

Meeting Minutes

2005 Annual Meeting, Board of Directors

AUGUST 27, 2005

President George Saxton called this meeting to order at 1:02 pm and welcomed everyone to the 49th annual meeting. Introductions were made around the room. Board members present were President George Saxton, Vice President Steve Dwinell, Secretary Ray Siegel, Treasurer Grant Bishop, Immediate Past President Carl Falco, and At-Large Board Members Bonnie Rabe, Derrick Lastinger, and Liza Fleeson (proxy for Bob Bailey). Others in attendance were as follows: B Rosenberg, B Mathis, J Wright, G Harrington, S Kelley, S Farris, J Tripp, J Harron, A Mannis, J Brill, D Newbill, L James, B Kard, A Weber, C Rock, T Diedterich, F Gasperini, J Ballard, M Kyle, R Martin, B Forschler, L Gervase.

Steve Dwinell gave the annual planning committee report. The sites for the annual meeting in 2006 and 2007 have been finalized and hotel contracts have been signed. The locations are New Orleans 2006 and Charleston, SC 2007. Steve made a proposal that New Mexico host the meeting in 2008. There was no opposition.

Ray Siegel gave the New Technologies Committee report. Kelly Registration has hosted the ASCPRO web site at no charge for the last several years and has done so as an in-kind contribution to ASCPRO. KRS is now going to charge ASCPRO \$125 per month starting August 1, 2005. President Saxton instructed Executive Secretary Lonnie Mathews to investigate the pricing from different host sites to compare due to this recent charge and price from KRS. Charles Rock with KRS gave a brief explanation on what KRS currently offers and provides to ASCPRO. The price KRS is charging is available for negotiation. Much of ASCPRO's website has been specifically designed for ASCPRO. The on-line meeting registration would not be included in fee. On-line registration would have a one time setup fee of \$1000. This cost is driven by registration for credit card purchases. Credit cards charge approximately 7% for a service fee, which has been absorbed by KRS. Typical web hosting sites just provide space and do not maintain upkeep, develop changes, etc. Steve Dwinell suggested that ASCPRO enter into a 6 month contract with KRS for hosting the web site until the mid-year meeting. Carl Falco moved to sign a 6 month contract with KRS, pay KRS for 6 months, and direct the committee to obtain 3 proposals for hosting, design, maintenance, and functionality. The committee would consist of Ray Siegel, Derrick Lastinger, and Dennis Howard, with the addition of Carl Falco. Ray Siegel seconded the motion and the motion passed.

Carl Falco gave the Building Codes Committee report. Three code change actions were addressed at the last code hearing. Two of the three proposals were defeated with the only one ASCPRO supported passing. This proposal will then be presented to the entire code council for vote. One comment has been received from the Manufactured Housing group that this current proposal did not allow treated mud sills. Due to this comment, the proposal will now be addressed before the entire International Code Council body. If no comments were received, the proposal would have been grouped with all the other proposals that did not have any comments and be voted and accepted as a group. Greg Baumann with NPMA is going to talk to the MHG to try to get the comment removed. The next ICC meeting is September 28 – 30 in Detroit, Michigan. There will be someone representing ASCPRO at this meeting.

No report was given for the IPM in Schools committee.

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Carl Falco gave the Termiticide Label Review Committee report. The committee is working and works well with the TSRP and EPA. This past June, EPA OPP RD was invited and attended a "training meeting" in Atlanta for label issues. Jim Harron and Tom Dieterich were thanked for their efforts. Generic use directions for soil applied termiticides were discussed and proposed to EPA. EPA was receptive to this. The generic directions would be used to keep a format and used as a boilerplate for all labels. The TLRC will work on that proposal to EPA this year. EPA also entered into a newly revised MOU with ASCPRO that now includes all termite control products.

Steve Dwinell gave the Standards Committee report. It has been an active year with three meetings, one of which was a joint meeting with the TLRC. The meeting in Atlanta with 5 EPA staffers to discuss and train on label actions in June went well and was well received by EPA. The revision of 810.3600 was worked on with EPA and a procedure to adopt these revisions is being developed. Currently, EPA is unsure if the revisions need to be heard by the SAP or exactly how these proposals can be incorporated into the regulations. EPA is now meeting internally to keep track of products currently being reviewed.

No report was made for IPM in Schools Committee.

Carl Falco reported that the Termiticide Label Review Committee (TLRC) has provided comments to EPA on one product this past fall. The committee is quite busy now reviewing two to three products over the past six to eight months. The TLRC has also been scheduling quarterly meetings and have been meeting jointly with the Termiticide Standards Committee at these meetings as well.

Steve Dwinell reported that the Termiticide Standards Committee (TSC) has also been active recently. The TSC has been meeting quarterly with the TLRC and with US EPA OPP. The first joint meeting was held in December and the next joint meeting is scheduled for February 28, 2005. The TSC has proposed a revision to the current standards, 810.3600. US EPA is now looking at these revisions to comment. These revisions consist of standards for efficacy on soil applied termiticides and incorporate other termite control methods as well. EPA needs guidelines established to assist states with efficacy standards questions that arise. There is a mechanism in place to allow interaction between the TLRC, TSC and the Termiticide Scientific Review Panel (TSRP). This interaction assists in providing answers or guidance with evaluating data without compromising confidentiality issues. The TSRP only makes comments if the product in question has been seen by the TSRP and if the data protocol approved by them was followed. ASCPRO is also going to host US EPA OPP at a week-long termite training program. This training is scheduled to be held in Georgia during June. This training is to assist US EPA with their understanding of the issues presented to states and to foster the good working relationship that ASCPRO has developed with EPA. There will be industry involvement as well as researchers and state regulators.

David Newbill gave the Pretreat Committee report. There was a proposal on table to create and ID all pesticide containers. RISE and NPMA were working with this as well. Some anti-trust issues were brought up and the committee was directed to reword the proposal. The proposal was tabled at mid-year meeting. After revising the proposal, the committee is now ready to sit with NMPA and RISE to review the revised proposal and attempt to come to consensus. Once the committee meets with NPMA and RISE, the committee will present the end product to EPA. EPA will then

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determine if the proposal would affect FIFRA and require a law revision. The revised proposal only affects termiticides for pre-construction and not all pesticides. RISE represents almost all manufactures of soil applied termiticides. Carl Falco addressed that ALL manufacturers be represented at this meeting. A question was asked if there were any other avenues to control pretreatments that the committee has discussed or evaluated. The committee has looked at other ways and thought that the proposal developed was the best alternative. Steve Dwinell proposed that the committee give the proposal to NPMA and RISE in writing requesting comments from them by the mid-year board meeting. David Newbill thinks that a face to face meeting would be best for discussions. President Saxton directed David Newbill to conduct a face to face meeting with NPMA, RISE and any other pretreat manufacturer not represented by RISE and get written comments from all parties. NPMA would want to wait until mid-October for the meeting in order to have two internal committees to review and make comments on the revised proposal.

George Saxton gave the Structural Training for Inspectors committee report for Frank Crull. The development of manual to train new inspectors/investigators has been started. A DVD has been made as well as a first draft of the training manual. George Saxton recommended that copies (DVD and manual) be given to the Board and for the Board to have comments ready at the mid-year board meeting.

Secretary's Report The minutes from the mid-year Board meeting were placed on the web site for review and comment. Carl Falco moved and Bonnie Rabe seconded to accept the mid-year board minutes. The motion passed.

Treasurer's Report Thirty-eight states are members. Attendance for this year's meeting is down a little from previous meetings. Travel expenses were up a little primarily due to EPA's training/meeting in Atlanta. Total current balance is \$40,640.

New Business President Saxton proposed developing a new Termite Control Workgroup. This workgroup would look at all termite control strategies and identify potential problem areas and how to keep abreast of these technologies. This would be a new committee. Representatives from EPA, NPMA and RISE would also be on committee. Each organization will have four members on the committee. The committee would identify problems and develop ideas to fix these problems. Carl Falco moved and Derrick Lastinger seconded to move forward with committee. The motion passed.

Dave Scott presented standardizing label language for termiticides. Labels are designed in many different ways with different language on the labels. Neither the registrant nor EPA knows what some of the language means. Generics products are not the only problem but a big problem. PR Notice 96-7 was developed ten years ago and desperately needs updating. The TLRC is going to take a stab at developing a standardized "guidance" and label or boilerplate to make things consistent. Once developed, the TLRC will bring the proposal to the board for comment.

Steve Dwinell spoke about the Chlorpyrifos phaseout strategy. The federal cancellation order for use of chlorpyrifos will be final for termiticides as of December 31, 2005. EPA will not allow any extensions. Some products allow for some nominal uses in industrial sites. All states and affected parties need to get the word out. A final document is coming from EPA to delineate the phaseout for the end of the year.

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Generic Termiticides Do generic companies need to generate their own data rather than using or bridging to the parent company's data? EPA accepts the primary data if the compound is substantially similar. Should generic termiticides go before the TLRC? If the formulation is made substantially different, the product may work differently. EPA cannot just refuse the "data bridge." The MOU reports that data submission is optional. Carl Falco moved that the President draft a letter to EPA stating all termiticides are to come before the TLRC for review, regardless if it is an old or new compound. Ray Siegel seconded the motion. The motion passed.

Mosquito Mistors Some states require installers and applicators to be licensed in either general pest control or public health pest control, regardless if they touch the pesticide or not. Most of these mistors are not effective. EPA, NPMA, and AAPCO are going to have a "Mosquito Misting System" forum to discuss this issue. It is recommended that ASPCRO be involved with this. Bonnie Rabe, Carl Falco and Steve Dwinell will attend this forum on ASPCRO's behalf as instructed by President Saxton.

Jim Wright presented a proposed resolution regarding internet sales of termiticides. There are a number of websites that make pesticides, specifically termiticides, available to the public. This is in direct conflict with the label stating that the product is only to be used by certified and licensed applicators. The suggested resolution is for states that have the ability, prosecute those sales to non-licensed individuals and states that don't have the ability, develop or adopt rules and laws to permit prosecution. Jim Wright also recommended that the Stewardship Committee be charged with addressing this issue. The Board wants to develop a resolution regarding this issue and rework the currently proposed language and coordinate with EPA's efforts. Don Stubbs in the Label Review Registration division with EPA is looking at this issue. EPA is going to develop language that will be enforceable for states. Steve Dwinell moved that the President appoint an ad hoc committee to develop a resolution for this issue by Tuesday's membership meeting. Carl Falco seconded the motion and the motion passed. Jim Wright, Steve Dwinell, Bob Rosenberg, and Ray Siegel were appointed to be on that committee.

The National Canine Termite Detection Association has been developed for companies that have termite detecting dogs.

There is a new movement to use 25b products for termite control products.

The meeting was then closed for the Board and members of TLRC to view a presentation presented by FMC.

The Board meeting resumed and President Saxton stated that budgets for the committees need to be reviewed.

George Saxton addressed the fact that ASPCRO can assist states to provide for training. ASPCRO acts as the treasurer to take in fees and pay for meeting rooms, refreshments, etc., without the difficulties in dealing with the state treasury. A committee will be developed to set up an assistance guideline for this kind of program. Grant Bishop as the ASPCRO treasurer is to be on the committee.

President Saxton adjourned the meeting at 5:30 pm.