



Department of Pesticide Regulation



Paul E. Helliker
Director

Gray Davis
Governor

Winston H. Hickox
*Secretary, California
Environmental
Protection Agency*

California Notice 2000-7

TO: PESTICIDE REGISTRANTS AND DATA SUBMITTERS

SUBJECT: REGISTRATION OF STRUCTURAL PEST CONTROL DEVICES

California state legislation [AB 1134 (Machado), Chapter 651, Statutes of 1998], created a regulatory program for structural pest control devices. Under the provisions of AB 1134, the Department of Pesticide Regulation (DPR) is responsible for the registration of devices utilized to control wood destroying pests, as defined. Prior to registration, DPR is responsible for review of the efficacy and safety data of each device. As of July 1, 2001, it will be unlawful to sell, possess, or use a structural pest control device in California, unless it is registered by DPR.

AB 1134 amended both the Food and Agricultural Code and the Business and Professions Code, placing regulatory authority for Structural Pest Control Devices upon DPR and, to a lesser extent, to the Structural Pest Control Board (SPCB). DPR is responsible for the review of the efficacy and safety of the devices, and, if warranted registration of the devices. DPR also has the authority to take registration and enforcement actions against parties who violate state law pertaining to devices. The SPCB also has authority to take disciplinary actions against violators of applicable state law.

Structural pest control devices are defined in Food and Agricultural Code (FAC) Section 15300(a) as:

"any method, instrument, or contrivance intended to be used to prevent, eliminate, destroy, repel, attract, or mitigate any wood destroying pest, but does not include firearms, pesticides as defined in FAC Section 12753, or equipment used for the application of pesticides when sold separately from a pesticide."

FAC Section 15300(b) defines "wood destroying pests" as including but not limited to:

"insects such as wood borers and termites. "Wood destroying pest" does not include wood-decaying fungi, general house hold pests such as cockroaches, or vertebrate pests such as rats and mice."

The device technologies that will be impacted by the structural pest control device program currently include those that utilize microwave, electrical, and thermagation (heat) treatments to control termites, powder post beetles, and carpenter ants, etc.

Enclosed is a copy of the "Structural Pest Control Device Registration Application" form, accompanying application completion instructions, and data submission format guidelines. If you have any questions, please contact Liz Pelham of my staff at (916) 323-5149, or lpelham@cdpr.ca.gov.

Sincerely,

original signed by Barry Cortez

July 5, 2000

Barry Cortez, Chief
Pesticide Registration Branch
(916) 445-4377

Date

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