

## STRUCTURAL PEST CONTROL BOARD

### ORDER OF ADOPTION

(1) Amend section 1993.2 of Title 16, Division 19, California Code of Regulations to read as follows:

#### **§ 1993.2. Termite Bait Station.**

(a) For the purposes of this section ~~and section 1993.3~~, "termite bait station" shall include:

(1) an "above-ground bait station," which shall mean any device containing pesticide bait used for the eradication of ~~wood-destroying pests~~ termites that is attached to the structure, or

(2) an "in-ground bait station," which shall mean any device containing pesticide bait used for the eradication of termites that is placed in the ground. ~~a material to attract and or monitor wood destroying pests, or containing a pesticide bait to eradicate wood destroying pests, that is placed in the ground.~~

~~(3) an "in-ground termite monitoring system" is a device placed in the ground to determine the presence or absence of subterranean termites through scheduled periodic inspections.~~

(b) Prior to the installation of any a termite bait system station, a full or limited inspection of the structure shall be made.

(c) Use of a termite bait station shall be considered a control service agreement as defined by section 8516 of the code.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8514 and 8516, Business and Professions Code.

**(2) Repeal section 1993.3 of Title 16, Division 19, California Code of Regulations to read as follows:**

**~~§ 1993.3. In-Ground Termite Bait Stations.~~**

~~Use of in-ground termite monitoring and/or baiting systems shall be considered a control service agreement as defined by section 8516 of the code.~~

~~Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8516, Business and Professions Code.~~

**(3) Add section 1993.4 to Title 16, Division 19, California Code of Regulations to read as follows:**

**§ 1993.4 Termite Monitoring Device.**

(a) A "termite monitoring device" is defined as a device that:

(1) Solely provides an indication of the possible presence or absence of termites.

(2) Does not provide for positive identification of an infestation.

(3) Does not eliminate the need for an inspection conducted by a Branch 3 Operator or Field Representative prior to any treatment or work being performed.

(4) Does not contain any pesticides.

(5) Does not provide any control measures.

(b) Installation of any termite monitoring device must be performed by a registered Branch 3 company.

(c) Prior to installation of any termite monitoring device(s), the following disclosure language shall be provided in writing to the property owner or the property owner's designated agent:

"Termite monitoring devices are intended to solely provide an indication of the possible presence or absence of termites in the areas where such devices are installed. Termite monitoring devices do not replace the requirement for a termite inspection to be performed by a licensed termite inspector prior to the commencement of any treatment or work being performed. If the termite monitoring device indicates the possible presence of termites, you should consider having an inspection performed. You have the right to choose any registered company licensed to perform these services."

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8514 and 8516, Business and Professions Code.

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Signature

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Date