
THE PESTICIDE REVIEW

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Public Agencies & PCA Written Recommendations

A new regulation is in the works...

DPR had a long-standing policy requiring a written recommendation from a licensed PCA for all pesticide applications at non-production agricultural sites. These sites included cemeteries, golf courses, parks, and right-of-ways. Surprisingly, a year ago, DPR modified this long-standing policy and stopped requiring property operators to obtain a written recommendation from a PCA.

We ran an article a year ago regarding this reversal in policy and we recommended everyone keep his or her PCA license up to date because the policy could change. Well, we just received notice that a new regulation is in the works!

DPR has proposed that all persons employed by any federal, state, county, or local public agency obtain a written PCA recommendation for all non-production agricultural sites.

This new regulation has been submitted for State approval and will probably go into effect in the coming months. When we learn of the definite date it goes into effect, we'll be sure to run a follow-up article.

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Structural Spray Notice

Notifying the tenant and owner

When a new client calls your office requesting service, we're sure you ask them a number of questions. We are willing to bet the subject of home ownership is rarely brought up.

It's a rare occurrence when a tenant calls and hires a pest control company for pest control services, but it does happen. Most often, the owners of the property would either have no idea the service ever took place, or in most cases wouldn't have a problem with the service especially if it's done by a licensed company. There are, however, some homeowners that object to any kind of pest control being performed on their property without their consent. We had one of these rare instances come up recently where a homeowner was upset about not being told about a pesticide application contracted by their tenants.

Structural pest control companies must provide notice to the owner and tenant of a property. Business and Professions Code, Chapter 14, Section 8538 states:

"A registered structural pest control company shall provide the owner, or owner's agent, and tenant of the premises for which the work is to be done with clear written notice..."

When you learn that one of your clients is a tenant and not the owner of the property, you must ask the tenant for the homeowner's information so proper notice can be forwarded. Pest control services cannot take place until both parties are notified.



Structural Fumigations & Fire Alarms



Keeping fire alarms armed in case of a fire

A few months ago, a fumigation crew arrived at a fumigation site to begin the aeration process for a fumigated office building. The crew proceeded with the TRAP plan and when their vent tube vented smoke, the alarmed licensee donned an SCBA and went inside the structure to investigate. He found the sprinkler system engaged and the floor saturated with water. The licensee immediately radioed his office who in turn called 911.

Our office learned of the incident when a Deputy Fire Marshal with the Santa Clara Fire Department called our office regarding the incident. The main topic of concern was the fact the tenant of the structure was given instructions to disarm the fire alarm. The "Instructions Prior to Fumigation" given to the tenant had the statement: "All alarms must be disarmed during the fumigation". Because the tenant followed these instructions, their fire alarm was disabled and the fire department wasn't alerted to the fire until the fumigation crew called them the morning of the aeration.

The Deputy Fire Marshal we spoke with wanted to get the word out to fumigation companies about the need to have all fire alarm monitoring systems stay on-line. In a correspondence with our office, he said the following:

"All fire sprinkler systems shall remain armed and monitored. To prevent false activations during a fumigation, operational smoke detectors may be appropriately covered in accordance with their manufacturer's recommendations. Remember, smoke detectors must be uncovered immediately after a fumigation."

In this case, the Branch III company provided the customer with the required pesticide notice. Be sure to check your pesticide notices and that of any Branch III company providing written notice for you. Be sure the notices are clear about the need to keep fire sprinkler systems armed and monitored!

[The fire in this case was deemed accidental and it was likely started by an electrical light on the exterior of the building.]

Maintaining Pesticide Records

Accurate pesticide records

Keeping accurate pesticide records can sometimes be a challenge. Employees can make mistakes on their field reports, computers systems can reference an old EPA Registration Number for a product, and pesticide products can change their EPA Registration Number without changing the look of their packaging. Even though it can be a challenge, it is extremely important you properly maintain your records!

California Code of Regulations Section 6624 requires pest control companies to maintain pesticide use records. This means the records you keep must be up-to-date and accurate. The definition of "maintain" is *"to sustain, to uphold, to keep up, not to suffer to fail or decline."*

What happens when the Commissioner's office finds a record error?

The level of enforcement is dependent upon the degree of the inaccuracies and how the record errors are discovered. When we find a minor record keeping error during a routine records inspection, the non-compliance will be noted on the inspection form and we will require the company to fix the problem. It's a different story when a record keeping violation is found during a pesticide complaint investigation. The violation will be described in detail in the investigation report and if it has a direct correlation with the pesticide complaint, the record-keeping discrepancy can result in a fine.

We recently investigated an episode where the company used a different pesticide than the one recorded. It had the same name, but it had gone through several label changes over the years and had not only a completely different EPA Registration Number, but the use rates and sites had also changed. The pest control company had not checked this particular pesticide -- nor several others -- in their storage against their computer system in quite some time. Because their records were in such disarray, the company was fined for not maintaining their pesticide records.

Be sure to inspect your pesticide labels regularly so you're not caught off guard!

Agricultural Civil Penalties

California Code of Regulations 6130

We want to remind everyone the fine amounts for civil penalties changed last year. All violations occurring after the date of May 25, 2004, are subject to new fine guidelines.

Class A Violations:

Are a repeat of Class B violations or violations that created an actual health or environmental hazard. Violating a commissioner's cease and desist order will also be placed in this category. The fine range for this designation is **\$700 - \$5,000!**

Class B Violations:

Are a repeat of Class C violations, or violations, which posed a reasonable possibility of creating a health or environmental effect. The new fine range for this designation is **\$250 - \$1,000.**

Class C Violations:

Violations not defined in either Class A or Class B. The fine range for this designation is **\$50 - \$400.**

Record keeping errors, late use reports, etc, are placed in this category.

Giant Whitefly

One of the new pests calling Northern California home



Giant Whitefly, *Aleurodicus dugesii*, is a newcomer to California. Originally from Mexico, this giant whitefly made its way into southern California in 1992 and has steadily migrated northward. We know it arrived in Santa Clara County within the last year or two, due to the numerous calls our office has received about this nuisance pest.

The giant whitefly's name is due to the large size of adults. Adults can be 3/16 of an inch long! Another unique characteristic of this whitefly is the filaments spun by the juveniles. The filaments of wax can be up to 2 inches long and make the leaf look like it has sprouted a beard or someone sprinkled fake snow on the plant.

Another characteristic of this whitefly is the unique egg-laying pattern. Females deposit a waxy substance in expanding concentric circles making their egg deposits look like a fingerprint on the underside of the leaf.



Where is this pest typically found?

The U.C. advisor we spoke to has only seen this pest in residential landscaping, greenhouses, and some nurseries. It does not appear to be a significant pest of outdoor agricultural crops. To see a partial list of the Giant Whitefly's favorite hosts, visit U.C. IPM's website:

<http://axp.ipm.ucdavis.edu/PMG/PESTNOTES/pn7400.html>

Treatments

Adults have a low dispersal rate and, as a result, the number of whiteflies can explode on a plant. Diligent monitoring and early detection is critical to avoid problems with sooty mold and ants. U.C.'s IPM website recommends washing the leaves of affected plants with a blast of water. Washing the plant with water seems to be just as effective as insecticide sprays. However, if you decide to treat infested plants with an insecticide, choose one that will minimize the disruption of beneficial insects.

Contact Corner

If you have questions, comments, or would like to suggest a subject for an article, please write to:

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