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Structural Pest Control Bulletin

FRIENDLY REMINDERS

RT SCHOOL

- Register at least **10 business days** prior to class
- Submit completed application for enrollment with a check or money order for \$25 when registering
- Do **NOT** combine other fees in payment for RT Schools
- Make sure workbook has been completed and signed by supervisor and brought to RT class
- **Once you have completed the RT School**, an additional fee of \$25.00 is required to get the RT card. This fee should be submitted with the application for the Registered Technician card

EXAM

- Pre-register **at least 10 business days prior** to the exam
- Do not submit any money with the pre-registration form
- All money (**No Cash**) will be collected on the day of the exam at the exam site
- Money must be in the form of a check or money order (**No Cash**)
- All grades will be mailed out in 10 working days. Do **NOT** call for exam grades

RECERTIFICATION REQUIREMENTS

- Recertification in any one phase: **10 CCU's** total, five of which must be solely applicable to the phase in which recertification is desired.
- Recertification in any two phases: **15 CCU's total**, five of which must be solely applicable to the first phase and five solely applicable to the second phase in which recertification is desired.
- Recertification in all three phases: **20 CCU's total**, five of which must be solely applicable to the first phase, five solely applicable to the second phase, and five solely applicable to the third phase in which recertification is desired.
- Licensees and noncommercial certified applicators must earn at least one of the required CCU's in at least four years of the five-year recertification period.
- Commercial certified applicators must earn at least one of the required CCU's in at least three years of the five-year recertification period.
- CCU's **MAY NOT** be carried forward beyond the five-year recertification period.
- Licensees holding an inactive license are subject to the same requirements as for recertification above.

2010 60th ANNUAL NCPA PCT SCHOOL-HELPFUL HINTS

The 60th Annual Pest Control Technician's School will be held January 18-21, 2010 at the Hilton North Raleigh. A variety of recertification training opportunities will be available at this year's school. As always, the Division's staff will be on hand to help you determine your recertification status. You may determine your status beforehand by utilizing our web site. Visit our web site at <http://www.agr.state.nc.us/SPCAP/structural/index.htm> and click on License & Certification. You may first want to click on Recertification Requirements to find out how many credits and years attendance are required during your five-year recertification period. To check your transcript you should then click on Recertification Transcripts, enter your name and click on Find Record. You then click on your name, click on search, and finally click on your file number. The transcript page will show your name/company information, recertification dates, and the credits you have obtained.

When you register for the PCT School it is imperative that your License Type (Ltype) , File Number (Fnum) is accurate. When the scanning system is utilized at the PCT School, your License Type, File Number is embedded in the barcode. The barcode links your classes taken with your Social Security Number and allows you

to receive CCU's. In years past we have discovered that some people did not receive proper credit because their social security number was incorrect. If the License Type, File number used at the PCT School does not match the one we have on file then you may not receive proper credit.

The Certification Exams given by the Division at the PCT School begin at 7:30 AM on Thursday, January 21nd. All exam participants must send a completed exam pre-registration form to the Division by January 5, 2010. As always, applicants who have not attended/completed the Registered Technician School Training will not be permitted to sit for the certification exams. The registration and fees for the exams are in addition to any registration/fees for the PCT School. There is a \$10.00 fee fore each phase exam (P,W, or F) and no charge for the core exam. Please be prepared to pay with a check or money order only. The exam fees will be collected the morning of the exams and the exam location is Salon F-G at the Hilton. You may contact the Division at (919) 733-6100 if you have any questions about these exams. If you have any questions about the PCT School, you can visit the North Carolina Pest Control Association's web site at <http://www.ncpestmanagement.org/> or call them at 800-547-6071.



RALEIGH LICENSE EXAM LOCATION

The monthly license/certification exams are administered at the Gov. James B. Martin Building which is located at the N.C. State Fairgrounds. The physical address for the fairgrounds is 1025 Blue Ridge Road, Raleigh, N.C. The most convenient entrance to find this building is located off of Trinity Road through Gate 9. From Blue Ridge Road, turn onto Trinity Road and Gate 9 will be your first entrance to the fairgrounds on your left. After Entering Gate 9, the Gov. James B. Martin Building will be the first building on your right.

RT Schools, Exam Dates and Locations



OCTOBER

October 29, 2009 8:30 AM
RT School
Forsyth County
Cooeprative Extension Center
1450 Fairchild Rd
Winston-Salem, NC 27105
(336)703-2850
Directions (919) 733-6100 Information

NOVEMBER

November 3, 2009 9:30AM
License and Certification Exam
Gov. James G. Martin Bldg.-N.C. State
Fairgrounds
1025 Blue Ridge Road
Raleigh, N.C.
(919) 733-6100 Information

November 12, 2009 8:30 AM
RT School
The L. Y. Ballentine Building
2109 Blue Ridge Road
Raleigh, NC 27607
(919) 733-6100 Information
Parking at the Balletine Building

November 17, 2009 10:00 AM
Certification Exam
Burke County
Cooperative Extension Center
130 Ammons Drive Suite 2
Morganton, NC 28655
(828) 439-4460 Phone for Directions

November 18, 2009 8:30 AM
RT School
Cabarrus County
Cooperotive Extension Center
715 Cabarrus Ave-West
Concord, NC 28027
(704) 920-3310
Directions (919) 733-6100 Information

DECEMBER

December 8, 2009 9:30AM
License and Certification Exam
Gov. James G. Martin Building
N.C. State Fairgrounds
1025 Blue Ridge Road
Raleigh, N.C.
(919) 733-6100 Information

December 10, 2009 8:30 AM
RT School
The L. Y. Ballentine Building
2109 Blue Ridge Road
Raleigh, NC 27607
(919) 733-6100 Information
Parking at the Balletine Building

December 15, 2009 1:00PM
Certification Exam
(NCSU Pesticide School)
Wake County Commons Building
4001-E Carya Drive
Raleigh, NC
(919) 733-6100 Information

JANUARY

January 12, 2010 8:30 AM
RT School
Cabarrus County
Cooperative Extension Center
715 Cabarrus Ave-West
Concord, NC 28027
(704) 920-3310 Directions
(919) 733-6100 Information

January 13, 2010 8:30AM
RT School
The L. Y. Ballentine Building
2109 Blue Ridge Road
Raleigh, NC 27607
(919) 733-6100 Information
Parking at the Balletine Building

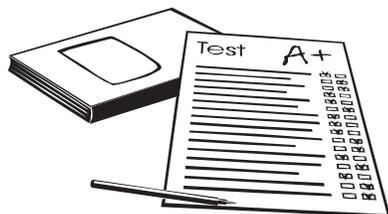
January 21, 2009 7:30 AM
CERTIFICATION EXAMS ONLY
PCT School-Hilton North Raleigh
3415 Wake Forest Road
Raleigh, N.C.

FEBRUARY

February 10, 2010 8:30AM
RT School
The L. Y. Ballentine Building
2109 Blue Ridge Road
Raleigh, NC 27607
(919) 733-6100 Information
Parking at the Balletine Building

February 18, 2010 8:30 AM
RT School
Forsyth County
Cooperative Extension Center
1450 Fairchild Rd
Winston-Salem, NC 27105
(336)703-2850 Directions
(919) 733-6100 Information

Check our web-site for updates:
<http://www.agr.state.nc.us/SPCAP/index.htm>



REQUIRING BOOSTER TREATMENTS CAN BE A VIOLATION

The Division has recently received a number of complaints from homeowners who have received written notice from their pest control company that a termite “booster treatment” would have to be performed on their property. The notices stated that the new treatment was required for the PCO’s property damage warranty to remain in effect. The PCO’s notice stated that the booster treatment would be provided when the property owner agreed to pay a fee in addition to the annual renewal fee. If the property owner opted not to pay for this additional treatment, then the PCO’s warranty would provide coverage only for re-treatment. The PCO’s notice explained that the booster treatment was needed because the termiticide used during the original treatment of the home broke down and become ineffective after about five years.

Please note that 02 North Carolina Administrative Code (NCAC) 34 .0101(a) (1) states: “All licensed structural pest control operators shall faithfully and honestly carry out the provisions and terms of all contracts into which they enter for the control of structural pests.”

Requiring a booster treatment for an additional fee as a condition to continuing an existing warranty is a unilateral change to an existing contract between a PCO and its customer. Any such change which diminishes a customer’s rights and/or protections from warranties violates 02 NCAC 34 .0101. There are two conditions in which such a change would be lawful:

1) if the written agreement with the property owner contains specific language with regards to this new additional treatment;

2) if the property owner agrees to change the existing contract and receives something additional of value (consideration) for his agreement to pay an additional fee for the new “booster” treatment.

Examples, for the first condition:

The written agreement states that a booster treatment for an additional fee will be required after a specified number of years.

The written agreement states that a booster treatment for an additional fee will be required at such time that research shows that the termiticide used can no longer be expected to provide protection of the structure. When the PCO invokes this clause in the agreement, he must at least be able to cite the specific information relevant to the termiticide used to treat the structure in question. (see discussion of this topic below)

An example, for the second condition:

The PCO sends a notice offering to change the original service contract, to provide a new booster treatment believed to be more effective than the original treatment, stating clearly that a one-time fee of \$100 dollars would be charged. In exchange, the annual renewal fee would be reduced by twenty percent. The property owner is given thirty days to accept or reject this offer to amend the original agreement. However, if the property owner rejects it, the PCO remains bound by the original agreement.

An example of when a company could not require a booster treatment would be as follows. ABC Exterminators has a contract that states that the property owner may extend the warranty on an annual basis for the life of the property as long as annual renewal fee is paid on or before the anniversary date

of the contract. In this case the booster treatment could not be forced on the property owner. As long as the renewal is paid on time then the original warranty agreed upon will stay in force.

Some PCOs have notified their customers that a booster treatment is needed due to the termiticide breaking down after a certain number of years. Any statement informing customers or the public that a termiticide is less effective after a given period of time following application must be supported by reliable data. Sources of such data include the termiticide manufacturer, a consumer product testing organization (like the U.S. Forest Service Southern Research Station) or a peer-reviewed scientific study issued by a university chemistry or entomology department. Any representation lacking such support may be a violation of 02 NCAC 34 .0904(h), which prohibits “...publication, advertisement, distribution, or circulation of any material by false statement or representation concerning the licensee’s structural pest control business” Furthermore, licensees must be careful about how such data are used. Any misuse of data or recommendations published by an agency of the state or Federal governments may also violate 02 NCAC 34 .0904(c) which states “In solicitation of structural pest control business, no licensee or his employees shall claim that inspections or treatments are required, authorized, or endorsed by any agency of the federal government or North Carolina State, county, or city government unless said agency states that an inspection or treatment is required for a specific structure.”

Reprint from the SPC Bulletin Fall 2004

Structural Pest Control Committee approves settlement agreements

RALEIGH — The following settlement agreements were approved on Thursday, Sept. 17, by the N.C. Structural Pest Control Committee:

- Vernon J. Elmore, of Orkin Pest Control in Greensboro, agreed to pay \$400 for improperly installing and maintaining a termite baiting system at a property in Asheboro.
- Isaac Floyd Jr., owner of Mantis Pest Control Inc. in Roanoke Rapids, agreed to pay \$800 after an application of Permethrin Pro was found to be applied inconsistently with its labeling at the Halifax Regional Airport.
- John P. Garst, owner of Enviro Pest Control of Raeford, agreed to pay a \$3,000 penalty for charging a Red

Springs homeowner for a termite treatment that was never performed. Extensive subterranean termite damage was found, but there was no evidence of treatment, drilling or trenching.

- William Gibbons, of X-Team Termite and Pest Control in New Bern, agreed to pay \$400 for incorrectly applying the pesticide Phantom to a bathroom at a local gym during business hours. The label of the pesticide requires that any persons in the area where pesticide is applied wear personal protective equipment.
- James E. Gooch, of Terminix Co. in Wilmington, agreed to pay \$1,000 after improperly installing and maintaining a

termite baiting system at properties in Carolina Beach.

- William J. Ingersoll, of Sandhills Pest Control in Sanford, agreed to pay \$400 for performing 42 household pest control P phase and 47 W phase services without liability insurance. It is illegal to perform these services without proper insurance.
- James C. Stogner, of Termitech South Inc. in Charlotte, agreed to pay \$400 for failing to properly supervise an employee working under his license who was advertising termite inspections without specifying the Termitech South name.