



**ASPCRO BOARD OF DIRECTORS
MIDYEAR MEETING
March 10, 2009
Grand Hyatt Hotel
Denver, Colorado**

Welcome and Opening Remarks – President: Bonnie Rabe (NM)

- **Attendees:**
 - **Board members: Bonnie Rabe (NM), Derrick Lastinger (GA), John Scott (CO), Grant Bishop (WV), Liza Fleeson (VA), Joe Debrow (AL), Jay Kelly (IN), Steve Dwinell (FL)**
 - **Others: D. Davis, J. Wright, J. Harron, J. Spagnoli, B. Rosenberg, C. Falco, E. Jones, J. Brill, M. Page, C. Gorecki, M. Kyle, J. Cink, N. Goldenberg, P. Kelly, J. Leach, T. Maniscalco, L. Matthews, B. Mathis, M. Morris, J. Chen,**
 - **The meeting was called to order at 8:35 a.m. and introductions and a review of the agenda and modifications were reviewed.**

Treasurer's Report - Grant Bishop (WV)

- **See attached report**

Planning Committee Report – Derrick Lastinger (GA), John Scott (CO)

- **2009 ASPCRO Annual Conference will be held in Denver, CO at the Grand Hyatt Hotel in downtown Denver. A survey developed by the Colorado Department of Agriculture showed that, of the 35 responses to date, there was an equal split of SLA's and companies that planned to attend the meeting. SLAs travel budget restraints as a main concern. There was further discussion of possible lower attendance at future meetings due to SLA and industry budget restraints.**
- **California Pest Control Association had requested that ASPCRO consider a future meeting in California. Discussion of this as an option, since ASPCRO is a SLA regulatory association, and possible conflicts having private industry sponsor the meeting were discussed. Additional discussion is needed.**
- **FY 10 ASPCRO Annual Conference will be in Charleston, WV; FY 11 will be held in Alabama; FY 12 possibly a western state; FY 13 Georgia.**

Website Report – Derrick Lastinger (GA)

- See attached report
- There was discussion that the list of the Board members should be added to the Website.

Executive Secretary Report – Lonnie Mathews

- ASPCRO in good standing w/ charter for 2009
- SLA contact list is updated
- E-mail inquiries are being sent directly to SLAs
- There have already been requests for 2009 ASPCRO Annual Conference agenda
- There were 44K hits on the website in August 08

Committee Reports:

Green Pest Management Committee – Steve Dwinell (FL)

- See attached report
- Q&A – comment to change language of “unfounded efficacy” in Steve’s report

Pest Management in Schools Committee - Mike Page (FL)

- See attached report
- Discussion:
 - Bob Rosenberg: Multiple issues have resulted in NPMA objecting to PMSP funding. EPA has pulled information down from website as a result.
 - ASPCRO submitted a letter to EPA requesting participation in the School IPM Strategic Plan. No response to date.
 - Mike asked if the Green and School IPM committees should be joined or work together on related issues.
 - Steve Dwinell mentioned that the board needs to give the committee direction and specific tasks.
 - 39 states have some form of School IPM regulations on books.
 - Carl Falco: ASPCRO’s role is to pass information on to states such as through list server and website.
 - Liza Fleeson: Find common goals of Green and School IPM committees to be risk reduction.
 - Dr. Dawn Gouge of the School IPM Institute requested to open discussion with ASPCRO. It was suggested that ASPCRO invite her to 2009 meeting.

- Steve Dwinell made a motion to create tasks, Derrick Lastinger seconded. Passed
 - Develop a statement that the goal of committee is risk reduction in schools, green pest management
 - Track current issues w/ IPM funding, PMSP development and stakeholder involvement
 - Develop guidance for SLAs so they know what to monitor.
 - Create a summary of resources

State Meeting Assistance Committee – Jay Kelley (IN)

- ASPCRO sponsored eight (8) state compliance training meetings.
- The Office of the Indiana State Chemist conducted four (4) training sessions in November of 2008.
- New Mexico Department of Agriculture conducted four (4) training sessions in February 2009.
- New Mexico may offer four (4) additional trainings in April and June of 2009.
- Discussion: The question was raised if it would be beneficial to have a 2009 SMAC breakout workshop for SLAs at the annual meeting?

Inspector Training Committee – John Scott (CO)

- See attached report
- Discussion: The Board agreed that the committee should continue to pursue distance learning opportunities and continue to work with Orkin and their satellite program to determine if the training would be beneficial to SLA inspectors.

Outdoor Residential Misting Systems Committee – Bonnie Rabe (NM)

- State survey results and model regulations have been created by NPMA.
- Model regulation proposal, Board to comment on by April, 10, 2009
- See attached report

Building Codes Committee - Steven Dwinell (FL)

- No report at this time

Termiticide Label Review Committee – Davis Daiker (FL)

- See attached report

Termiticide Standards Committee – Steve Dwinell (FL)

- See attached report

Label Language Recommendation Committee – Bonnie Rabe (NM)

- **Motion to merge the Stewardship Committee w/ Label Language Recommendation Committee: motion to pass the recommendation from Liza Fleeson, seconded from Grant Bishop. Motion passed.**
- **See attached Label Language Recommendation Committee Statement of Basis and Purpose.**
- **A committee meeting is being held in Denver after the Board meeting to discuss the Label Language Guidelines which states:**
 - **The following guidelines and recommendations for label language on pesticide labels seeks to identify and provide specific examples of problematic wording, layout, and _____ - on pesticide labels from a state's regulatory perspective. Caveat: States may have further restrictions and requirements and may have own interpretations and enforcement of pesticide labels.**
 - **General concepts and considerations for pesticide label language:**
 - **The only person who's actions a label should address are those of the applicator – not other individuals since enforcement abilities of state are directed to the specific person or licensee making the application**
 - **Labels should focus on communicating product application and not 'telling applicators their job'. Language should indicate in a clear and concise manner the application parameters. Flexibility within those parameters should be just as clearly indicated.**
 - **Ensuring a label has clear language reduces liability therefore ensuring continued use of the product.**
 - **Labels are not for advertising and any extraneous persuasive marketing language should be removed.**
- **The committee met on March 11, 2009 and additional comments, suggestions and changes were made to the draft label guidelines. This is currently on-going and evolving.**

Membership Committee – Derrick Lastinger

- **See attached report**
- **Grant Bishop was added to the committee**
- **It was suggested that committee chairs consider a non-ASPCRO member for their committee**

AAPCO/POM Liason Report – Bonnie Rabe (NM)

- **Stewardship – Fumigation labels**
- **Bedbug discussion**

TPSA Liaison Report – Liza Fleeson (VA)

- **See attached report**

Stewardship Committee – Jim Wright (SC)

- **No report at this time**

CTAG Liaison Report – Tim Drake (SC)

- **See attached report**

Nominations Committee – Jim Harron (GA)

- **No report at this time**

Hall of Fame Committee Report – George Saxton (IN)

- **No report at this time**

ASPCRO Historian – Steve (FL)

- **No report at this time**

NPMA – Bob Rosenberg

- **Updates on current issues**

RISE Update

- **Updates on current issues**

NEW BUSINESS:

HUD actions on NPCA 99A/B forms

- See attached forms
- Link on the ASPCRO website

Bedbug Stakeholders Meeting

- April 14, 2009 EPA sponsored meeting in DC
- Concern of low income bedbug issues, ability to treat in the manner needed.
- Regulation development being discussed

Product Efficacy Issue Update (Me-Too product registration)

Open to the Floor

- **Jim Harron:** TLRC – Standards Committee, mentioned the need to re-establish dialogue with EPA.
- **Mike Page:** Borate sampling procedure developed. Spring 2009 more info to come. Efficacy study on structural elements, other than wood being discussed.
- **Carl Falco:** Consideration for ASPCRO to list state approved workshops/CECs on ASPCRO website. Reciprocal licensure issues discussed. Board will consider.

Adjourn: 2:55 pm



ASPCRO Website Committee Report March 2009

Committee Co-Chairs, Derrick Lastinger (Georgia), Vicki Cassens (Purdue University)
Committee members: Grant Bishop (West Virginia)

The ASPCRO website committee submits the following report for the 2009 mid-year meeting.

The National Pesticide Information Retrieval System (NPIRS) at Purdue University launched our website in September 2006. Since then NPIRS has continued development and maintenance of the website. NPIRS hosts the ASPCRO website on a complimentary basis in return for the association's support in obtaining state registration data for the NPIRS databases on a timely basis.

The website has been reviewed for old and out of date information. Old documents, announcements, links, etc. have been moved or deleted.

The ASPCRO PDF directory has been updated as of March 9, 2009 and can be downloaded from the website. The states are urged to review the state contact information on a regular basis and send updates to Lonnie Matthews. NPIRS has completed the development of software that allows ASPCRO to directly update the state contact portion of the website as changes are made throughout the year.

At the 2008 mid-year meeting, a motion was made for the committee to create an ASPCRO-Industry list server for communicating non-sensitive information. The ASPCRO-Industry list server was recently created by NPIRS and populated with email addresses collected from the 2008 annual meeting registrations. The address to post notifications is industry@aspcro.org. To

subscribe or unsubscribe you can send an email to Derrick Lastinger or go to <http://ceris.purdue.edu/mailman/listinfo/industry-aspcro>.

The ASPCRO group mailing list (list server) continues to be updated.

The committee welcomes suggestions for the website. To make a suggestion or change to the website, contact Derrick Lastinger at (404) 656-3641 or dlastin@agr.state.ga.us.

**Green Pest Management Committee Report
ASPCRO Board Meeting
March 10, 2009
Denver, Colorado**

Mission Statement:

The purpose of this committee is to:

- Develop information on what should be considered green pest control, drawing on existing published information such as the pest management association's green pest management certification guidelines and USEPA Pesticide Environmental Stewardships Program.
- Develop and implement means of information sharing regarding regulatory issues associated with green pest control
- Develop recommendations to state regulatory agencies on the regulation of green pest control to better protect consumers from potentially fraudulent practices, and unfounded efficacy, safety, and public health claims
- Develop recommendations for USEPA and state regulatory programs on the requirement for efficacy data on minimum risk pesticides labeled for use on public health pests as these relate to the practice of "green" pest control. This includes becoming involved in the proposed response to the CPSA petition asking for expedited rulemaking in this area.
- Identify actions that ASPCRO can take to promote green pest management and/or eliminate barriers facing pest management companies that offer green services

Membership
Steve Dwinell, Interim Chair
Derrick Lastinger
Dan Suomi

Matt Beal
Jim Chen
Bob Rosenberg
Faith Oi
Rick Bell
Julie Spagnoli

Activities:

The Committee held its inaugural conference call on January 28, 2009. The committee agreed to conduct a survey of states regarding how green pest management is defined and regulated, and to draft a letter to USEPA for the Board to consider supporting requirements for efficacy data on pesticide products that are exempt from registration but that make public health safety claims.

Pest Management in Schools Committee Report
Mid-Year Meeting
Denver, CO
March 10, 2009

Introduction

During the 2008, ASPCRO Annual Meeting in Albuquerque, NM, Jim Harron presented information on the status of pest control treatments in Georgia Public Schools. Mr. Harron reported that the issue of pesticide treatments in schools was not an “emerging” issue; it was a “reemerging” issue. Licensed companies in the state appeared to be ignoring laws created in 2003 related to applications of pesticides in schools. From April 2007 to March 2008, the state settled 31 cases for a total of \$425,000 in monetary penalties and revoked 33 operator certificates and 3 business licenses. Specifically, GDA’s Structural Office documented numerous violations of Georgia law regarding pesticide treatments to schools including the use of improper pesticides, violation of treatment notification, violating application reentry intervals, and falsification of treatment records were only a few of the violations documented.

Mr. Harron also commented on the resources required to mitigate this issue. Investigations of schools and licensed pest control companies (PCO) treating them monopolized the Department’s enforcement staff requiring a significant amount of staff time. Harron also concluded that investigating school treatments required regulators to develop a new set of skills related to these investigations. For example, cooperation on the part of both the PCO and local school system was problematic. Clearly, developing an inspection strategy or approach to assist with regulating licensed pest control companies in an area where regulators may not have authority to regulate (schools and other like institutions) would be worthwhile.

In Florida, school pesticide treatments were also becoming an issue of interest, however not for the reasons identified by its contemporaries in Georgia. Attendance at Florida's School IPM Working Group indicated the need for improvements in the State's ability to protect schoolchildren from exposure to pests and allergens and to improve the manner in which pest control is currently performed in these institutions, a statewide environmental health issue. Florida is one of the few states that do not have regulations related to pest management in schools (or other similar institutions such as day care centers). In addition, Florida currently does not have regulations requiring records keeping for such applications. The lack of regulations related to pesticide applications in schools may leave the state vulnerable to activist groups that would like to eliminate pesticide use in schools altogether. In addition, the state does not have laws, which would require adherence to protective measures such as preventing applications while children are present, reentry intervals, the use of minimally toxic pesticides, and record keeping requirements.

Discussions concerning regulation of pesticide treatments to schools identified during the 2008 Annual ASCPRO meeting prompted the Board to recommend the formation of a committee to address these and other concerns related to pest management in schools.

Key Acronyms

SIPM	School Integrated Pest Management
PESP	Pesticide Environmental Stewardship Program
PMSP	Pest Management Strategic Plan

Committee Membership

The committee consists of the following individuals:

Michael Page (co-chair)	FL Dept of Ag and Consumer Services
Josh Wiley (co-chair)	Georgia Department of Agriculture
Gene Harrington	NPMA
Dr. Faith Oi	University of Florida
Janet Hurley	Texas Agrilife Extension Service
Dan Suomi	Washington State Department of Agriculture
Dennis Howard	Maryland Department of Agriculture

Summary of Committee Actions

Conference Calls/Meetings:

To date, the committee has held no formal meetings or conference calls.

Co-chairs, Page and Wiley, have discussed possible goals for the committee. Given the short discussion in the introduction above and considering possible needs for implementation of IPM programs in states, the list below contains a few possible goals that may be worthwhile tasks for the committee.

1. Develop enforcement inspection guidelines/skills for state regulators (Inspector Training Committee)
2. Develop strategies for statewide implementation of School IPM programs: inter-agency approach
3. Develop model state regulations specific to the implementation of School IPM programs
4. Develop informational/educational releases for use by state's lead agencies
 - a. benefits of IPM programs;
 - b. public housing; government facilities; residential;
 - c. efficacy of 25 (b) products in IPM; and
 - d. communicating public health risks
 - e. IPM staff training (school administrators, custodial staff)
5. Develop informational materials for IPM approaches for Bed Bug management

1st National School IPM Meeting, Reno, NV November 2008:

Mike Page attended the 1st National School IPM held in Reno, NV this past November. EPA organized the meeting, the purpose of which was to bring states that had or wanted to have School IPM programs together under the auspices of the EPA-Pesticide Environmental Stewardship Program

(PESP). The EPA and the USDA-CSREES work closely together funding and supporting SIPM efforts in states.

A couple of key issues surfaced at this meeting. The first is the completion of the School IPM Pest Management Strategic Plan (PMSP). The (almost) 300-page document is considered a “living document” and will be updated at regular intervals. PMSPs are typically used to manage problems with specific crops and crop pests. These plans are developed to provide the academic community with information that is important to the stakeholders and to offer a general plan to help accomplish objectives for pest mitigation. Its use as a tool with the School IPM Working Group is to list strategies for pest management in schools and other “urban” settings and facilities and to capture the status and progress (referred to as a “SIPM Report Card”) made toward the goal of implementing SIPM in states throughout the nation by 2015.

If you would like additional information on this and other PMSP's go to http://www.sripmc.org/rese_profiles.cfm. If you are interested in reviewing the SIPM PSMP, you can access it directly at http://www.ipminstitute.org/school_ipm_2015.htm or contact Mike Page for a copy at pagem@doacs.state.fl.us or call 850.921.4177. As stated above, the document is a living document, so you may send your comments on to schoolipm2015@ipminstitute.org.

The second issue discussed during the meeting concerned the possibility of increased support for school IPM initiatives. Sherry Glick, EPA's National Pesticides & Schools coordinator, received a letter from then President-Elect Obama promising additional support to EPA, particularly in the area of children's health. Regardless of whether this materializes for states attempting to implement SIPM programs, it is possible that the Obama administration will likely make children's environmental health an issue. Logically then, this may translate to increased accountability for states where children and pesticides are concerned.

Finally, it was clear that a number of states have instituted excellent SIPM programs sanctioned by the state's legislature. There are only a few states have no regulations at all. In addition, EPA, USDA, CDC and other groups including NPMA have promoted and advocated the issue of SIPM to its stakeholders.

Although there are numerous agencies promoting SIPM, it appears that this issue does not share the same level of interest or get the same media attention as the movement to "go green". This is confounding since green initiatives and IPM share common goals in their approach to pesticide use and pest management. It is likely that as regulators we will begin to see these concepts merge under a single initiative or the "green" umbrella. This is especially true for managing pests where children are present. We may also witness pest management professionals in the structural pest control industry adopt methods that require more judicious use of pesticides and more precision in the way pesticides and pest management programs are administered.

Upcoming Meeting/Training Opportunities

6th Annual IPM Symposium, Portland, OR; March 23-26, 2009

PREP – Urban IPM/Public Health Course, Grand Rapids, MI; May 4-8, 2009

ASPCRO Inspector Training Committee Midyear Report 03/10/2009

1) Inspector Investigation Guidance Manual:

- a. Final comments coming in and once incorporated the document will be presented to the Board for approval. Posted to the ASPCRO website for SLA's to access.
- b. Suggestion made that we also a list of distance learning training sites (any we come across) that SLA inspectors could access for free on the ASPCRO website. This could be an on-going add to list and maybe categorized by topic.

2) On-demand training videos via Orkin:

- a. All thought this could be good, with a few concerns of will there be the view of favoritism with Orkin and SLA's using their training.
- b. Need to accept offers from other private companies and registrants who may want to allow ASPCRO/SLAs the same opportunity to use their training or distance learning systems.

- c. Need to create an ASCPRO statement on the website along the lines that, “This agreement with “industry” is for the purpose of providing distance learning to SLA inspectors, in a time when budgets and travel are restricted nationally, that can provide industry level training that SLA inspectors can use to gain a better understanding of the structural industries practices to use towards industry regulatory functions.
 - d. The committee agreed that the committee members should, each in our respective states, go in to a local Orkin branch prior to the Mid-year meeting if possible and view one or two on-demand videos to determine their relevance to our goals of distance learning for SLA inspectors by March 4th. I’ll request a final approval to begin posting these courses to the ASCPRO site.
 - e. Chris with Orkin did ask that maybe somewhere in the future if this works we could work out live satellite training for SLAs from their facility.
- 3) Chris did ask about the possibility of possibly approving these on-demand videos for CEC credits.
- a. The committee discussed issues with this.
 - i. We could at most endorse the videos that they meet CEC criteria, an overview of what the subject matter is, and length.
 - ii. ASCPRO could only say it meets CEC criteria, but not gain approval from states. Orkin would still need to submit it to each state for approval. Benefit would only be that ASCPRO endorses the training content.
 - iii. If Orkin asks for this, we would have to do the same for other on-demand providers.
 - iv. How big of a job may this become? How many requests would the committee have to consider? Do we forward these out to SLA certification contacts to review and provide comment? Lots of questions here.
 - v. Many states require CECs to be open to all applicators; Orkin would have to agree to this for approval in those states. If Orkin charged a fee to recoup cost of providing and verifying attendance, leave it to the SLA on this.
 - vi. Disclaimer statement that ASCPRO endorses but has no ability to require any state to accept the request to approve.
 - b. ? to the Board: Should pursue this option further?

4) Training hands-on course development:

- a. We do want to continue developing this training as time allows. Although, all agreed that currently when states are being restricted from traveling, even when the courses are being paid for from another agency, the development of this course may not be our top priority now. Distance education may be the thing we should look at right now to address SLA needs.
- b. Scheduled ITC committee training development meeting canceled due to travel restrictions.
- c. In light of the recent budget and travel restriction issues all states are facing we felt that the committee should devote our attention to finishing up the manual and get it posted to the web, look for free on-demand training links that we could post to the ASCPRO website and the Orkin on-demand video training option.

- d. Once the above is completed, the committee can refocus on how we can develop the ASPCRO training course through conference calls and hopefully a future meeting at a site when everyone's budgetary issues are resolved.

Respectfully submitted,

John Scott, ITC Chair

DRAFT



The ASCPCRO Outdoor Residential Misting System committee submits the following report for the 2009 mid-year board meeting.

Committee chair, Bonnie Rabe met with the NPMA misting system workgroup during the 2008 Pestworld Conference in Washington DC, in late October. Discussion included a commitment to develop and distribute a survey to state lead agencies in order to access current views, concerns, and issues with misting systems versus the initial reaction several years ago when system use in residential areas first started.

A copy of the survey is attached to this report. The survey asked questions related to current levels of system use, system marketing, enforcement, and anticipated regulatory actions directed to the systems. The survey also requested suggestions on research needs and general comments. The survey was submitted through the ASCPCRO listserve on 11/25/09. To date, thirty one states have responded. Individual state responses as well as a charted summary were prepared and submitted with this report.

The results of the survey indicate:

- Some states are still uncertain as to the level of use of the systems.
- The number of enforcement issues directly related to the systems appear to be low.
- Most states responding have authority to regulate the servicing of the systems (because a pesticide is being applied) but not installation.
- Regulatory action to specifically address the system is not anticipated by the majority of the survey respondents at this time.

The committee also reviewed model regulations developed by the NPMA workgroup. Minor revisions were made and the document will be proposed for consideration of adoption by the Board at the mid-year meeting.

Respectfully submitted,
Bonnie Rabe, Chair and ASCPCRO President

Discussion Draft

Model Regulations for Outdoor Residential Misting Systems

March 10, 2009

The following language is model regulatory language suggested for states when addressing use of outdoor residential misting systems developed by ASCPCRO and the National Pest Management

Association (NPMA). The language should be modified if necessary to comply with current state statutory authority(s) and regulatory language specifications.

Bracketed language is noted for modification to meet an individual state's authority.

License and Certification Requirement Language:

[Persons/Companies] in the business of installing, selling, or servicing outdoor residential misting systems must comply with the state [license, certification, or registration] requirements.

The [installation, configuration, placement, and servicing] of any outdoor residential misting system or its components must be performed by a state licensed [commercial pesticide applicator] certified in category(s) ____.

All [applicators/companies] who [sell, design, service, or supervise the installation and service] of an outdoor residential misting system will obtain [eight] hours of verifiable continuing education [annually] covering the following:

- Mosquito biology and identification
- Mosquito prevention
- Integrated pest management (IPM) for mosquitoes
- Mosquito Misting System installation, operation, and service

Minimum Training Requirements:

All [applicators/companies] [selling, servicing, or installing] outdoor residential misting systems in residential areas for the control of mosquitoes must ensure that any employees who perform, supervise, or assist with [the sale, design or installation] service of an outdoor residential misting system receive at least 4 hours of classroom training and 8 hours of field training in the following areas:

- Mosquito biology and identification
- Mosquito prevention
- Integrated pest management (IPM) for mosquitoes
- Mosquito Misting System installation, operation, and service

Pesticide Product Registration Language:

Any pesticide product applied using an outdoor residential misting system must be registered by the U.S. Environmental Protection Agency and/or state regulatory agency. The product label must include directions for mosquito prevention or control and bear labeling that permits application using an outdoor residential misting system. All applications must be made in accordance with the directions and precautions specified on the labeling of the product used.

Consumer Information/Disclosure:

The [applicator/company] must also provide the customer with the following information prior to entering into a contract:

- 1) Information about integrated pest management (IPM) for controlling mosquito populations,
- 2) A copy of the label for any pesticide the company intends to use,
- 3) Proper use instructions for the outdoor residential misting system,
- 4) Emergency shut off procedures, and
- 5) Service and warranty information.

Integrated Pest Management (IPM):

Any [applicator/company] that [sells, services, or installs] an outdoor residential misting system will ensure customers are provided with the following:

1. Inspection of the site or structure where the outdoor residential misting system is used in order to provide the basis for recommendations of system use as well as other preventive or remedial actions and best management practices.
2. The company must inform customers about present and conducive conditions, the presence of pest larval production, habitat and other issues related to preventing or managing the pest problem.
3. The company will provide customers with a written report containing recommendations of system use, based on the inspection, other preventive or remedial actions and best management practices. This will include an information sheet communicating the components of the IPM process and outdoor residential misting system Best Management Practices.
4. A specific period not less than [one year] is to be established for inspection and evaluation of the system use and management measures.

Installation and Servicing Procedure Language:

1. During each installation of an outdoor residential misting system, a [licensed applicator/technician] must [be present at the installation site/be in direct supervision of the installation].
2. The system must be configured, installed and operated so that applied pesticide does not drift [off of the property on which it is installed /to non target areas].
3. Override procedures outlining instructions for shutting off the system is to be printed on or attached to all systems with an additional copy presented to the customer.
4. Systems should never be installed for the purpose of both delivering an insecticide and water for evaporative cooling.
5. When used in a system with a reservoir tank for the end use dilution, the system reservoir tank must be locked. Securely attach the end use pesticide label and a dilution statement to the system reservoir tank in a weather protected area or weatherproof seal-able plastic sleeve. The dilution statement must be phrased as follows: this container holds _____ parts (product name) to _____ parts water.
6. When used in a direct injection or comparable system, the pesticide container must be locked. Securely attach the end use label to the pesticide container in a weather protected area or a weatherproof seal-able plastic sleeve.
7. The statement “Do Not Use (activate system) When People, Pets or Food Are Present” must be displayed in not less than one half inch letters on the control unit or reservoir and at least once in the system instruction manual in a font size consistent with the body text, unless labeled for that use.
8. A specimen label of the material(s) contained within the system will be provided and reviewed with the customer at the time of installation. An additional specimen label must be attached to the system control unit or reservoir in a weatherproof pouch or other appropriate container.
9. The misting system solution must be applied in accordance with the specific manufacturers label requirements for the pesticide being used.
10. Systems must be calibrated to apply no more than the maximum application rate represented on the label that identifies the amount of active ingredient allowed per 1000 cubic feet per day. Calibration is to be performed [annually] at a minimum.
10. The system must be configured, installed and operated so that the pesticide is used according to label directions, including application rate, restricted entry intervals, and prohibitions against offsite drift.

11. Pesticides that state "Not for use in outdoor residential misting systems" may not be used under any circumstances. No other conventional insecticide should be used in a misting system even though it may be registered for outdoor residential sites, unless such insecticide label has been amended and approved by EPA with outdoor residential misting system directions. As of February 2007, EPA has only assessed the use of pyrethrins, permethrin and piperonyl butoxide (PBO) in residential systems and labels are in the process of being amended to include appropriate directions for this use.
12. The customer must sign a statement attesting that he/she has read, understands and will follow the specimen label, information about the operation of the system and his/her obligations relating to the operation of the system.
13. Automatic timing mechanisms are to be set to operate at times when people and pets are not in the area. The customer must be given written notification of the scheduled operation times.
14. The [applicator/company] that [installs/services] the system must provide the consumer with a specimen label, information about the operation of the system and information detailing the consumer's obligations, which obligations shall include:
 - Emergency shut off instructions in the event of excessive wind or rain.
 - Report to the responsible company any damage resulting from excavation, or other projects in and around the system and its components
 - Report periods of extended power loss that may result in timer or memory failure in the controller.
 - Report in advance construction or landscape plans that may affect the operation of the system or its components.
 - Immediately report any staining or plant discoloration to the responsible company.
15. During all regularly scheduled service visits, performed not less than [once each year], the [applicator/company] will perform a complete inspection of the system and its components as described below, providing a written report to the customer to include any corrective action taken by the company or required by the customer including instructions on harborage site removal or correction and other non chemical controls to improve the condition of the site. Inspection will include:
 - Visually inspecting the system during operation to ensure that it is working properly, the clock and timed cycles are properly set, cover is securely fitted over the outside lip of the top, the lock has not been tampered with and the system is delivering its misting product in full and strict compliance with the label for such product.
 - Visually inspect each area that is serviced by the system to include all nozzle placements, paying attention to the condition of foliage and the surfaces of any structure or other item located within or near the area serviced by the system. If signs of plant burn or staining exist adjust or relocate the nozzle.
 - Visual inspection of the tubing and exposed connectors, to ensure tight fit. Additionally, inspect for wear and circumstances that may result in damage if not corrected, making necessary correction or report to customer when necessary.

Advertising

A licensee must not use false, misleading or deceptive advertising. Examples of statements or representations, which constitute false, misleading or deceptive advertising, include the following:

- (1) a false or misleading statement concerning the composition of products used;
- (2) a false or misleading statement concerning the effectiveness of a product as a pesticide or device;
- (3) a false or misleading statement about the value of the product for purposes other than as a pesticide or device;
- (4) a false or misleading comparison with other pesticides;
- (5) a statement directly or indirectly implying that a pesticide or device is recommended or endorsed by any agency of the state or federal government, such as "EPA Approved";
- (6) a true statement used in such a way as to give a false or misleading impression to the consumer;
- (7) disclaimers or claims which negate or detract from labeling statements on the product label;
- (8) claims as to the safety of a pesticide or its ingredients, including statements such as "free from risk or harm", "safe", "non-injurious", "harmless", or "non-toxic to humans and pets", with or without such a qualifying phrase as "when used as directed";
- (9) claims that the pesticides and other substances the licensee applies, the application of such pesticides, or any other use of them are comparatively safe or free from risk or harm;
- (10) claims that the pesticides and other substances the licensee applies, the applications of such pesticides, or any other use of them, are "environmentally friendly", "environmentally sound", "environmentally aware", "environmentally responsible", "pollution approved", "contain all natural ingredients", "organic", or are "among the least toxic chemicals known"; and
- (11) claims regarding its goods and services for which the licensee does not have substantiation at the time such claim is made.

Termiticide Label Review Committee Report

Activity update

At the annual ASCPRO meeting in Albuquerque, NM, the TLRC met with two termiticide registrants regarding either new product registration or amendments to an existing product label. Since that meeting, the TLRC has not been requested by any registrant to meet to discuss new or existing product registrations.

Member update

Mr. Derrick Lastinger (Georgia Department of Agriculture) was appointed to the committee.

Termiticide Standards Committee Report ASPCRO Board Meeting

**March 10, 2009
Denver, Colorado**

Mission Statement:

The Termiticide Standards Committee will work with the USEPA to review proposed efficacy policy and guidelines in order to update existing product performance standards and acceptable test conditions for all termite control products.

The membership of the committee is:

Steven Dwinell - FL -Chair

Jim Harron - GA

Bobby Simmoneaux - LA

George Saxton – IN

Bob Rosenberg - NPMA representative - non voting

Activities since August 2008 meeting:

Attended November 25, 2008 meeting with USEPA on follow-up activities to July 21-22, 2008 workshop on termiticide standards. USEPA stated that they would proceed with rulemaking to adopt performance standards for termiticide efficacy. A timeline was proposed (below).

The committee will continue to track this rulemaking effort.

Milestone		Efficacy Rule	Guideline 810.3600	PR Notice (if needed)	Termiticide Factsheet Interim	Termiticide Bulletins	Labeling Initiative
2009	Q2	Draft	Draft		Draft		Co-operate w/AAPCO
	Q4	Public Comment			Stakeholder Input		
2010	Q2	Response	Final	Draft	Response	Draft	Implement*
	Q4				Final	Stakeholder Input	* This progression provided without AAPCO consultation
2011	Q2	Final Rule				Response	

3/11/09

**ASPCRO Label Recommendation Committee
Statement of Purpose**

Purpose:

Identify and develop strategies which decrease pesticide misuse through clear, concise, consistent, and enforceable language on structural pesticide labels.

Actions of Committee:

- Develop guidelines for reference by pesticide registrants, label review staff in both the registration and re-registration sections of EPA, as well as state lead agencies, which focus on identifying label language problems on structural pesticides utilized by the pest management industry. The goal of the guidelines will be to increase use of clear concise, consistent and enforceable label language by identifying, explaining, and providing alternatives for current problem language.
- Termiticide label language issues will be addressed in coordination with the Termiticide Label Review Committee (TLRC) and Termiticide Standards Committee in coordination with efforts in revision of termiticide efficacy guidelines under 810.3600.
- Continue to address structural pesticide enforcement issues by providing label language guidelines on specific products or groups of pest control products.



ASPCRO Membership Committee Report March 2009

Committee Chair, Derrick Lastinger (Georgia)

Committee members: Liza Fleeson (Virginia), Jay Kelly (Indiana), Kathy Boyle (California)

The membership committee was created in August 2008 to improve ASPCRO membership and participation from the states. ASPCRO is a unique organization with a long history of improving the way state officials regulate the structural pest management industry. It is perhaps the complexity of the issues that are presented to officials that continue to bring state and industry officials together to discuss ideas and resolutions to improve the industry. As stated by Dr. George Saxton in ASPCRO's Golden Anniversary Historic Record, "No organization is in better position to address these problems than ASPCRO."

2008 Membership
34 states

2009 Membership
Renewals mailed mid-February

There are several items that have been suggested to improve membership.

- Include general membership information and an application for new members on the website which may include the following:
 - Membership term & dues amount
 - Membership benefits
 - Who can be a member? state, multiple state agencies, counties, US territories, countries, etc.
 - Voting a benefit for SLA members?
 - Mission/vision statement
 - What is Structural Pest Control and who does it represent?
 - As of date on the national membership map

- Educate non-member states (Northeastern states) that ASPCRO is actively working on a variety of SPC issues in addition to termite treatment issues
- Improve directory contact information with more accurate contact information

Committee accomplishments:

- The meeting section of the website now includes past conference brochures to offer a history of meeting agendas, field trips, locations, etc.
- ASPCRO membership renewals/applications were sent to each SPC principal and/or administrator official listed in the directory. Structural/Pesticide Officials of US territories and neighboring countries were also sent ASPCRO membership applications.
- Moved ASPCRO membership directory to the 1st directory instead of the Executive board.

Suggestions to improve state and committee membership:

Contact non-member states about why they are not members of ASPCRO. Need volunteers from board members and ASPCRO members to contact state official of non-members states.

- Develop a membership application for new and interested officials.
- Encourage committee chairs to actively seek new committee members
- Create three new sections on website.
 - ABOUT ASPCRO (history, accomplishments, TLRC, MOU, etc)
 - ASPCRO MEMBER BENEFITS (networking, meetings, workshops, tools, reduced conference registration fee, directory, history book, partnerships)
 - JOIN ASPCRO (online or mail-in application for new and renewing members)

The committee welcomes suggestions and assistance. To make a suggestion contact any of the committee members.

AAPCO SFIREG UPDATE meeting notes on discussion of topics applicable to ASPCRO – 12/10/08
Prepared by B. Rabe

- Region reports all indicated varying cuts in state budgets.
 - o Possible affect on attendance at Denver meeting by states and contributions by sponsors – Planning committee to discuss.
- Bedbug issue – expanding concern in relation to growing infestations, public agencies see increasing issue and not adequate knowledge, resources to address, misuse of products (total release foggers and other products) by homeowners due to stigma associated
 - o Region 5 report included concerns in Ohio from infestations and response to issue by Health Dept.. Fire stations and police cars infested.
 - o I related ASPCRO efforts on Bedbugs w/ industry and EPA mostly so would not duplicate efforts
- Issues with total release foggers – explosions and also exposure from re-entry and overuse, increase as consumers think can use to control bedbugs – need for ‘not for control of bedbugs’ statement? Labels state ‘use as necessary’ lead to frequent use.
 - o Consumer Specialty Product Assn.(CSPA) putting together workgroup
 - Response to CDC report
 - Requesting info from manuf.
 - o Previous PR notice address physical and packaging issue – concern now with exposure from re-entry or failure to properly vacate
 - o Possibly related to:
 - General lack of attention to label
 - Knowledge for calculations of cubic feet
 - English (or even Spanish) not primary language of users
 - Assumption about how many to use since sold in multipacks
 - Seeing use for bedbugs and truck fumigations
 - o General comments were for increased education at homeowner user level

- Can APSCRO put together something on foggers for consumers? What does Board think
 - Issues with aquatic use of pesticides increasing for states – due to: focus on control of invasives, endangered species, inclusion of aesthetic water bodies in urban developments, homeowner use of products on ‘their property’
 - Often not an area of expertise for states
 - Complicated calibrations
 - Just as heads up since we talked about this as a possible conference agenda topic
 - 25(b) issue
 - EPA working to initially address insect repellents (152.25(f)) with changes to current exemption - would be partial exemption
 - Would come to EPA for review and approval
 - Evaluation of what ingred are actual ai(s)
 - Still evaluating economic and small business effects
 - Working to create a national list by requesting product names and labels from states which register
 - Hope to address variance in label language
 - Have issue with use of term ‘Natural’ – not defined
 - Not allowed on Section 3 labels so shouldn’t be allowed on these – consider allowing more specific and defined alternatives (botanicals, plant based)
 - Question posed to states for comment
 - Understand states do not want 25b (finally!)
 - Working to change lists for easier use
 - Originally list purposely vague – causes problem for states in making determination
 - One list using CAS Reg nos to specifically id ingredient
 - Ideas requested from states
 - My thoughts:
 - This will be more confusing and just another ‘level’ of problems states will deal with for 25bs – rather than overall approach to fully repeal exemption.
 - What effect does a ‘partial exemption’ have on registration of these products at the state level for those state which currently do not register 25bs?
 - Thought of Board on ASPCRO commenting on this issue?
- More states dealing with reciprocity requests from applicators licensed in one or more other states
 - Is there any standard for determination?
 - Use current licenses (which may have been provided under reciprocity) or original certification?
 - Issue in terms of PMPs in a general way or just if emergency?

- For Use Only By.. Statements
 - Letter drafted from POM suggesting not allowing any FUOB statements on labels
 - 06 EPA determination from a previous IP submitted: FUOB could be enforceable if statement limits use to clearly identified user group (have question on who determines if group adequately 'identified') or use defined (by FIFRA) sites – industrial or structural sites
 - My thoughts: in discussion with (Julie Spagnoli)
 - questioned if statement actually (if it would be enforced) functions (or is intended to) decrease risk because indicates who product is 'targeted' to and assumes then label written for expected knowledge and expertise of that group – this of course assumes FUOB statement is not just to entice homeowners or others to by the 'good stuff'
 - also question if EPA can keep off label if registrant wants to include any wording to this effect – so why not address to make statement hold some 'weight' in terms of enforceability (perhaps even if just by states??)
 - Suggestions on an approach if any by ASCPRO??
- Label mandated training
 - Intent to make requirement of registration and have registrant develop and provide training and materials as part of data call in.
 - Applied to Picloram products – requirement now rescinded by agency
 - Now applying to soil fumigants as part of mitigation measures required by RED
 - Larger issue of implications if this concept is applied to other products or actives as continue registration review
 - Always support for training however should approach be using a mechanism already in place – ie. The C&T program – define new category and principals should cover, rather than approach which is likely just interim (until the above can be done anyway) and causes more change, disruption and burden for everyone
 - Also does this allow enough consideration of what may be in future – ie. If required training for each type of active ingredient in products of particular use pattern (soil fumigants, termitides, rodenticides), may only be 4 now but what if 15 in future? Will registrants be able to accommodate need? How do you ensure availability to everyone and not just where largest share of market is? Can registrants keep up with also including requirements a particular state has – for emergency response, stricter regulations on use, specific info on weather or geology of area that contributes to risk or misuse?
 - My thoughts –
 - More access to training always good, but is this to the point needs to be regulated to this extent or see what affect a more voluntary approach has first? Thinking about what approaches of this type have been successful in the past? Difficult because always going to have the person who just wants the certificate and be done – should we regulate for them or for the larger part of the bell curve, who want to do it right?
 - Board thoughts on providing ASCPRO comments on label mandated label language approach?

- What do we think might be a successful mechanism to address misuse and obtain mitigation required by a RED which is required to retain necessary uses of products for industry?
 - What is it that is 'not there' that needs to be done?
- Discussion on assistance with label language
 - POM members had reviewed label of new product having ag and O&T uses and commented back to EPA and company on what they suggested needed revised.
 - Need to review boiler plate language in label review manual to determine what may be changed – for language not required by regulation
 - Indicated liked knowing rationale behind suggested label fixes
 - Would like to see 'group' approach – ag products, termiticides, o&t, etc.
 - Would also like help with comment even on issues labels may have on things not required by EPA – format and layout
- Chemigation systems
 - Discussion paper related to Chemigation on OPP page <http://www.epa.gov/pesticides/regulating/labels/projects.htm> indicating intention of future PR notice which changes previous and expands intent to include residential lawns, parks, and other o&t applications.
 - Requesting comments by Feb 6
- PIRTs for 09
 - Structural PIRT – hosted by Massachusetts in summer
 - WPS Breaking Barriers PIRT
 - Container/Containment PIRTs – Georgia in May and Wisconsin in fall
- PREP for 09 – announcement mailing later in Dec.
 - Compliance Program Management – Davis April 20-24
 - Urban IPM/Public Health – Grand Rapids, Michigan May 4-8
 - Risk Communication – Davis July 13-17
 - High Visibility – Boise, ID September 21-24
 - Pest Management in the 21st Century – Davis August 10-14
- Web-based labeling
 - Continuing effort to move forward by workgroups – EPA and PPDC
 - Issue papers put on website when finalized <http://www.epa.gov/pesticides/ppdc/distr-labeling/index.html>
 - IPs address scope, content of labels, how site will function, outreach on the change, database host, lifespan of labels, enforcement, etc.
 - Website searched by some identifier for product
 - Label produced has general info and directions specific to intended use

- Initial focus on professional products – not consumer
- Reviewing some of the current systems – NPIRS, Kelly
- ASPCRO may be able to suggest selection and assist as they are asking for ‘groups’ of products to consider piloting – was thinking termiticides might work with specific uses for pre, post, foaming, etc.
- Are there concerns with web labeling from ASPCRO’s perspective that we need to raise?

ASPCRO MID-YEAR MEETING

March 10, 2009

TPSA Liaison Report

The Pesticide Stewardship Alliance (TPSA), held its 9th Annual Pesticide Stewardship Conference in Albuquerque NM February 22-24, 2009. The theme of the conference was “*Stewardship Strategies and Tools*.” One hundred and eleven conferees from 28 states and five countries participated in the meeting. Agenda topics addressed pesticide use reduction, Internet-based pesticide labeling, container/containment regulations, fumigant management, and domestic and international stewardship outreach. The range of meeting topics reflects the diverse association membership with professionals from academia, governmental agencies, and private industry and TPSA’s mission to improve pesticide stewardship efforts by increasing effectiveness and efficiency through proper labeling, judicious application, proper handling of containers and waste minimization. The agenda, photos, as well as copies of presentations from the annual meeting are available at <http://tpsalliance.org>.

In conjunction with the annual conference, the Board of Directors held their monthly meeting. Agenda items included discussion of hosting a mid-year meeting for Directors, Officers and

Committee Chairs as well as the location and focus of the 2010 conference. **The 10th Annual Pesticide Stewardship Conference will be held in Savannah, GA February 21 – 23, 2010.** In addition to its current focus areas, the Board indicated their desire to further expand its stewardship efforts in the non-agricultural arena. As such, the Board is considering the formation of a workgroup to address these issues. A survey is being considered to identify non-agricultural stewardship needs. In addition, a dedicated non-agricultural track is being considered for the 2010 Conference.

The annual Member Meeting was also held during the Annual Conference. Nominations were held for retiring Board of Directors. The 2009 Board of Directors includes: Fred Gabriel (Chair), Clean Harbors; Dr. Wayne Buhler, North Carolina State University; Rob Denny, Arrowchase, Inc.; Cary Hamilton, New Mexico Department of Agriculture; Marty Fitzpatrick, BASF; Ed Cranson, JR Simplot Company; and Nancy Fitz, EPA. In addition, for 2009, Kevin Neal, Office of the Indiana State Chemist, will serve as President. The positions of Vice-President, Secretary and Treasurer will be voted on by the Board at the March Board of Directors Meeting.

As of February 27, 2009, TPSA has 128 members including 23 organizations; sponsorship dollars total ~\$45,000.

Submitted By: Liza J. Fleeson



CTAG

Certification & Training Assessment Group — National Partnerships for Safe & Effective Pesticide Management through Education, Training & Competency Assessment

Certification and Training Assessment Group (CTAG) Board of Directors November 2008 Meeting Summary Report to ASPCRO

1. CTAG Operational Issues

Vacancies
The Board will be voting for a Vice-Chairperson and seeking nominations to fill the resulting vacancy. Nominations will also be sought for 1 SLA and 1 CES to fill two positions whose terms will expire March 31, 2009: Janet Fults (SLA OR) and Andrew Thostenson (CES ND). The Board elected to renew Sherman Takatori's (SLA ID) term for 3 years to March 31, 2012. (Per the charter, the Board has the discretion to extend the term of a member who was initially elected to serve out an existing term.)

2. EPA Updates

EPA Communication with SLAs. EPA will explore the possibility of ensuring that appropriate NASDA communiqués go to Environmental Commissioners in states in which environmental rather than agricultural departments comprise the SLA.

EPA Regulatory Change. EPA has completed a mandatory evaluation of the potential impact on small businesses and a report will be published shortly. The review by EPA, the OMB, the Small Business Administration, and small business representatives suggested changes that would provide similar protection while alleviating some burden on small businesses. EPA will be providing an update to the PPDC on the status of the proposed regulations either at the April 2009 or fall 2009 meeting.

Formula Funding. Amended formulas for PSEP and STAG funding, proposed by the respective CTAG workgroups, will be used by EPA and USDA. The PSEP formula is in place, and the STAG funding formula will be implemented in the near future. Under the new structure of the PSEP interagency agreement, there will be more accountability and consequences for unspent funds, as well as possible re-allocating such funds.

3. Accountability for PRIA Funds

USDA will collect reports for PRIA funds distributed to the PSEP and is considering how best to package them to show how the dollars are being used. USDA believes leveraged resources, such as jointly sponsored events, inter-state cooperation for training, and collaboration on manual development would be valued by funding entities.

4. 2009 North American Pesticide Applicator Certification & Safety Education Workshop Update

A contract is in place with the Charleston Place Hotel for the August 11-13, 2009 Workshop, with an optional Agricultural Tour on August 10. A planning committee has been formed and suggestions for format and topics are being collected. The committee will inquire as to interest in providing a professional development event at some point during the workshop.

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6. Direct Supervision Survey

A survey on state direct supervision requirements was sent to the state lead agencies through AAPCO-SFIREG. The information will be used to make recommendations to EPA on requirements that should be adopted at the federal level, and to develop a best practices document. Results will be presented to CTAG in January 2009.

7. National Exams and Manuals

Core. EPA staff attended regional meetings and marketed core exam and manual adoption. EPA will be flexible in working with states that want to adopt the exam and/or manual. The new director of NASDA will also market these products actively to the SLAs as a way to conserve state resources. A version of the core manual in which typographical errors have been corrected is available on the NASDA website.

Aerial. The aerial manual and exam are undergoing review by the expert committees, and NASDA aims to have it ready to print in the 2nd quarter of 2009. This should allow sufficient time for states to include it in training and testing programs in 2010.

Right-of-Way. NASDA has taken a different approach in the development of the rights-of-way materials. An expert committee was formed to identify the job duties and skills involved in right-of-way vegetation management. Another meeting is planned for the group to develop an outline of the exam and a detailed syllabus. The end result will be flexible resources that states can tailor to their own needs.

8. Recertification Training

CTAG is considering developing a document that would address quality assurance for recertification programs. Rather than providing specific recommendations or endorsing a certain type of recertification scheme, the document should provide guidance on how to implement improvements in each area for each type of recertification scheme. Three areas considered priorities by the CTAG Board are verification of attendance at recertification training, on-line training (including security, quality, and content), and content of training relevant to continued competency of certified applicators. CTAG will develop a draft document for review by other stakeholders by January 2009. This draft will be viewed as a starting point for discussions with the stakeholders.

9. Soil Fumigant Label Improvement Project (RED) / Product Stewardship

EPA is running a label improvement project as part of the re-registration eligibility decision (RED) document implementation for soil fumigants. EPA wanted to add registrant-provided training as a part of the RED for risk mitigation. The Board decided to develop a letter to EPA outlining an alternative to the proposed stewardship program.

10. Pollinators

An EPA pollinator committee seeks to ensure that the Agency is doing enough to protect pollinators from pesticides. The Board noted that existing competency standards cover non-target organisms and recommended that the committee consider conducting outreach to beekeepers in addition to applicators.

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11. Database of Subject Matter Experts

A database of subject matter experts will not be pursued as concerns were raised about maintenance and AAPSE members can use their listserv to solicit names.

12. Process to evaluate / re-evaluate trainers

CTAG has previously discussed certifying trainers to ensure they have the ability to meet the learning needs of trainees. The Board decided to incorporate trainer certification/verification into the recertification blueprint document. It will be included as a recommended best practice, but at this time the Board will not recommend setting a national standard or including requirements for trainer competency in the regulations.

13. Workgroup Report – CTAG Website

The new CTAG website is posted at CTAGinfo.org. The Board will market the new website at the 2009 C&T Workshop.

14. Centralized Personnel Directory

A centralized personnel directory of people with C&T responsibilities will not be pursued. Liaisons raised the idea with their organizations, but the continued need to maintain their own databases precludes any saving of resources.

15. PSEP Materials Web Enhancement

Washington State University hosts a Pesticide Safety Portal, which was created to serve as a resource for materials for states to post and share applicator and consumer education. A review of the website suggests that it is not kept up-to-date by all states. The Board is looking into whether and how to better maintain and market the site.

16. Establishing a National Question Items Database

The Board discussed establishing an online national question database with exam items. Because of the potential for online security breaches, the Board agreed that this idea could compromise exam security and should not be pursued further.

17. Next Steps for CTAG

While developing an accomplishment report, the Board will be considering other areas of the applicator certification and training program where standards could be developed or improved. A key area of future activity by the CTAG Board will be in developing best management practices for recertification programs. The Board will continue to emphasize cooperation and to work with partner organizations.

18. Next Meeting Dates

The next meeting dates for the CTAG Board have not been set. Board members are requested to reserve the week of June 8th 2009 for a meeting. The fall meeting is tentatively set for the week of November 16th 2009.

Subterranean Termite Protection Builder's Guarantee

OMB Approval No. 2502-0525
(exp. 02/29/2012)

This form is completed by the builder.

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. Section 24 CFR 200.926d(b)(3) requires that the sites for HUD insured structures must be free of termite hazards. This information collection requires a licensed Pest Control company to provide the builder a record of specific treatment information in those cases when if any method other than use of pressure treated lumber is used for prevention of subterranean termite infestation. When applicable, form HUD-NPMA-99-B must accompany the form HUD-NPMA-99-A. Builders, pest control companies, mortgage lenders, homebuyers, and HUD as a record of treatment for specific homes will use the information collected. The information is not considered confidential, therefore no assurance of confidentiality is provided.

This form is submitted for proposed (new) construction cases when prevention of subterranean termite infestation is specified by the builder or required by the lender, the architect, FHA or VA.

This form is to be completed by the builder. This guarantee is issued by the builder to the buyer. This guarantee is not to be considered as a waiver of, or in place of, any legal rights or remedies that the buyer may have against the builder.

FHA/VA Case No.: _____

Location of Structure(s) (Street Address, or Legal Description, City, State and Zip): _____

Buyer's Name: _____

Builder is to check and complete either box 1 or box 2.

1. ☐ Pest Control Company Applied Treatment (See HUD-NPMA 99B for treatment information)

The undersigned builder hereby certifies that a State licensed or otherwise authorized pest control company (where required by State law) was contracted to treat the property at the location referenced above to prevent subterranean termites. The builder further certifies that the contract with the pest control company required the treatment materials and methods used to be in conformance with all applicable State and Federal requirements. All work required by the contract has been completed unless noted on HUD-NPMA 99B. Where not prohibited by applicable State requirements, the buyer, for an additional fee payable to the pest control company, may extend the protection against subterranean termites. Contact the pest control company listed on the attachment for further information.

The builder hereby guarantees that, if subterranean termite infestation should occur within one year from the date of closing, the builder will ensure that a licensed or otherwise State authorized pest control company will treat as necessary to control infestations in the structure. This further treatment will be without cost to the buyer. If permitted by State law, the buyer may contract directly, at the buyer's expense, with a pest control company to inspect the property on a periodic basis and use EPA registered products to control any infestation. The builder will not be responsible for guaranteeing such contracted work. The builder further agrees to repair all damage by subterranean termites within the one-year builder's warranty period. This guarantee does not apply to additions or alterations that are made by the buyer, which affects the original structure or treatment. Examples include, but are not limited to, landscape and mulch alterations, which disturb the treated area and create new subterranean termite hazards, or interfere with the control measures. If within the guarantee period the builder questions the validity of a claim by the buyer, the claim will be investigated by an unbiased expert mutually agreeable to the buyer and builder. The report of the expert will be accepted as the basis for disposition of the case. The non-prevailing party will pay the cost of any inspections made to investigate the claim. For further information, contact your State structural pest control regulatory agency. All service must be in compliance with the International Residential Code.

Type of Service: ☐ Termite Bait System ☐ Field Applied Wood Treatment ☐ Soil Treatment ☐ Installed Physical Barrier System

2. ☐ Builder Installed Subterranean Termite Prevention using Pressure Treated Lumber

The builder certifies that subterranean termite prevention was installed using pressure treated lumber only and certifies that use of the pressure treated lumber is in compliance with applicable building codes and HUD requirements including Mortgagee Letter 2001-04. **Note: Using pressure treated sills as a sole method of termite prevention is NOT acceptable and violates the requirements of Mortgagee Letter 2001-04.**

Initial of Builder _____ Date _____

Attachments: _____

Builder's Company Name: _____ Phone No: _____

Builder's Signature: _____ Date: _____

Consumer Maintenance Advisory regarding Integrated Pest Management for Prevention of Wood Destroying Insects. Information regarding prevention of wood destroying insect infestation is helpful to any property owner interested in protecting the structure from infestation. Any structure can be attacked by wood destroying insects. Periodic maintenance should include measures to minimize possibilities of infestation in and around a structure. Factors which may lead to infestation from wood destroying insects include foam insulation at foundation, earth-wood contact, faulty grade, firewood against structure, insufficient ventilation, moisture, wood debris in crawl space, wood mulch, tree branches touching structures, landscape timbers, and wood rot. Should these or other such conditions exist, corrective measure should be taken by the owner in order to reduce the chances of infestations by wood destroying insects, and the need for treatment.

An original and one copy of this guarantee are to be prepared by the builder and sent to the lender. The lender provides one copy to the buyer at closing and includes a copy in the VA loan package or HUD insurance case binder. The builder sends one copy to the licensed pest control company which performed the treatment.

Attached is a copy of the state authorized pest control company's New Construction Subterranean Termite Service Record, HUD-NPMA-99-B.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012-31 U.S.C. 3729.3802)

Form NPMA-99-A may still be used

form HUD-NPMA-99-A (8/2008)

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New Construction Subterranean Termite Service Record

OMB Approval No. 2502-0525
(exp. 02/29/2012)

This form is completed by the licensed Pest Control Company

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Section 24 CFR 200.926d(b)(3) requires that the sites for HUD Insured structures must be free of termite hazards. This information collection requires the builder to certify that an authorized Pest Control company performed all required treatment for termites, and that the builder guarantees the treated area against infestation for one year. Builders, pest control companies, mortgage lenders, homebuyers, and HUD as a record of treatment for specific homes will use the information collected. The information is not considered confidential, therefore, no assurance of confidentiality is provided.

This report is submitted for informational purposes to the builder on proposed (new) construction cases when treatment for prevention of subterranean termite infestation is specified by the builder, architect, or required by the lender, architect, FHA, or VA.

All contracts for services are between the Pest Control company and builder, unless stated otherwise.

Section 1: General Information (Pest Control Company Information)

Company Name: _____
Company Address _____ City _____ State _____ Zip _____
Company Business License No. _____ Company Phone No. _____
FHA/VA Case No. (if any) _____

Section 2: Builder Information

Company Name _____ Phone No. _____

Section 3: Property Information

Location of Structure (s) Treated (Street Address or Legal Description, City, State and Zip) _____

Section 4: Service Information

Date(s) of Service(s) _____

Type of Construction (More than one box may be checked) ☐ Slab ☐ Basement ☐ Crawl ☐ Other _____

Check all that apply:

- ☐ A. Soil Applied Liquid Termiticide
Brand Name of Termiticide: _____ EPA Registration No. _____
Approx. Dilution (%): _____ Approx. Total Gallons Mix Applied: _____ Treatment completed on exterior: ☐ Yes ☐ No
- ☐ B. Wood Applied Liquid Termiticide
Brand Name of Termiticide: _____ EPA Registration No. _____
Approx. Dilution (%): _____ Approx. Total Gallons Mix Applied: _____
- ☐ C. Bait system Installed
Name of System _____ EPA Registration No. _____ Number of Stations Installed _____
- ☐ D. Physical Barrier System Installed
Name of System _____ Attach Installation Information (required) _____

Service Agreement Available? ☐ Yes ☐ No

Note: Some state laws require service agreements to be issued. This form does not preempt state law.

Attachments (List) _____

Comments _____

Name of Applicator(s) _____ Certification No. (if required by State law) _____

The applicator has used a product in accordance with the product label and state requirements. All materials and methods used comply with state and federal regulations.

Authorized Signature _____ Date _____

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)