

2015 STRUCTURAL PEST CONTROL BOARD ACT BOOK SUPPLEMENT

This document contains updates to the Structural Pest Control Act and its associated rules and regulations. These updates have occurred subsequent to the publication of 2015 Structural Pest Control Act Book.

CALIFORNIA CODE OF REGULATIONS, TITLE 16, DIVISION 19

§ 1960. License Renewal Fingerprint Requirement.

All licensees applying for a license renewal must submit a set of fingerprints for the purpose of conducting a criminal history record check as a condition for license renewal. Applications for license renewal will be deemed incomplete and not eligible for renewal if a set of fingerprints is not included with the application. This section applies to licensees whose license expires on or after June 30, 2016. This section does not apply to licensees who already have submitted a set of fingerprints for the purpose of conducting a criminal history record check.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 144 and 8520.1, Business and Professions Code; and Section 11105(b)(10), Penal Code.

HISTORY

1. New section filed 2-29-2016; operative 2-29-2016 pursuant to Government Code section 11343.4(b)(3) (Register 2016, No. 10).

This database is current through 9/30/16 Register 2016, No. 40
16 CCR § 1960, 16 CA ADC § 1960

§ 1970.4. Pesticide Disclosure Requirement.

(a) The primary contractor for fumigation shall have in his or her possession and shall provide to any subcontractor for fumigation a form (See Form 43M-48 (Rev. 5/07) at the end of this section) signed by the occupants or designated agent of a structure. The primary contractor for fumigation and the subcontractor for fumigation shall retain a copy of the occupants fumigation notice for a period of at least three years. In case of multiple-family dwellings, the owner, manager or designated agent of the building may obtain signatures and/or verify the notification of the occupants.

The form shall state the name of the pest to be controlled, the pesticide(s)/fumigant(s) proposed to be used, the active ingredient(s) and the health cautionary statement as required under section 8538 of the code. The form shall also state that a lethal gas (poison) will be used in the building on indicated dates and that it is unsafe to return to the building until a certification notice for reentry is posted by the licensed fumigator. The form shall also indicate that the occupant has received the prime contractor's information regarding the procedures for leaving the structure.

The properly signed form or a copy, written or electronic, thereof shall be in the possession of the licensed fumigator when the fumigant is released. Such form shall be attached to and become a permanent part of the fumigation log upon completion of the fumigation.

(b) Any death or serious injury relating to pesticide application or use, whether to a worker or member of the public, shall be reported to the nearest Structural Pest Control Board office immediately.

(c) Whenever a licensee employed by a branch 2 or branch 3 registered company applies a pesticide within, around or to any structure such person shall leave in a conspicuous location a written notice identifying the common, generic or chemical name of each pesticide applied. In case of a multiple family structure, such notice may be given to the designated agent or the owner. Such pesticide identification notice may be a door hanger, invoice, billing statement or other similar written document which contains the registered company's name, address, and telephone number.

(d) All pest control operators, field representatives, applicators and employees in all branches shall comply in every respect with the requirements of section 8538 of the code. Failure to comply with section 8538 of the code is a misdemeanor and shall constitute grounds for discipline.

(e) Where notification is required under section 8538 of the code, and the premises on which the work is to be performed is a multiple family dwelling consisting of more than 4 units, the owner/owner's agent shall receive notification and other notices shall be posted in heavily frequented, highly visible areas including, but not limited to, all mailboxes, manager's apartment, in all laundry rooms, and community rooms on all external pest control servicing. Complexes with fewer than 5 units will have each affected unit notified. Any pest control servicing done within a tenant's apartment requires that the tenant be notified according to section 8538 of the code.

(f) A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8505.7, 8505.13 and 8538, Business and Professions Code.

HISTORY

1. New section filed 5-19-78; effective thirtieth day thereafter (Register 78, No. 20).
 2. Amendment filed 5-8-80; effective thirtieth day thereafter (Register 80, No. 19).
 3. Amendment of subsection (a) filed 6-3-81; effective thirtieth day thereafter (Register 81, No. 23).
 4. Relettering of former subsection (d) to (e) and new subsection (d) filed 6-17-85; effective thirtieth day thereafter (Register 85, No. 25).
 5. Relettering of former subsection (e) to (f) and new subsection (e) filed 11-10-86; effective thirtieth day thereafter (Register 86, No. 46).
 6. Amendment filed 3-23-87; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 87, No. 13).
 7. Amendment of subsections (a), (d) and (e) filed 4-12-90; operative 5-12-90 (Register 90, No. 17).
 8. Amendment of subsections (a), (c) and Note filed 3-6-95; operative 4-5-95 (Register 95, No. 10).
 9. Amendment of subsections (a), (c) and (d), amendment of Note, and new form 43M-48 filed 4-28-98; operative 5-28-98 (Register 98, No. 18).
 10. Change without regulatory effect amending subsections (c) and (f) filed 3-26-2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 13).
 11. Amendment of subsection (a) and repealer and new form 43M-48 filed 12-30-2005; operative 1-29-2006 (Register 2005, No. 52).
 12. Amendment of subsection (a) and repealer and new Form 43M-48 filed 4-29-2008; operative 5-29-2008 (Register 2008, No. 18).
 13. Amendment of subsection (a) filed 3-22-2016; operative 7-1-2016 (Register 2016, No. 13).
- This database is current through 9/30/16 Register 2016, No. 40
16 CCR § 1970.4, 16 CA ADC § 1970.4