

## AVAILABILITY OF MODIFIED TEXT

NOTICE IS HEREBY GIVEN that the Structural Pest Control Board has proposed modifications to the text of California Code of Regulations, Title 16, Division 19, sections 1993.2, 1993.3, and 1993.4 which were the subject of a regulatory hearing on October 13, 2016. Any person who wishes to comment on the modifications may do so by submitting written comments on or before May 4, 2017. The Board can only accept comments pertaining to the modifications shown herein.

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Materials regarding this proposal can be found at [www.pestboard.ca.gov](http://www.pestboard.ca.gov)

April 19, 2017



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David Skelton, Administrative Analyst

**TERMITE STATIONS  
KEY**

- Single Underline..... Denotes text being added in the originally proposed language
- ~~Strikethrough~~..... Denotes text being removed in the originally proposed language
- Double Underline..... Denotes text being added in the 15 Day Notice of Modified Text
- ~~Double Strikethrough~~..... Denotes text being removed in the 15 Day Notice of Modified Text

## TITLE 16. STRUCTURAL PEST CONTROL BOARD

### TERMITE STATIONS

#### MODIFIED PROPOSED LANGUAGE

Amend section 1993.2, repeal section 1993.3, and add section 1993.4 of Title 16, Division 19, of the 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. ~~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~~ a termite baiting bait system station, a full or limited inspection of the structure shall be made.
- (c) Use of a termite baiting bait systems 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: Section 8514 and 8516, Business and Professions Code.

**~~§ 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.~~

#### **§ 1993.4 Termite Monitoring Devices**

(a) A "Termite monitoring devices" are is defined as a devices 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. ~~contains no pesticides and~~

(5) Does not provide any control measures. ~~do not provide any control measures. They solely provide an indication of the possible presence or absence of termites. Termite monitoring devices do not provide for positive identification, nor does a positive indication on such device eliminate the need for an inspection conducted by a Branch 3 Operator or Field Representative prior to any treatment or work being performed.~~

(b) Installation of any termite monitoring device(s) 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 ~~by either written or electronic means:~~

"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 ~~by (company name)~~. You have the right to choose any registered company licensed to perform these services."

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