



Structural Pest Control Bulletin

Steve Troxler, Commissioner

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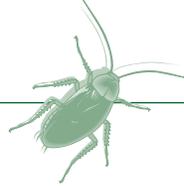
SPCD INSPECTOR CONNER NAMED EMPLOYEE OF THE MONTH

Rutherfordton native Larry Conner was named the N.C. Department of Agriculture and Consumer Services' January Employee of the Month. Agriculture Commissioner Steve Troxler presented Conner with a plaque and gift basket at a recent meeting in Raleigh.

Conner, an inspector for the Structural Pest Control Division, was recognized for his work in the identification and suppression of the Formosan termite colonies in Rutherford County. Formosan termites are not native to North Carolina, and are significantly more aggressive and destructive than native subterranean termites, posing an added threat to homes. It was important to identify and treat the termites quickly to stop their spread, Troxler said.

Conner helped coordinate an area survey to locate infestations, installed and read traps, and monitored more than 350 bait traps, in addition to his regular duties inspecting pest control companies and responding to consumer complaints. Division Director Carl Falco estimates that effort potentially saved thousands of dollars in damage to trees and structures in the area.

Conner and his wife, Tammy, have three children, Morgan, 10, Emmi, 7, and Joseph, 5. He enjoys hunting, fishing and coaching his children's ball teams. He is a member of Adaville Baptist Church in Spindale. As a recipient of the Employee of the Month award, Connor will be considered for the department's 2005 Employee of the Year award.



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COMING EVENTS



APRIL 2005

April 7, 2005 9:30 AM
Licensee/Certified Applicator Exam
McKimmon Center
Corner of Gorman & Western Blvd.
Raleigh, N.C.
919-733-6100

April 13, 2005 8:30 AM
Registered Technician School
Cabarrus County Extension Center
715 Cabarrus Ave. West
Concord, N.C.
919-733-6100

April 20, 2005 1:00 PM
Certified Applicator Exam
Forsyth County Extension Center
1450 Fairchild Drive
Winston-Salem, N.C.
919-733-6100

April 27, 2005 8:30 AM
Registered Technician School
NCDA&CS Building Room 359
2 West Edenton St.
Raleigh, N.C.
919-733-6100

MAY 2005

May 3, 2005 9:30 AM
Licensee/Certified Applicator Exam
McKimmon Center
Corner of Gorman & Western Blvd.
Raleigh, N.C.
919-733-6100

May 10, 2005 8:30 AM
Registered Technician School
Burke County Agricultural Building
130 Ammons Drive
Morganton, N.C.
919-733-6100

May 25, 2005 8:30 AM
Registered Technician School
NCDA&CS Building Room 359
2 West Edenton St.
Raleigh, N.C.
919-733-6100

May 26, 2005 1:00 PM
Certified Applicator Exam
Gaston Citizens Resource Center
1303 Dallas/Cherryville Hwy.
Dallas, N.C.
919-733-6100

JUNE 2005

June 2, 2005 1:00 PM
Certified Applicator Exam
Senator Bob Martin Eastern N.C. Ag.
Center
2900 N.C. Hwy. 125 South
Williamston, N.C.
919-733-6100

June 7, 2005 8:30 AM
Registered Technician School
New Hanover County Ext. Center
6206 Oleander Dr.
Wilmington, N.C.
919-733-6100

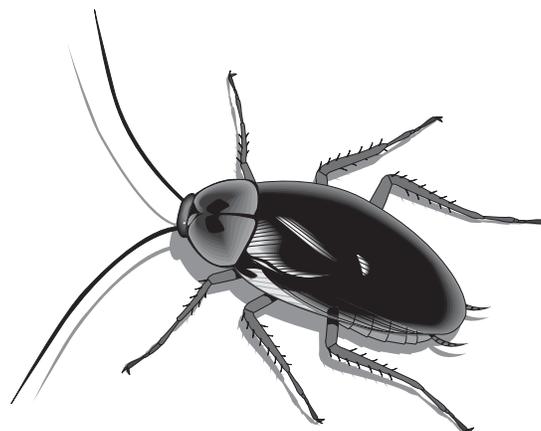
June 15, 2005 9:30 AM
License/Certified Applicator Exam
McKimmon Center
Corner of Gorman & Western Blvd.
Raleigh, N.C.
919-733-6100

June 29, 2005 8:30 AM
Registered Technician School
NCDA&CS Building Room 359
2 West Edenton St.
Raleigh, N.C.
919-733-6100

APRIL						
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MAY						
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29	30	31				

JUNE						
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CODE OFFICIALS USE THE NEW CONSTRUCTION TERMITE TREATMENT RECORD

Although the North Carolina residential building code has required pre-construction termite treatment of all new residential construction for years, Code Officials have not been active in ensuring treatments were done correctly. The main reason for this is that they had no way to verify whether or not the pretreat had been completed. Rules adopted by the Structural Pest Control Committee have changed that.

Structural pest control rules now require the ***New Construction Termite Treatment Record*** be posted on every pre-construction treatment site. The form must be placed in the permit box or, if no permit box is present, on the job site with the building permit. In addition, the rules require a completion sticker on or in the structure when the treatment is completed. For the first time Code Officials have a clear way to determine if the treatment has been performed. And they are taking advantage of it.

It was recently reported to the SPCD that in Durham County and City, Code Officials will no longer issue the Certificate of Occupancy without documented proof that the pretreat is complete. Structural Pest Control Inspector Jeff Weidhaas recently met with the chief code official in Durham to assist with this effort. Several other jurisdictions have implemented similar procedures in recent months and years.

Perhaps the most significant benefit to the involvement of the Code Officials is that builders must now ensure that the pretreat is completed before the Certificate of Occupancy can be obtained. This could eliminate one of the most common PCO complaints to the Division: Builders rarely call for the final treatment when homes are completed.

Division personnel are available to speak to interested builders, code officials and others to educate them about the importance of pre-construction termite treatments. Contact Victor Lennon to arrange a meeting.

SOME TERMITICIDE LABELS REQUIRE DRILLING ON PRETREATMENTS

Upon reviewing termiticide labels, the Division's inspectors have recently found several termiticide labels that require drilling and treating of foundation elements for preconstruction termite treatments. An example of this label language was found under the **PRECONSTRUCTION SUBTERRANEAN TERMITE TREATMENT** section and reads as follows:

“DO NOT APPLY AT A LOWER DOSAGE AND/OR CONCENTRATION THAN SPECIFIED ON THIS LABEL FOR APPLICATIONS PRIOR TO THE INSTALLATION OF THE FINISHED GRADE.

After grading is completed and prior to pouring of the slab, slab-supported or constructed porches, and other critical areas, make the following treatments:

HOLLOW MASONRY UNITS OF THE FOUNDATION: Drill and treat voids in the multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated.”

The Division is currently not enforcing this label language in regards to drilling & treating foundation element voids while performing termite pretreatments. The Registrants (of the termiticides in question) have been given an opportunity to correct this label language. If the Registrants do not change this language in a timely manner, then the Division will have to begin enforcement of this requirement. All PCO's will be notified by the Division if and when this occurs. Please contact your area Inspector or Field Supervisor if you have any questions.

The committee received an update on BoraCare Termiticide/Insecticide from Ron Schwalb of Nisus Corp. The termiticide, the only borate product registered for use as a pretreatment on new construction in the state, was approved five years ago. The committee approved a new label for the product that instructs pest control operators to use it on the inside of the entire foundation of crawlspace homes and on the slab adjacent to all walls on slab homes. The label previously required treatment of wood members in contact with and 2 feet from masonry. Treatments performed under the new label will be marginally more expensive to builders and homeowners but could provide significant improvement in termite prevention.

BASF received approval for label changes on Termidor EP/LIT. With this approval, Termidor becomes the first termiticide for which the label allows less than a complete treatment. The N.C. Department of Agriculture and Consumer Services' Structural Pest Control Division, which is responsible for licensing and oversight of the pest control industry, expressed concerns about the limited treatment requirements of the new label. However, the committee found the data satisfied the requirements of N.C. structural pest control rules and therefore approval had to be granted.

"Property owners will have to be more conscientious in reviewing termite treatment proposals," said Structural Pest Control Division Director Carl Falco. "The research presented at the meeting showed that limited applications could work. However, partial treatments using other termiticides are not likely to be successful. Property owners must pay attention to the product the pest control operator intends to use. Minimum requirements in N.C. rules will not change, so homeowners will have to consent to partial treatments in writing."

The committee also approved a request from DowAgrosciences to change the label language on three termiticide baits: Recruit III, Recruit IV and T-Max. The change involves lengthening the time interval between bait station monitoring activities from monthly to bimonthly or quarterly.

The committee also approved the following 16 settlement agreements with structural pest control operators:

1. David M. Groves of Terminix Co. of North Carolina in Wilmington denied wrongdoing, but agreed to pay \$1,000 and provide training for employees on how to properly recognize, prevent and treat wood-decaying fungi and wood-boring beetles. A technician working under his license was found to have improperly treated a Hampstead residence for wood-destroying insects.

2. In the same case, James Alexander of Terminix Co. of N.C. in Wilmington agreed to pay \$400 for improperly treating a home for a wood-decaying fungus. An inspection by the N.C. Department of Agriculture and Consumer Services found no evidence of fungus in the home, but did find that the technician had not applied the fungicide properly or provide the homeowner with the proper information as required by law. In addition, the NCDA&CS inspector found that a baiting system installed at a second Hampstead structure was not properly maintained.

3. Preston Sandlin, owner of Termite Specialists in Charlotte, agreed to pay \$400 for not adequately supervising a registered technician working under his license.

4. In the same case, William Magee agreed to have his registered technician card revoked for 24 months and not perform any structural pest control activities during that time. Magee issued a wood-destroying insect report to a homeowner that stated there was no visible evidence of an infestation from wood-destroying insects. An NCDA&CS inspector found active termites and termite damage in the crawlspace, and debris and other factors conducive to structural pests that were not mentioned on the report. The homeowner's invoice was not on Termite Specialists' letterhead, but on Magee's private business letterhead.

5. Michael J. Tate of A+ Termite and Pest Control Inc. in Mooresville agreed to pay \$400 for not properly supervising a registered technician working under his license.

6. In the same case, Larry Ammons agreed to pay \$600 for issuing an inaccurate WDIR for a residence in Huntersville. On the report, Ammons stated there was no visible evidence of wood-destroying insects. This contradicted a report done eight years earlier by Ammons at the same house. An NCDA&CS inspector found significant termite presence and damage.

7. David Mark Baker of Baker's Bug Business Co. in Fair Bluff agreed to pay \$1,000 for operating from April 2 to June 28 without liability insurance as required by law. In that time period, Baker serviced 90 pest control accounts, including public school cafeterias, government buildings and apartment complexes.

8. Christopher T. Flanagan of Jim Jamison Pest Control in Hamptonville agreed to pay \$400 for continuing to perform structural pest control jobs when his insurance lapsed from April 2 to 21. During that time, he performed 10 pest control jobs.

9. Tom Hardin, owner of Hardin Services Pest Control in Rock Hill, S.C. agreed to pay \$2,000 for performing structural pest control duties without a N.C. Structural Pest Control License.

10. Michael Howard, owner of B & G Exterminating Co. in Winston-Salem, agreed to pay \$400 for improper installation and maintenance of a residential Sentricon bait system. Howard also agreed to reimburse the homeowner \$400, a partial refund of the cost of the treatment.

11. James C. Kerley, of Dodson Brothers Exterminating Co. in Charlotte, agreed to pay \$400 for failure to properly supervise the activities of an employee working under his license. A WDIR was issued from an employee that failed to indicate the presence of inactive termites throughout the structure and the presence of cellulose debris in the crawlspace.

12. Leon Black Jr., owner of Touch Stone Exterminating and Pest Control in Zebulon, agreed to pay \$400 for failing to correct violations at a residence after three warnings.

13. Mark Brown, owner of Hendersonville Pest Control Inc. in Hendersonville, agreed to pay \$400 for continuing to perform structural pest control activities without a valid license between June 30 and July 23. During that time period, he performed a total of 241 jobs.

14. David D. Purcell, owner of Douglas Pest Control Inc. in Forest City, agreed to pay \$600 for continuing to perform structural pest control activities without a valid license between July 1 and Aug. 31. Purcell serviced 16 accounts during the time his license had lapsed.

15. Bo A. Gilliam, owner of Triad Pest Control Inc. in Winston-Salem, agreed to have his "W" Phase license restricted for one year. No residential or commercial pre-construction termite treatments will be performed by Triad Pest Control Inc. during that time. This restriction was suspended on the condition that Triad Pest Control not commit any serious violations of North Carolina rules or Structural Pest Control law. A Triad employee was found to have improperly applied a pretreatment at Harmony Elementary School in Statesville.

The violation also voids a previous suspended civil money penalty. Gilliam is ordered to pay the \$4,000 suspended sentence, plus a \$1,000 additional fine. He also agreed to send each employee involved in termite pre-treatment to the N.C. State University wood-destroying insect technician school.

16. John W. Adkins II, owner of Four Seasons Pest Control in Thomasville, agreed to pay \$800 for continuing to provide structural pest control services without a valid license. His license expired on June 30 and was not renewed until Aug. 31. In that time, a total of 413 jobs were performed under his license.

STRUCTURAL PEST CONTROL COMMITTEE MEMBERS

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Winston Salem, NC 27103

Mr. Phillip G. Clegg

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Ms. Patricia A. Wylie

NC Dept. of Health & Human Services
Division of Public Health
1912 Mail Service Center
Raleigh NC 27699-1912

NPMA-33 HAS NOT REPLACED THE WDIR-100 IN N.C.

In recent months the Division has received numerous inquiries from Pest Control Companies, Mortgage Institutions and Real Estate Agencies regarding the National Pest Management Association's Wood Destroying Insect form-NPMA-33. This form has been approved to replace the NPCA-1 form in several states but it has **not** replaced the WDIR-100 in North Carolina. Under 2(c) of the Veterans Benefits Administration Circular 26-04-13 regarding the NPMA-33 it says "In States which require the use of a State inspection form in all transactions, the State form is acceptable for VA loan guaranty purposes".

Also, SPCD Division Director Carl Falco recently released the following memorandum regarding this matter:



Britt Cobb
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Structural Pest Control Division

Carl E. Falco
Director

MEMORANDUM

To: Licensees, Mortgage Lenders, Real Estate Brokers, and Homebuyers
From: Carl E. Falco
Date: January 6, 2005
Subject: Wood-Destroying Insect Information Reports

Recently the National Pest Management Association negotiated with the U.S. Department of Housing and Urban Development to publish a new wood-destroying insect report, the NPMA-33. While this form has been approved to replace the NPCA-1 in many states, North Carolina rules do not permit its use.

2 NCAC 34 .0602(a) states:

(a) Any written statement as to the presence or absence of wood-destroying insects or organisms or their damage in buildings or structures for sale shall be on the WDIR 100. An incomplete or inaccurate Wood-Destroying Insect Information Report shall not be acceptable and the issuance of such a report is grounds for disciplinary action by the Committee. No Wood-Destroying Insect Information Report or Wood-Destroying Organism Report shall be issued before an inspection of the building or structure is made. Each Wood-Destroying Insect Information Report issued by a licensee shall be kept in the files of said licensee and made available for inspection upon request of the Division.

The North Carolina *Wood-Destroying Insect Information Report*, Form WDIR100, is the only form permitted for this use.

Individuals having questions concerning this or other structural pest control regulatory issues should contact this office.

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TERMITICIDES LISTED WITH STRUCTURAL PEST CONTROL COMMITTEE

Registrant	Termiticide	Use
FMC Corporation	Biflex TC Termiticide/Insecticide	Sole Source
	Dragnet FT Termiticide/Insecticide	Sole Source
	Dragnet SFR Termiticide/Insecticide	Sole Source
	Prevail FT Termiticide	Sole Source
	Prevail TC Termiticide/Insecticide	Sole Source
	Prevail Pre-Treat Termiticide	Sole Source
	TalstarOne Termiticide/Insecticide	Sole Source
	FirstLine Termite Bait Station	Supplemental
	FirstLine GT Termite Bait Station	Supplemental
Syngenta	FirstLine GT Plus Termite Bait Station	Sole Source
	Demon TC Insecticide	Sole Source
	Prelude Insecticide/Termiticide	Sole Source
	Impasse	Physical Barrier
Nisus	Bora-Care Termiticide, Insecticide, Fungicide	Sole Source
Dow AgroSciences	Dursban TC	Sole Source
	Equity	Sole Source
	Sentricon Termite Colony Elimination System	Sole Source
	Dursban 75 WG	Sole Source
Bayer	Premise 75	Sole Source
	Premise 0.5 SC	Sole Source
	Premise Gel (Portable Termite Solutions)	Supplemental
	Outpost TBR (Total Bait Response)	Sole Source
AgrEvo Environmental Health	Tribute Termiticide/Insecticide	Sole Source
Cheminova	Cyren TC	Sole Source
Ensystem, Inc.	EXTERRA Termite Interception and Baiting System	Sole Source
U.S. Borax	TIM-BOR Professional	Sole Source
Micro Flo Company	Permethrin Pro-Termiticide	Sole Source
	Chlorpyrifos Pro Termite Concentrate	Sole Source
Speckoz, Inc.	Permethrin TC	Sole Source
Termarid, LLC	Term-A-Rid 613 wood stakes	Supplemental
	Term-A-Rid 613 treated mulch	Supplemental
Drexel Chemical Company	Drexel Navigator 4 TC	Sole Source
Gharda USA, Inc.	Navigator 4 TC	Sole Source
SureCo, Inc.	All Pro Termiticide	Sole Source
BASF	Termidor 80 WG	Sole Source
	Termidor SC	Sole Source
	Phantom Termiticide/Insecticide	Sole Source
	Subterfuge Termite Bait	Sole Source
EcoScience	Bio-Blast Biological Termiticide	Supplemental
LG Chemical America, Inc.	Permaster 380 Permethrin Termiticide/Insecticide	Sole Source
United Phosphorus, Inc.	Tengard SFR Termiticide	Sole Source
Univar	Masterline Termiticide T/C	Sole Source
ACG	Termiticide T/C	Sole Source
Control Solutions, Inc.	Cyper TC	Sole Source
	Martin's Permethrin SFR Insecticide	Sole Source
	Surrender Chlorpyrifos TC	Sole Source
	Bifen I/T Insecticide/Termiticide	Sole Source
Whitmire Micro-Gen	Whitmire Micro-Gen TC 223	Sole Source

Note: This list is published to fulfill the requirements of 2 NCAC 34 .0502 No endorsement or approval of any product is made or intended.

REGISTERED TECHNICIAN REMINDERS

When you notify the Division of an employee termination, please make sure that you include the following information: Employee's name, Effective termination date and the name of the Licensee that the Registered Technician held their card under. Also, when filling out a Registered Technician School application please make sure that you include your physical address along with your P.O. Box-our office needs your physical address for UPS shipping purposes. A final reminder-please do **not** staple checks or money orders to any forms when you send these to our Division headquarters.

HOME INSPECTIONS AND WDIRS

During the course of investigating homeowner complaints regarding the issuance of wood-destroying insect information reports, the Division has found that quite a few home inspection companies are addressing the issue of wood-destroying insects in their reports. As most of you are aware, a license is required to perform structural pest control. As defined by the Structural Pest Control Law:

§ 106-65.24. Definitions.
As used in this Article:

(23)“Structural pest control” means the control of wood-destroying organisms or household pests including the **identification of infestations** or infections, **the making of inspections**...

Many Home Inspectors even have a section in their reports for wood-boring insects. Even though they suggest that a licensed pest Control Operator be contacted, they are already in violation of 02 NCAC 34.0602(a), which states in pertinent part:

“Any written statement as to the presence or absence of wood-destroying insects or organisms or their damage in buildings or structures for sale shall be on the WDIR 100”.

We have also encountered some problems with licensed Pest Control Operators who also perform home inspections and/ or are licensed builders. They are in violation by consolidating all the information from their inspection, including wood-destroying insect information, into the home inspection report, instead of issuing a separate WDIR form 100.

We are currently in the process of notifying the Home Inspectors Licensure Board of our findings. If you experience problems of this nature, please contact Rick Reid and Ramon Ortiz at the Division . They can be reached at 919-733-6100, or you may e-mail them at rick.reid@ncmail.net or ramon.ortiz@ncmail.net.

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