licensing and certification of consultants who do not apply pesticides. This legislation will primarily bring under regulation the home inspection firms who inspect for termites and other wood infesting insects along with other home inspection services.

AGRICULTURE
COMMISSION

STATE OF MICHIGAN



WILLIAM G. MILLIKEN, Governor

DEPARTMENT OF AGRICULTURE

Lewis Cass Building, P.O. Box 30017
Lansing, Michigan 48909

DEAN PRIDGEON, Director

David D. Diehl
Dr. S. Leon Whitney
John Kronemeyer
Robert Chaffin
Rebecca Tompkins

REPORT TO ASPCRO
OCTOBER 3-6, 1982
ROMULUS, MICHIGAN

The number of firms licensed in Structural Pest Control by the State of Michigan has increased just over 13% during 1982. This increase is believed to be a reflection of economic times in which persons are looking to supplement or replace lost income. It is not known what impact, if any, this increase may have on the pest control industry. The competition is already keen and it is hoped the appearance of new people on the block will not erode the quality of performance.

We have also experienced a steady flow of applicants for certification. In FY'82 we processed 1300 commercial applications with just over 31% of this total being for the category of structural pest control. The largest category for certification (41%) was ornamental and turf. The influx of certification applications for these two categories is believed to be influenced by economic times plus more emphasis on professionalism by licensed firms.

The number of pesticide complaints during 1982 was about 10% less than in 1981. We have no real measure to account for this reduction and therefore, do not consider this as being significant. We are experiencing more complexity with investigations due to the types of complaints received. Complaints such as alleged worker exposure, potential for exposure, pesticide odors in buildings or the next block away are not easily resolved. The public has been adversely sensitized by the news media and they have generated a fear of chemicals in the reader, chemophobia. In dealing with the chemophobe an investigator is compelled to go beyond the point of determining whether the pesticide was misused. This month we are starting our seventh enforcement grant with EPA. In setting priorities we attempted to use EPA's incident formula and found that our planned investigations will be directed about equally between urban, structural pest control and aerial applicators.

Number one priority will be responding to complaints, as it should be. Other activities will include Establishment and Marketplace inspections for sampling and label review, restricted use sales monitoring, marketplace checks for state registration and pesticide use surveillance at business locations and institutions.

Respectively Submitted,

A handwritten signature in cursive script that reads "Robert L. Mesecher".

Robert L. Mesecher, Staff Assistant
PLANT INDUSTRY DIVISION

Miss.

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, 1982</u>
1.	51	14	28	27	265
2.	46	17	13	39	259
3.	27	7	11	9	70
4.	15	5	6	9	34
5.	5	0	3	2	14
6.	1	1	0	1	3
7.	15	9	2	10	404
8.	14	6	3	4	14
9.	7	4	0	3	8
A.	6	3	0	2	5
B.	3	2	0	2	10
C.	5	3	0	3	8
D.	10	6	1	6	25
E.	4	3	0	1	19
TOTALS	209	85	67	118	1,138

Number of new identification cards issued to employees of
licensed companies-----809

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 Issued</u>	<u>Permits Current June 30, 1982</u>
Category 1. ---	12 -----	40
Category 2. ---	15 -----	45
Category 3. ---	0 -----	0
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(existing structure)--13,804	Crawl Space-----4,999
Termite(preconstruction)----- 5,069	Slab-----7,598
Beetle----- 310	Combination Crawl &
Other----- 173	Slab----- 605
	New Construction----5,069
Inspections made of properties treated for structural pests-	505
Treatments found to be satisfactory-----	334
Treatments found to be unsatisfactory-----	106
Houses inspected that had not been treated-----	65
Chemical and/or soil samples collected from properties	
treated for termites-----	11
Samples found to be satisfactory-----	7
Samples found to be unsatisfactory-----	4
Action taken against persons in court-----	10
Court fines assessed-----	\$781.00 and one court
	injunction to stop work

TABLE 4

COMMERCIAL PESTICIDE APPLICATORS CERTIFIED

July 1, 1981 - June 30, 1982

	<u>Total</u>	<u>Cumulative Total</u>
Number of training and testing sessions held----	16	260
Number of people passing exam for General Standards (Core Manual)-----	163	3,434
<hr/>		
CATEGORY	Total	Cumulative Total
1. Agricultural Plant-----	4	228
Agricultural Animal-----	4	208
2. Forest-----	22	680
3. Ornamental-----	78	669
4. Seed Treatment-----	1	120
5. Aquatic-----	2	143
6. Right-of-Way-----	14	222
7. Industrial, Institutional, Structural and Health Related-----	57	456
8. Public Health-----	5	302
9. Demonstration and Research-----	25	796
10. Aerial Application-----	75	875
<hr/>		
Total Number passing category exams for certification	289	4,699

COMMERCIAL PESTICIDE APPLICATORS RECERTIFIED

CATEGORY	Total	Cumulative Total
1. Agricultural Plant-----	15	249
Agricultural Animal-----	8	248
2. Forest-----	38	468
3. Ornamental-----	69	364
4. Seed Treatment-----	4	103
5. Aquatic-----	4	104
6. Right-of-Way-----	12	141
7. Industrial, Institutional, Structural and Health Related-----	83	572
8. Public Health-----	1	114
9. Demonstration Research-----	64	700
10. Aerial Application-----	369	596
<hr/>		
Total number recertified-----	667	3,659

ROBERT LIST
GOVERNOR



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STATE OF NEVADA
DEPARTMENT OF AGRICULTURE
350 CAPITOL HILL AVENUE—P.O. BOX 11100
RENO, NEVADA 89510-1100
TELEPHONE (702) 784-6401

Report to ASPCRO
October 3-6, 1982
Romulus, Michigan

GENERAL: The myth that the gaming industry is immune to inflation has been shattered over the past 16 months. Gaming revenues were projected to exceed or at least match inflation but in actuality lagged far behind. State agencies were directly affected as the majority of their funding is provided by taxes on gaming revenues. Subsequently, all State agencies, including the Nevada Department of Agriculture, had budget reductions of 15%. This 15% reduction was achieved through personnel cuts, mileage allotments, per diem reductions, and equipment and supply cuts. The pest control operators/certification/EPA grant programs were primarily affected with the loss of one field inspector.

CERTIFICATION: In the winter of '81-'82 Nevada conducted five training sessions primarily for recertifying applicators applying restricted use pesticides. There were 990 people eligible for recertification and we anticipated at least 50% of them would recertify. Instead only 41% of the applicators recertified. It is believed the reason for the lack of recertification was the non-use of restricted use pesticides. The idea most often expressed by people was they originally thought they needed to be certified to apply any pesticide.

Of those persons attending training sessions, over one-third were there for initial certification. We therefore believe that certification training must be an ongoing function.

Three training sessions are scheduled for winter '82-'83 utilizing the same format as last year.

PEST CONTROL OPERATORS: Training manuals for all license categories have been printed and are currently being distributed at cost. Examination questions are now taken directly from the manuals and are either true - false or multiple choice. We found that after the manuals were initially distributed the passing rate increased sharply. Now, however, the passing rate has declined to a level lower than that before the manuals were printed.

Report to ASPCRO
October 3-6, 1982
Romulus, Michigan
Page 2

The number of licensed pest control firms increased from last year and is now at an all time high. Due to the nature of the economy we expected a decline in the number of firms, and therefore have no plausible explanation for the increase. A favorable point regarding the increase is there has not been a proportionate increase in violations. This may be due to the majority of new licensees originating from currently licensed firms.

The Wood Destroying Pests Inspection Report has been revised to incorporate portions of National Pest Control Association's technical release ESPC 054020 and directives from HUD. Our form is now accepted by HUD and VA. Copies of both are attached.

EPA GRANT: In October we will be starting our seventh enforcement grant. In setting priorities we were required to use EPA'S incident formula and found that our investigations will be directed toward urban & structural applicators. Primarily we will be concentrating on pre-treat termite applications because during the last enforcement grant we had overformulations of chlordane, under applications of total gallons, and abnormal drift.

Respectfully submitted,

A handwritten signature in cursive script that reads "L. E. Blalock".

Lawrence E. Blalock
Pesticide Specialist

LEB:sam

Attachments

WOOD DESTROYING PESTS INSPECTION REPORT No. 30251

Firm (PCO).....License No.....Inspection Date.....

Address.....FHA/VA/Escrow or Mort. No.....

Address of Property Inspected.....

Inspection Ordered by.....Report Sent to.....

Owner's Name and Address.....

This is to certify that the undersigned qualified inspector has visually inspected and sounded all accessible areas of the structure(s) located at the above address for wood destroying pests with the following findings:

INFESTATION: (See diagram and explanation below)

CONDITIONS CONDUCTIVE TO INFESTATION:

	ACTIVE		INACTIVE				
	Yes	No	Yes	No		Yes	No
Termites.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Earth-Wood Contacts.....	<input type="checkbox"/>	<input type="checkbox"/>
Other Wood-destroying Insects.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Faulty Grades.....	<input type="checkbox"/>	<input type="checkbox"/>
Wood-destroying Fungi.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Insufficient Ventilation.....	<input type="checkbox"/>	<input type="checkbox"/>
					Excessive Moisture.....	<input type="checkbox"/>	<input type="checkbox"/>
					Cellulose Debris.....	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ This is not a structural damage report. ☐ This is not a guarantee against future infestations.
- ☐ This is not a structural soundness report. (Structural soundness should be determined by qualified building experts.)

Neither I nor the company for which I am acting have had, presently have, or contemplate having any interest in the property. I do further state that neither I nor the company for which I am acting is financially associated in any way with or related to any party to this transaction.

Signature of Inspector

I have received the original or a legible copy of this form.

WOOD DESTROYING PESTS INSPECTION REPORT

Nº 29701

Firm (PCO).....License No.....Inspection Date.....

Address.....FHA/VA/Escrow or Mort. No.....

Address of Property Inspected.....

Inspection Ordered by.....Report Sent to.....

Owner's Name and Address.....

Buyer's/Interested Party.....

This is to certify that the undersigned qualified inspector has visually inspected and sounded all accessible areas of the property located at the above address for termites or other wood destroying pests with the following findings:

INFESTATION:

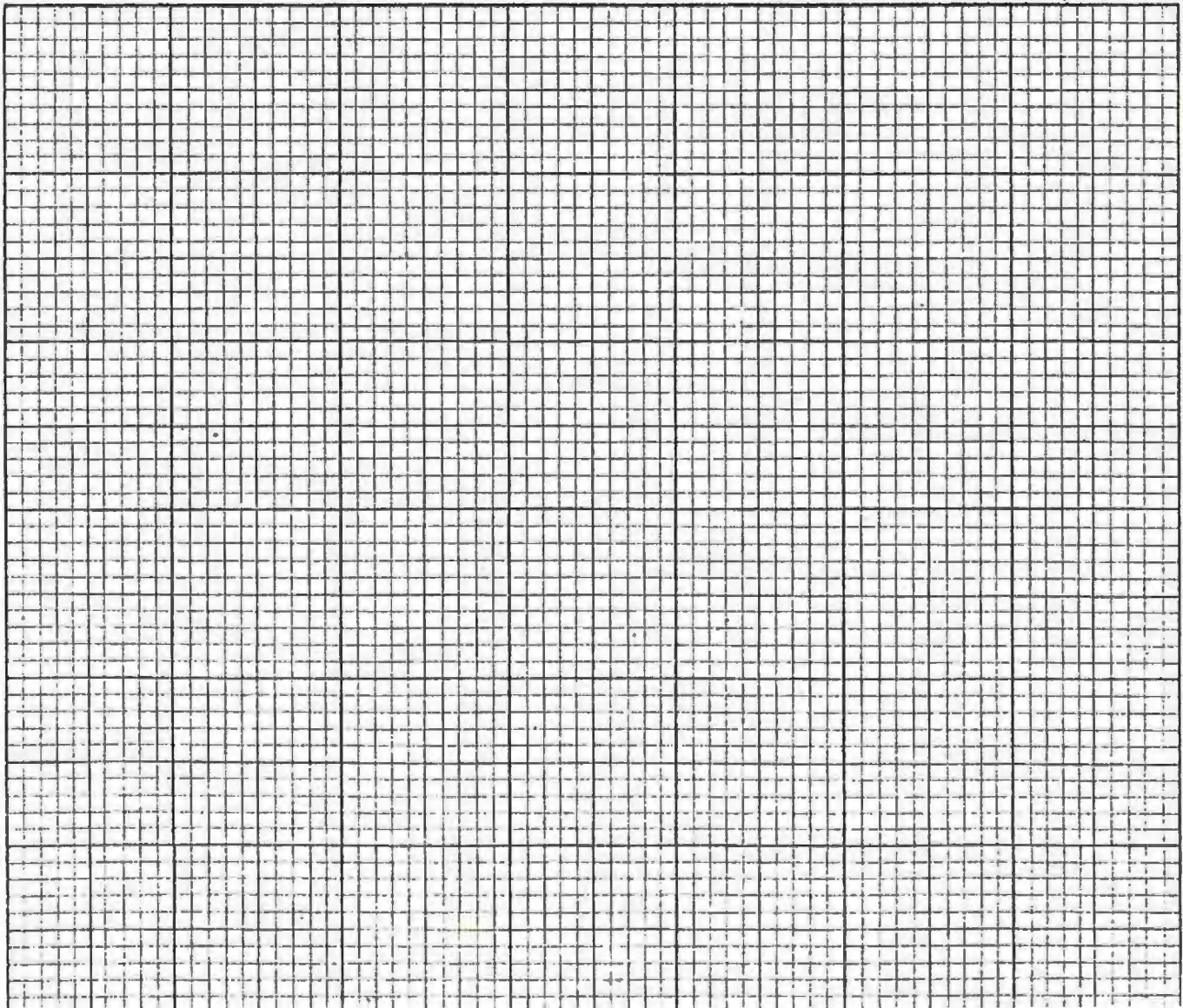
(See diagram and explanation below)

	ACTIVE		INACTIVE	
	Yes	No	Yes	No
Termites.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Wood-destroying Insects.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wood-destroying Fungi.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CONDITIONS CONDUCIVE TO INFESTATION:

	Yes	No
Earth-Wood Contacts.....	<input type="checkbox"/>	<input type="checkbox"/>
Faulty Grades.....	<input type="checkbox"/>	<input type="checkbox"/>
Insufficient Ventilation.....	<input type="checkbox"/>	<input type="checkbox"/>
Excessive Moisture.....	<input type="checkbox"/>	<input type="checkbox"/>
Cellulose Debris	<input type="checkbox"/>	<input type="checkbox"/>

Signature of Inspector



New Hampshire State Report-ASPCRO-9/30/82

Inasmuch as New Hampshire has not previously sent a representative to this meeting, I am at somewhat of a loss as to exactly what information you are seeking, however I would like to report on a few aspects of our programs for a start. I am very pleased to be here in Detroit and look forward to meeting the various state representatives and discussing matters of common interest.

1. General Information - New Hampshire, with a population of approximately 880,000 people, has about 150 certified pest control operators, most of which are out-of-state firms coming into New Hampshire from Massachusetts, principally. Our State requires that all commercial applicators, whether using general use or restricted pesticides, be certified; we certify at two levels. One member of the firm must be licensed or certified at the supervisory level; in addition, one member of each crew operating in this State must be certified at the operational level. Both levels are in compliance with EPA mandates. Our State requires that vehicles, used in conjunction with the application of pesticides, be identified with company name and a special number that we assign to them. Firms, as well as individuals, have to be licensed or registered in this State. Our regulations require that all applicants in New Hampshire submit annual records of pesticides applied. There is various information which must be submitted with these records including materials applied, target pests, rates of application etc. Our State conducts a very active enforcement program. Our philosophy is that regulations cannot be effective unless they're adequately enforced.
2. Enforcement Actions - One of our top priorities relative to enforcement concerns pest control operators. We have identified this as an area that needs attention due to the amount of violations that we experience. I don't mean to cast a bad reflection on pest control operators because we have many fine individuals, and firms, operating in this State, however there are a certain number of those who do not operate in compliance with our statutes and regulations and these tend to create a bad name for all of those operating in the State. Nevertheless, some of our most serious violations concern pest control operators. We conduct many use investigations each year on pest control operators. Depending on the severity of the violations that we encounter there are a number of options that we have at our disposal for taking enforcement actions. These actions can range anywhere from a letter of warning to prosecution or legal proceedings through the Attorney General's Office. We fund an attorney, in the Attorney General's Office, so we have had excellent cooperation as far as the handling of our cases. Those cases which go through the court system generally involves fines which range anywhere from \$800 up to \$10,000, again depending on the severity of the violation. We always publicize the outcome of these legal proceedings as a deterrent to others in the business and we feel that this has been effective.

OVER

One of the biggest problems that we encounter with our enforcement activities is the lack of cooperation from federal and municipal housing authorities. It's quite amazing to us that these people don't have more of an interest in an agency, such as ours, that is policing those contractors with whom they are doing business. Nevertheless, to the contrary, we find that these housing authorities will generally cover up for poor applicators and tend to condone poor practices. Perhaps the reason for this is that they are hiring pest control operators as cheaply as possible. I think another reason is that the housing authority people tend to regard those tenants who are occupying their properties, as low-life people and therefore they have little concern for their health and well-being. We have had a number of instances where the actions of the housing authority has actually deterred us from adequately conducting inspections etc. Even though our State law gives us the authority to inspect and search, we still encounter many problems due to the lack of cooperation from these people. We would like to change our attitudes but this is going to require some type of educational effort.

All of our inspectional work is done on an unannounced basis and this sometimes creates problems with these housing authorities and officials who think they should be consulted before we inspect. We, nevertheless, do not intend to start operating on a notification basis as we would loose the element of surprise and become less effective in our work.

3. Chlordane Matter - The State of New Hampshire, like other locations in the country, is experiencing various difficulties and adverse publicity concerning the use of Chlordane for termite control. We have several military installations, including an air force base and a navy yard, along our Sea-coast region and recently the Department of Defense Authorities found several housing units that had higher than safe levels of Chlordane according to their standards. The news media has picked up on this and we are now experiencing many inquiries from other people in the State who have had their homes treated for termites. In general, New Hampshire does not have a great deal of slab type housing due to our climactic conditions, nevertheless this has raised a lot of concern among the population here. I would be very interested in talking with people from other states who may have been experiencing similar problems. I have a fear, due to the media, this thing may escalate and become a major problem. I'm also concerned about the situation with the termites as this is a major pest problem in New Hampshire, as well as other places. There certainly needs to be tools to combat this pest problem.

The situation with Chlordane has been somewhat of a nightmare since EPA took their official action to eliminate most of the uses of this material. Because they allowed old label Chlordane to be used and did not set any time limitation on the use of these old products, we have experienced many people or firms

that have retained the old containers and merely use them as service type containers for new Chlordane that they're receiving. This is a very difficult thing to handle enforcement-wise and of course it allows the holders of this material to use it under the old label and again we're somewhat powerless to enforce this. We also have a much more serious problem in that quantities of Chlordane, half gallon containers generally, are readily sold by the dealers in this State with the termite and fireant label, to the general public who uses the product for ants. Most everyone knows that Chlordane has been used for years to combat ant problems so whether or not the label states this, this is what they're buying it for. New Hampshire does not have any fireants. Therefore there was a great deal of abuse of the use of this material by the home owner. In general, we do not think that this material should be available to them however we have quite a bit of difficulty within our agency and within our Pesticide Control Board to gain support for restricting the use of Chlordane. We think that EPA should have set the time limits on the use of old products and old label material, and in addition should have restricted the use of it to commercial applicators only.

It's always been our feeling that if Chlordane had been restricted to certified applicators only, then this might be some insurance that the material would be available for a while. Now with all the adverse publicity coming out against Chlordane, it wouldn't surprise me if the use of this material was lost in the very near future. I would see this as a serious problem due to the fact that termites are probably our number one economic pest.

4. Termiticides - The only materials that are available for termite use in the State of New Hampshire are Chlordane and recently Dursban. Aldrin and Heptachlor have been prohibited in New Hampshire for many years. I would not anticipate that either of these latter materials would ever be brought back into use in this State either.

Again, I appreciate the opportunity to report to this group. I also apologize that this report is probably not exactly what you were looking for and I can assure you that the next time around I will have a better idea of what should be done.

Respectfully submitted,

Murray L. McKay
Pesticide Control Supervisor
Pesticide Control Division

State of New Mexico

Annual Report 1982

22nd Annual Meeting

Association of Structural Pest Control Regulatory Officials

STATE OF NEW MEXICO
ANNUAL REPORT 1981-82

The division of Pesticide Management consists of five Inspectors, Divisional Chief and Assistant Chief. All ten EPA applicator categories are regulated by the Division. Category seven is split into four parts: 7A - Structural Insects, 7B - Vertebrate, 7C - Fumigation, and 7D- Termite Control.

The PCO Industry has been fairly stable in the number of operators since the two year experience requirement was passed in 1979.

A "Do-It Yourself" pest control business is currently being established by several licensed PCO's in New Mexico. They feel even though they sell the pesticide to the home owner, the home owner will be back and have the PCO to do a cleanout possible getting them on a monthly contract..

The Division is planning to amend our law to include the licensing of pesticide dealers who sell "general use" pesticides. "Restricted Use" pesticide dealers are already licensed in the state.

A non-commercial category is in effect for apartment house managers or owners, greenhouse operators, nurserymen who use "RUP's" but not for hire.

No reciprocity agreements have been entered into, as the PCO Industry is very much against it.

Mr. Barry Patterson
Chief
Division of Pesticide Management
Dept. of Agriculture
Box 3AQ
Las Cruces, New Mexico 88003

1982 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 4-6, 1982
DETROIT, MICHIGAN

I. History and Organization

The Structural Pest Control Division (SPCD) of the North Carolina Department of Agriculture (NCDA) operates under the authority of the "Structural Pest Control Act of North Carolina of 1955." In addition to creating the SPCD as the enforcement agency, this law creates the Structural Pest Control Committee (SPCC) as the rulemaking body for the Structural Pest Control Program. Licensing and registration of employees have been required since the inception of the program. Licenses are issued for three phases of pest control work: (1) control of household pests (P); (2) control of wood-destroying organisms (W); and (3) control of either of the above by fumigation (F). Certification requirements were incorporated into the program in 1976 in response to FIFRA. Certified applicator's identification cards are issued in each of the phases outlined above. Recertification requirements remain unchanged from last year.

The SPCD currently employs a staff of 17 people consisting of:

The Director
1 Administrative Assistant
4 Clerical Persons
2 Field Supervisors
9 Inspectors

The Field Supervisors and all administrative personnel are headquartered in Raleigh. The Inspectors are stationed throughout the state with each maintaining an office in his home. Each inspector is responsible for enforcing compliance with applicable laws and regulations by all licenses and certified applicators within his territory.

II. Activities of the Structural Pest Control Program During 1981-82 Year (July 1, 1981 - June 30, 1982)

A. Structural Pest Control Committee

The SPCC conducted three informal hearings and five formal hearings. The purpose of an informal hearing is to discuss a problem with a pest control operator (PCO) to obtain voluntary compliance with regulations. Licenses, etc. are not subject to suspensions as a result of an informal hearing. The purpose of a formal hearing is to determine whether a license or identification card should be suspended or revoked. As a result of the five formal hearings, four structural pest control licenses were suspended or revoked. In the remaining formal hearing, the individual's application for a license was denied.

In addition to the hearings outlined above, the SPCC conducted a public hearing to hear views on whether the Model Rules for Administrative Procedures should be adopted. Following the public hearing, the Model Rules were adopted. (Activities of the SPCC are summarized in Appendix I).

APPENDIX I

STRUCTURAL PEST CONTROL COMMITTEE ACTIVITIES

Number of persons who applied to Committee for license exam:	75
Number who were refused examination for licenses:	7
Number who took the examination for licenses:	68
Number to whom initial licenses were issued:	36
Number who applied for licenses by reciprocity or comity:	0
Number who were granted licenses by reciprocity or comity:	0
Number of informal hearings held: (license not subject to suspension or revocation)	3
Number of formal hearings held: (license subject to suspension or revocation)	5
Number of licenses suspended:	1
Number of licenses revoked:	3
Number of license examinations given:	309 (194 of them repeats)
Number passed:	P-39, W-31, F-1
Number failed:	P-119, W-118, F-1

APPENDIX II

SUMMARY OF STRUCTURAL PEST CONTROL OPERATORS

(1981 - 1982)

	<u>P</u>	<u>WDO</u>	<u>PHASE</u> <u>F</u>	<u>TOTAL</u>
Licenses:				
Renewals	404	389	39	422
Issued (original)	34	27	1	36
TOTAL	438	416	40	458
Suspended		1		1
Revoked	2	1		3
 Certified Applicators:				
3-Digit (Employed by PCOs)	328	269	25	350
4-Digit (Employed by other than PCOs)	350	156	136	382
 Registered Employees of PCOs (Operator ID Cardholders)				 1,041

B. Structural Pest Control Division

In addition to the inspection activities outlined in Appendix III and IV, the SPCD completed its presentation to the Legislative Committee on Agency Review, which replaced the old Sunset Committee. (Under this new committee, automatic termination of licensing programs has been deleted from the review legislation.) Prior to a brief appearance before the Review Committee, a request for information was received from the Committee. The resultant volume comprised twelve pages of text outlining statutory authority, a narrative of the program, objective or need addressed and how fulfilled to date, program goals for the future, detailed budget information, complete and itemized schedules of personnel costs, information on related Federal laws or programs, agency recommendations for retention or termination of program, and recommendations for changes in enabling law with draft language. The appendices submitted in support of the text included copies of regulations and FIFRA, a complete history of court cases for twelve years previous, a summary of SPCC hearings including licenses suspended and revoked, and a statistical summary of division activities for five years previous with particular emphasis placed on requested and complaint inspections.

Although final Legislative action is still pending for the 1983 Legislative session, it is anticipated that the SPC Program will be recommended for retention as is.

APPENDIX III

STRUCTURAL PEST CONTROL DIVISION ACTIVITIES

(1981 - 1982)

INSPECTION TYPE	# INSPECTIONS	# SUBSTANDARD	% SUB.
Wood-Destroying Organisms (WDO)	2,478	682	28
WDO Soil Samples	2,215	139	6
Pesticides, Equipment & Records	752	54	7

Criminal Actions:

Cases Heard in District Court (Violation of G.S. 106-65.25(a)(1) operating without valid state license)	9
Convictions	7
Prayer for Judgment Continued	2
Cases appealed to Superior Court (upheld, defendant filed notice of appeal)	1

Recertification:

Licensees (4 by examination)	25
Certified Applicators (6 by examination)	74

III. Program Changes

A. Statutory

The main thrust during the 1981-1982 year in the area of Legislative action has been "Sunset Review." Therefore, no attempts were made to obtain statutory revisions during the 1982 Legislative session. However, given the appropriate climate in 1983 we hope to obtain statutory changes in several areas including the addition of civil penalties.

B. Regulatory

No changes to the Structural Pest Control Rules and Regulations were adopted during 1981-82. Regulations to govern the sale and performance of wood destroying fungus work have been formulated and will hopefully be adopted by the SPCC soon.

C. Certification/Recertification

Working with neighboring states, the SPCD has developed and established reciprocal certification agreements with the states of Georgia, Tennessee, and Virginia this year. An agreement with Kentucky is pending. These agreements apply to original certification only and only to non-residents. Certified applicators will still be subject to recertification requirements in each state certified.

Recertification requirements remain the same as last years and are fulfilled by the "Continuing Certification Unit" method. However, the number of courses approved by the SPCC for CCU assignment by the SPCD has increased. Added to the

list of approved courses for 1981-82 were:

(1) Quality Bakers of America - Sanitation Seminar
Greenwich, Connecticut

(2) University of Kentucky - Fumigation Short Course
Lexington, Kentucky

In addition, we are currently processing applications from Virginia Polytechnic Institute, The Food Sanitation Institute, and Purdue University.

D. Computer Inspection and Billing System

The last phase of computerization for the SPCD has now been completed. All inspection, reinspection, and reinspection fee and billing information is all on computer. Summary and annual reports as well as actual invoices for reinspection fees are now being prepared by computer. While there appears to be little savings in time to process individual reports, a considerable savings will be realized in the preparation of reports. The system will also provide for easy monitoring of individual licenses as well as work performed by our inspectors.

E. Enforcement Policy on Household Pest Control (HPC) Inspections

Due to a lack of pesticide tolerances on household goods, a lack of accurate data on pesticide drift, and to EPA policy on the focus of on-site inspections (routine use inspection vs. misuse investigation) the SPCD is no longer performing routine HPC inspections. Research is now underway at NCSU to investigate drift and establish its impact on pesticide residue samples. It is hoped that routine inspections can be resumed in the near future. Complaints and/or requested inspections are, naturally, still being performed.



STATE DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY DIVISION

DALE O. LAUBACH
DIRECTOR

JACK D. CRAIG
COMMISSIONER

CLIFFORD W. LEGATE
DEPUTY COMMISSIONER

OKLAHOMA REPORT TO ASPCRO

ROMULUS, MICHIGAN

OCTOBER 3 - 6, 1982

I would like to preface this report by saying that we are saddened by the departure of Mr. Ray Elliott from his position of Pest Management Section Supervisor. Ray's new position is with the Dairy Marketing Division as Assistant Director. We would like to wish him all the best in this new endeavor. As of the presentation of this report, his successor has not been selected.

Oklahoma's pest control related complaint activities are summarized in the following table:

<u>COMPLAINT ACTIVITIES</u>	<u>CY 81</u>	<u>TO DATE (30 Sept 82)</u>
Pest Control Complaints Received	283	253
Pest Control Complaints Closed	280	137
Notice of Violations	38	540
Court Cases Filed	15	17
Enforcement Visits Held	28	18
30 Day Letters Sent	110	98
Referrals to EPA	1	4
Board Hearings	12	9

As can be seen from the above table, we are again running ahead of previous years. One factor is the increased number of inspectors, 28 in all. Probably the primary factor is publicity, both throughout the industry and the public with regard to our enforcement track record. Overall, the number of companies we are having problems with are declining, and we are able to concentrate our efforts more where they are needed.

We have found that our best ally is now the District Attorney. This has come about through a long educational and learning process on both



sides and we are now at a point where they are eager to assist us.

Oklahoma is still working with EPA Region VI under Enforcement and Certification grants and would like to commend the regional staff for their assistance and understanding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Chada". The signature is fluid and cursive, with the first name "Robert" being more prominent.

Robert L. Chada
Program Administrator
Pest Management Section

slw

THE STRUCTURAL PEST CONTROL
PROGRAM
MINISTRY OF THE ENVIRONMENT
PROVINCE OF ONTARIO

The Structural Pest Control Program under the Pesticides Control Section of Environment Ontario administers the licensing and termite control programs.

In 1981, 187 operators (businesses) and 1,000 structural exterminator's licences were issued. Several exterminator licences were endorsed in the following categories: indoor plant maintenance, greenhouse fumigation, structural spider control outdoors, vertebrate pest control and spot fumigation.

Before a licence is issued, the candidate must undergo an oral or written examination. Approximately 750 structural examinations were given during 1981. The examination fee for any class of licence is \$25.00, renewal of a business licence is \$30.00 and an exterminator's licence is \$15.00. Licences must be renewed annually. A structural operator must carry insurance with inclusive limits of \$700,000.00 PLP.

The structural specialist and entomologist conducted 40 training seminars and symposiums in 1981. This included a 2-day symposium organized annually involving 400 registrants.

Several permits were issued for schedule 1 restricted pesticides:

A.	space fumigation	a) MeBr	41
		b) AL PH ₃	5
		c) HCN	1
B.	Bat Control - DDT		119
C.	Bird Control - Rid-a-Bird-Fenthion		15
D.	Mouse Control - Stychnine		1
E.	Roach Control - NaFl		<u>5</u>
	TOTAL		187

Rid-a-Bird perch is no longer a restricted compound in the Province of Ontario. An inspection of all premises must be carried out before a permit can be issued.

The Termite Control Program has been in operation since 1975. The program covers the cost of 60% of chemical treatment and 60% of the cost of removing wood/soil contact. There are currently 18 municipalities now under an agreement with the province to finance termite control.

The budget for the termite control program is as follows:

1980 - 81 -	\$250,000.00
1981 - 82 -	325,000.00
1982 - 83 -	500,000.00

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.

The termite treatment program promotes carrying out block treatments to reduce the spread of these insects. With any treatment, wood/soil contact must be broken to prevent reinfestation. 400 treatments were performed in Ontario last year for termite control.

SOUTH CAROLINA

REPORT 1982

STRUCTURAL PEST CONTROL ACTIVITIES

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

South Carolina is now in its seventh year regulating structural pest control through the Plant Pest Regulatory Service, Division of Regulatory and Public Service Programs, Clemson University. The Standards for Prevention or Control of Wood Destroying Organisms have been in effect for nearly two years now. These Standards detail termite treatment procedures, describe criteria necessary to determine wood infesting beetle activity, and mandate the use of the State Wood Infestation Report (copy of latest revision attached).

The Standards are not excessive in their treatment demands. Essentially, they are label directions with a few additions e.g. removal of termite shelter tubes. However, for the second year our inspections reveal that the Standards are not being met. During fiscal year 1980-81 45% of all compliance inspections passed our Standards. In fiscal year 1981-82 only 36% of the 67 compliance inspections passed our Standards. Our major effort this next fiscal year will be to help the PCO's bring this rate to a more acceptable level. Our enforcement practice of additional inspections on companies whose work did not comply during earlier inspections negatively skews the rate. One hundred and fourteen treatment site soil samples were drawn and analyzed. Using the 100 ppm acceptable termiticide residue level, 68% were found to contain more than the minimal level.

Two hundred and forty-six Structural Pest Inspections were conducted in South Carolina last year. Most of these were complaints. Often conflicting opinions concerning wood destroying organism activity are given the homeowner by different PCO companies. Over \$58,000 in monetary savings to the consumer occurred due to our reports. The reports present an objective opinion on the activity of the wood destroying organisms. In some cases money expended by the consumer for unnecessary treatments is refunded.

The acceptance of the Official South Carolina Wood Infestation Report has been excellent by industry, federal agencies, lending institutions and realtors. Only 35 complaints have been investigated regarding omissions on the Wood Infestation Reports. Most PCO's were relieved to now be officially required by the state to disclose all wood destroying organism damage and activity. A number of realtors went through extensive philosophical changes to accept the 100% disclosure as now required. However, it is obvious that the PCO and the consumers are benefiting.

While enforcement actions are detailed below, a number of incidents deserve particular note. An individual died from drinking about a pint of 57% malathion contained in a beer bottle in Dillon, SC. This individual was a derelict and retrieved the malathion from a dumpster. However, it illustrates the severe consequences that may occur if pesticides are removed from their original containers. A housewife and her small child may have received exposure to ethylene dibromide during a crawl space termite treatment. Representatives of the PCO firm state that a small residual of ethylene dibromide was inadvertently mixed with conventional termiticide and applied during the termite treatment. Ethylene dibromide is still currently registered with EPA

(although it is not registered in South Carolina) for termite control - slab injection.

In the next legislative session or during the first months of 1983, mandatory licensing for all structural pest control operators will be enforced in South Carolina. Industry and the consumer will be served by this requirement. The promises made by the EPA during the beginning of the certification program concerning classification of pesticides in a timely manner seem all too hollow, now. There are so few restricted used pesticides used by PCO's that there is no incentive to become licensed but the PCO's desire to demonstrate his professionalism. The timing is right to pass this legislation requiring licensing and key industry support, lacking before, is now present.

Principal Structural Pest Control Enforcement action consisted of:

47 Warning Letters

5 Pre-hearing Conferences

5 Consent Orders - Penalties totaled \$4,600

5 Criminal Prosecutions - Fines were levied totalling \$1,000 and one individual was sentenced to one year imprisonment and another sentenced to thirty days.

67 Compliance Inspections

179 Complaint Inspections

The EPA enforcement grant has been an asset to our operations particularly due to the states' funding shortfalls and also because very few outputs in the grant were not presently being accomplished. State forms are being utilized to lessen the administrative burden.

Future goals for our program include reduction of noncompliance to the Standards for Prevention or Control of Wood Destroying Organisms and enforcement of mandatory licensing.

Submitted by: Neil Ogg
Neil Ogg
Pesticide Coordinator

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"/> |

Check Appropriate
Block Below

TREATMENT:

- | | |
|--|--------------------------|
| 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 initially at \$_____ 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"/> |

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.

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 is no text or other markings on the paper.

STATE OF TENNESSEE
1982 ASPCRO REPORT

Tennessee's Pest Control Section is part of the Department of Agriculture. Our staff consists of 3 investigators, 6 inspectors and a supervisor. Our headquarters is in Nashville, but we have field people stationed in different parts of the State. During this past year we made 2,950 routine inspections with 223 being sub-standard and had to be re-treated. We made 756 investigations of complaints..

We had 28 warrants issued for different violations with 23 ending in convictions. We held 12 hearings of people licensed with us.

We require a written contract for any wood destroying organism treatment with a one year guarantee. The State collects a \$3.00 fee for each contract written. This and the other fees we collect is enough to run our section without any tax monies being used. During the 1981-82 period we had 37,960 wood destroying organism contracts written amounting to \$113,880.00.

During the 1981-82 year we chartered 356 pest control companies. There was 700 licenses issued. During this time 14 new companies were chartered and 10 companies went out of business. We issued 69 pilot licenses and registered 65 airplanes. The revenue amounting from this being \$49,250.00.

On 2nd September 1982 a public hearing was held to give interested people a chance to have input into changes in our pest control rules and regulations. Some of our regulations are over 30 years old and really need revising. From comments and suggestions at this meeting there will be several changes made.

We are trying to improve our methods of inspections and investigations into pest control work. We have been using soil sampling for conformation of proper treatment. We are trying different types of sampling methods to come up with the best way. If there are any other states doing this we would like to exchange information.

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

1982 Virginia Report

Harry K. Rust
VDACS

By mandate of the Virginia General Assembly, the responsibility for the regulation of all pesticide chemicals and pesticide applicators is with the Virginia Department of Agriculture and Consumer Services and in turn, the Pesticide, Paint, and Hazardous Substances Section. Unlike many states, Virginia does not have various regulatory boards and/or committees involved in pesticide regulation. The Virginia law does, however, establish an Advisory Committee to the Department to deal with pesticide matters. This committee meets as needed. All Rules and Regulations are promulgated by a Board appointed by the Governor.

The Pesticide, Paint, and Hazardous Substances Section is staffed by one (1) Supervisor, one (1) full time and one (1) part time Assistant Supervisor, four (4) Clerk Stenographers, and the part time services of four (4) Regional Supervisors and thirty three (33) Field Inspectors/Investigators.

One group collects routine samples of pesticide formulations, while the other group provides the other inspection and investigation services. Both groups also have field services responsibilities in areas other than pesticides.

Only those structural pest control operators applying, or supervising the application of pesticides, with a restricted use classification are required to be certified and licensed. The same is true of all other commercial applicators except for persons applying pesticides aerially. Certification and licensing is required of all aerial applicators regardless of the classification of the pesticide(s) applied.

The principal commercial category for structural pest control operators i.e. Industrial, Institutional, Structural, and Health Related Pest Control has been divided into the four (4) sub-categories of; General Pest Control, Wood Destroying Organisms Pest Control, Food Processing Pest Control, and Fumigation. I am inclined to believe that the sub-categories, General and Food Processing should be combined. This may be accomplished by expanding the General Pest Control sub-category to include bird and rodent control. We believe our entire pest control operator category has been made stronger by going to the sub-category concept. This is in keeping with our original strategy for this group.

We continue to be concerned in Virginia with the repeated misuse of termiticides. General surface applications of chlordane, even applications directly into heating and ventilating systems continue occasionally. It appears that experienced and knowledgeable pest control operators continue to have problems in treating slab on ground construction without penetrating these ventilating systems. We are convinced that much of the problem lies with the management level of pest control operator businesses. In all too many cases, particularly with the small local companies, the management level people attend training workshops and seminars while the service

technicians continue with application as usual practices. We are attempting to utilize local and regional pest control organizations in an effort to provide training for the service people.

The priorities in Virginia for use investigations continue to be non-agricultural ground applications (mostly PCO's) and agricultural and non-agriculture aerial applications.