



State of California

**Volume 2**

**Pesticide  
Use  
Enforcement  
Program  
Standards  
Compendium**

**Laws**

**Structural  
Code**

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**California  
Business  
and  
Professions  
Code**

**Division 3.  
Professions and Vocations  
Generally**



**Codified Statutes  
Relating to the Practice  
of  
Structural Pest Control**

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## BUSINESS AND PROFESSIONS CODE

Division 3. Professions and Vocations Generally  
includes Chapter 14 and Chapter 14.5

### Disclaimer:

This document is provided by the California Department of Pesticide Regulation (DPR) as a courtesy to County Agricultural Commissioner (CAC) staff and others. It includes the two (2) of 47 chapters of Division 3 of the Business and Professions Code (BPC) that deal with structural pest control operators and the Structural Fumigation Enforcement Program.

Visit Structural Pest Control Board (SPCB) webpages for electronic access:

- View/download/purchase the latest SPCB-printed Laws and Regulations (November 2015) and Supplement at: <https://www.pestboard.ca.gov/pestlaw/act.shtml>
- Follow links to structural pest control (SPC) Chapters of the BPC on the California Legislative Information website from: <https://pestboard.ca.gov/pestlaw/bpcode.shtml>
- Contact the SPCB at (916) 561-8700, [pestboard@dca.ca.gov](mailto:pestboard@dca.ca.gov), or visit the SPCB website: <https://pestboard.ca.gov/index.shtml> about hardcopies.

This document reproduces the statutes of the official publication released by the California Legislative Counsel.

The Pesticide Use Enforcement Program Standards Compendium is an information tool and is not meant to replace or represent any official record or source. If absolute accuracy is needed, refer to the SPC Chapters 14 and 14.5 of Division 3 of the BPC codified statutes on the California Legislative Information website under the "California Law" tab: <https://leginfo.legislature.ca.gov/faces/home.xhtml> in conjunction with West's Annotated California Codes publication of the California BPC.

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## 8519.5. Fumigation services; certification of performance

(a) After an inspection report has been prepared by a Branch 3 registered company pursuant to Section 8516, which discloses a wood destroying pest or organism that can be eradicated by fumigation, and the fumigation has been duly performed by a Branch 1 registered company, the Branch 1 registered company, on a company document that identifies the licensee performing the fumigation and the name and address of the registered company, shall issue the following certification: "This is to certify that the property located at \_\_\_\_ (address) was fumigated on \_\_\_\_ (date) for the extermination of \_\_\_\_ (target pest)." This certification shall be issued to the registered company that prepared the inspection report within five working days after completing the fumigation.

(1) Where a consumer has authorized a Branch 3 registered company to subcontract the fumigation to a Branch 1 registered company, a copy of the certification pursuant to subdivision (a) shall accompany any inspection report, notice of work completed pursuant to Section 8518, or certification issued by the Branch 3 registered company.

(2) Where the consumer has elected to contract directly with a Branch 1 registered company to perform a fumigation, the Branch 1 registered company shall provide the certification described in subdivision (a) to the consumer who ordered the fumigation.

(b) A warranty for fumigation shall be provided in writing by the registered company contracting with the owner or the owner's designated agent.

(c) In the event of a failed fumigation, the following shall apply:

(1) When a consumer authorizes a Branch 3 registered company to subcontract the fumigation to a Branch 1 registered company, the Branch 3 registered company shall verify the need for a refumigation and issue an inspection report in accordance with Section 8516. The consumer shall not be charged for this inspection. Following completion of the refumigation, a new certification and any additional warranty or guarantee shall be issued to the owner or the owner's designated agent.

(2) When the consumer elects to contract directly with a Branch 1 registered company to perform a fumigation, the Branch 1 registered company shall do all of the following:

(A) Verify the need for a refumigation by obtaining a Branch 3 inspection at no charge to the consumer during the duration of a warranty or guarantee issued by the Branch 1 registered company.

(B) Maintain with the original inspection report, on a company document, all of the following:

(i) The name of the current owner of the structure fumigated, the address of the structure, and the date of the failed fumigation.

(ii) An explanation of the need for refumigation.

(iii) The proposed date for the refumigation. Following completion of the refumigation, a new certification and any additional warranty or guarantee shall be issued to the owner or the owner's designated agent.

(C) Within five working days after the completion of the refumigation, the Branch 1 registered company, on a company document, shall file with the current owner, notification of the Branch 3 registered company whose report was used for the original fumigation, or refumigation. Any certification issued by the Branch 1 registered company shall also comply with subdivision (a), if applicable.

(Amended by Stats. 2018, Ch. 572, Section 6. (SB 1481) Effective January 1, 2019.)

Article 2. Administration  
Sections 8520-8536

8520. Structural Pest Control Board; existence; membership; powers

(a) There is in the Department of Consumer Affairs a Structural Pest Control Board, which consists of seven members.

(b) Subject to the jurisdiction conferred upon the director by Division 1 (commencing with Section 100), the board is vested with the power to and shall administer the provisions of this chapter.

(c) It is the intent of the Legislature that consumer protection is the primary mission of the board.

(d) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2024, deletes or extends that date. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

(Amended by Stats. 2021, Ch. 367, Section 29. (SB 607) Effective January 1, 2022. Repealed as of January 1, 2024, by its own provisions.)

8520.1 Priority to protect the public

Protection of the public shall be the highest priority for the Structural Pest Control Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

(Added by Stats. 2002, Ch. 107, Section 34. Effective January 1, 2003.)

8520.2. Structural Pest Control Board; transfer of jurisdiction

(a) The Structural Pest Control Board is hereby transferred from the jurisdiction of the Department of Pesticide Regulation and placed under the jurisdiction of the Department of Consumer Affairs.

(b) The registrar of the board under the jurisdiction of the Department of Pesticide Regulation shall remain as the registrar of the board under the jurisdiction of the Department of Consumer Affairs.

(c) The members appointed to the board while under the jurisdiction of the Department of Pesticide Regulation shall remain as members of the board under the jurisdiction of the Department of Consumer Affairs.

(d) All employees of the board under the jurisdiction of the Department of Pesticide Regulation are hereby transferred to the board under the jurisdiction of the Department of Consumer Affairs.

(e) The duties, powers, purposes, responsibilities, and jurisdictions of the board under the jurisdiction of the Department of Pesticide Regulation shall remain with the board under the jurisdiction of the Department of Consumer Affairs.

(f) For the performance of the duties and the exercise of the powers vested in the board under this chapter, the board shall have possession and control of all records, papers, offices, equipment, supplies, or other property, real or personal, held for the benefit or use by the board formerly within the jurisdiction of the Department of Pesticide Regulation.

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**8528. Registrar**

(a) With the approval of the director, the board shall appoint a registrar, fix his or her compensation, and prescribe his or her duties.

(b) The registrar is the executive officer and secretary of the board.

(c) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2024, deletes or extends that date.

(Amended by Stats. 2021, Ch. 367, Section 30. (SB 607) Effective January 1, 2022. Repealed as of January 1, 2024, by its own provisions.)

**8529. Assistants**

The registrar, with the approval of the board and of the director, and subject to the State Civil Service Act, may appoint and fix the compensation of such other assistants as may be necessary.

(Amended by Stats. 1985, Ch. 1382, Section 11.)

**8530. Offices**

The board, with the approval of the director, may establish the main office of the board, and branch offices of the board in any city of this State.

(Repealed and added by Stats. 1941, Ch. 1163.)

**8531. Records**

The registrar shall keep a complete record of the board's actions, and shall maintain at the office of the board a complete index record of all applications for licenses and registrations issued, licenses renewed, and all revocations, cancellations, and suspensions of licenses and registrations.

(Amended by Stats. 1985, Ch. 1348, Section 25. Operative January 1, 1987.)

**8531.5. Minutes of meetings**

The board shall prepare minutes of its annual meeting and any special meetings, which shall be permanently maintained at the office of the registrar.

(Amended by Stats. 1969, Ch. 371.)

**8532. Certified copies**

Copies of all records and papers in the office of the board, certified by the registrar under the seal of the board shall be received in evidence in all courts of this State in all cases equally and with like effect as the originals of such papers and records.

(Repealed and added by Stats. 1941, Ch. 1163.)

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**8533. Roster of licensees and registered companies**

Whenever funds are available for the purpose, the registrar, at the discretion of the board, may publish, or cause to be published, a roster of the individuals licensed and companies registered under the provisions of this chapter. A copy of such roster may be furnished to registered companies and such state agencies as the registrar may select, at such intervals as he or she deems necessary. Copies of the roster may be sold at a price fixed by the board.

(Amended by Stats. 1985, Ch. 1348, Section 26. Operative January 1, 1987.)

**8534. Disseminating information**

Whenever funds are available for the purpose, the registrar, at the direction of the board, may publish and disseminate to individuals licensed and companies registered under this chapter and to public officials and other persons interested in the practice of pest control, such information relative to the administration and enforcement of this chapter as the board deems necessary to carry out its purposes.

(Amended by Stats. 1985, Ch. 1348, Section 27. Operative January 1, 1987.)

**8535. Administration of oaths**

The registrar, and any member of the board, may administer oaths for the purpose of administering this chapter.

(Added by Stats. 1941, Ch. 1163.)

**8536. Disqualification of manufacturers and associates from board membership**

No manufacturer, his or her agents or employees, nor any person who is a consultant of or connected with any manufacturer, shall be appointed to the board.

(Amended by Stats. 2010, Ch. 238, Section 3. (AB 1736) Effective January 1, 2011.)