



TELECONFERENCE BOARD MEETING NOTICE & AGENDA
August 3, 2017
10:00 A.M.

Department of Consumer Affairs, 2005 Evergreen Street,
Donner Lake Conference Room, Sacramento, CA 95815

Additional Teleconference Meeting Locations Have Been Established as Follows:

Newport Exterminating, 16661 Millikan Avenue, Irvine, CA 92606
Duran's Termite & Pest Control, 82229 Bliss Avenue, Indio, CA 92201

Contact Person: Susan Saylor
(916) 561-8700

- I. Roll Call / Establishment of Quorum
- II. Public Comment for Items Not on the Agenda
The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]
- III. Discussion and Possible Action Regarding Assembly Bill (AB) 710 — Requirement for Boards to Hold a Meeting in Rural California at Least Once Every Other Calendar Year
- IV. Discussion and Possible Action Regarding Board Position Letter on Assembly Bill (AB) 1687 — Pesticides: Use of Anticoagulants
- IV. Adjournment

All times are approximate and subject to change. The meeting may be cancelled or changed without notice. For verification, please check the Board's website at www.pestboard.ca.gov or call 916-561-8700. Action may be taken on any item on the agenda. Meetings of the Structural Pest Control Board are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard, but the President may, at his discretion, apportion available time among those who wish to speak. The public may comment on issues not on the agenda, but Board members cannot discuss any issue that is not listed on the agenda. If you are presenting information to the Board, please provide 13 copies of your testimony for the Board Members and staff. Copying equipment is not available at the meeting location.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Structural Pest Control Board at (916) 561-8700 or email pestboard@dca.ca.gov or send a written request to the Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

This agenda can be found on the Structural Pest Control Board's Website at:
www.pestboard.ca.gov



AB-710 Department of Consumer Affairs: boards: meetings. (2017-2018)

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Date Published: 04/27/2017 09:00 PM

AMENDED IN ASSEMBLY APRIL 27, 2017

AMENDED IN ASSEMBLY MARCH 27, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

No. 710

Introduced by Assembly Member Wood

February 15, 2017

An act to amend Section 101.7 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 710, as amended, Wood. Department of Consumer Affairs: boards: meetings.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law generally requires these boards to meet at least 3 times each calendar year, and at least once in northern California and once in southern California per calendar year.

This bill would require a board to meet once every other calendar year in rural ~~northern~~ California.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 101.7 of the Business and Professions Code is amended to read:

101.7. (a) Notwithstanding any other provision of law, boards shall meet at least three times each calendar year. Boards shall meet at least once each calendar year in northern California, once every other calendar year in rural ~~northern~~ California, and once each calendar year in southern California in order to facilitate participation by the public and its licensees.

(b) The director at his or her discretion may exempt any board from the requirement in subdivision (a) upon a showing of good cause that the board is not able to meet at least three times in a calendar year.

(c) The director may call for a special meeting of the board when a board is not fulfilling its duties.

(d) An agency within the department that is required to provide a written notice pursuant to subdivision (a) of Section 11125 of the Government Code, may provide that notice by regular mail, email, or by both regular mail and email. An agency shall give a person who requests a notice the option of receiving the notice by regular mail, email, or by both regular mail and email. The agency shall comply with the requester's chosen form or forms of notice.

(e) An agency that plans to Web cast a meeting shall include in the meeting notice required pursuant to subdivision (a) of Section 11125 of the Government Code a statement of the board's intent to Web cast the meeting. An agency may Web cast a meeting even if the agency fails to include that statement of intent in the notice.



Assembly Member Bloom,

We are contacting you in regards to Assembly Bill (AB) 1687 and its potential impact on the ability of the Structural Pest Control Board's (SPCB) licensees to perform the work for which they are licensed.

While we understand the intent of this bill, and the protection it is meant to provide, the SPCB is charged with the protection of consumers who receive services from its licensees. Removing these products from the industry would debilitate a licensee's ability to protect consumers from the rodent pests that infest structures and destroy property. The protection of human health is of the utmost importance to the SPCB and its licensees, and this measure would hinder that in cases where rodents are posing a health threat.

The data from WildCare that is being used to justify this bill is still under review and has not yet been released by the Department of Pesticide Regulation (DPR). Using this data as the basis for legislation prevents the public and all stakeholders from having an opportunity to understand the scope of the situation, and the rationale behind such drastic measures.

Because the users, and the use patterns, that lead to wildlife exposure have not yet been determined, banning access to licensed applicators may not solve the problem. While we understand and appreciate your efforts with AB 1687, more scientific evidence and proof is necessary in order to determine the source of the wildlife exposure problem and the appropriate measures to adequately mitigate the problem.

Other areas that may contribute to the problem, such as the easy access and availability to the public of these products via the internet, should also be explored. Such availability can put these products in the hands of unlicensed, untrained individuals, where they may be grossly misused in a manner inconsistent with the labels, and undermining the protection of humans, and non-target species.

In contrast, if access to these rodenticides is *effectively* limited to licensed applicators, there is little chance of misapplication, due to the level of training and accountability required of licensees, especially with regard to following label requirements. If the State subsequently determines that additional mitigation is necessary, beyond current label requirements, this can be accomplished through regulations adopted by the Department of Pesticide Regulation, affecting applications by licensees, rather than through a complete ban of these products.

Due to the potential for negative impact on human health, the removal of these indispensable products from the industry, and licensed applicators, would be contrary to the best interests of the public.

For these reasons, the SPCB opposes AB 1687's proposed ban of the listed rodenticides.



AB-1687 Pesticides: use of anticoagulants. (2017-2018)

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Date Published: 03/22/2017 04:00 AM

AMENDED IN ASSEMBLY MARCH 21, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

No. 1687

Introduced by Assembly Member Bloom

February 17, 2017

An act to amend Section ~~47005~~ 12978.7 of the Food and Agricultural Code, relating to ~~certified farmers' markets~~ pesticides.

LEGISLATIVE COUNSEL'S DIGEST

AB 1687, as amended, Bloom. ~~Certified farmers' markets~~. Pesticides: use of anticoagulants.

Existing law regulates the use of pesticides and authorizes the Director of Pesticide Regulation to adopt regulations to govern the possession, sale, or use of any pesticide, as prescribed. Existing law prohibits the use of any pesticide that contains one or more of specified anticoagulants in wildlife habitat areas, as defined. Existing law exempts from this prohibition the use of these pesticides for agricultural activities, as defined. Existing law requires the director, and each county agricultural commissioner under the direction and supervision of the director, to enforce the provisions regulating the use of pesticides. A violation of these provisions is a misdemeanor.

This bill would expand this prohibition to include a pesticide containing additional specified anticoagulants and would also prohibit the use of a pesticide containing one of those anticoagulants in the entire state. The bill would expand the exemption for agricultural activities to include activities conducted in certain locations.

To the extent the bill would impose additional duties on county agricultural commissioners, and because the bill would expand the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made

pursuant to the statutory provisions noted above.

~~Under existing law, certified farmers' markets are California agricultural product point-of-sale locations that are registered and operated in accordance with specified provisions. Existing law requires a certified farmers' market operator or producer to annually register with the Department of Food and Agriculture by applying for and receiving a certificate from a county agricultural commissioner. Existing law authorizes an enforcing officer to enter and inspect any place or conveyance where products are produced, stored, packed, delivered for shipment, loaded, shipped, transported, or sold pertaining to a certified producer's certificate over which the enforcing officer has jurisdiction.~~

~~This bill would make a nonsubstantive change to these provisions.~~

Vote: majority Appropriation: no Fiscal Committee: ~~no~~yes Local Program: ~~no~~yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) *The Legislature finds and declares all of the following:*

(1) *Wildlife, including birds of prey, mountain lions, bobcats, fishers, foxes, coyotes, and endangered species such as the northern spotted owl, pacific fisher, and San Joaquin kit fox, are an irreplaceable part of California's natural ecosystems. As predators of small mammals, they play an important role in regulating and controlling the population of rodents throughout the state to improve public health and welfare.*

(2) *Millions of people annually visit California for the purposes of viewing and photographing wildlife, and these visits contribute millions of dollars to California's economy.*

(3) *Urban areas are increasingly being used by predatory mammals and birds of prey and the public enjoys seeing them and values these animals and the ecosystem services they provide.*

(4) *The ecosystem services provided by native wildlife predators are a public trust, just like clean air and water. We, as California residents, are obligated to conserve these wildlife populations for future generations of Californians.*

(5) *Scientific research and state studies have found rodenticides in over 75 percent of animals tested. These rodenticides lead to direct mortality and chronic long-term health impacts for natural predators, nontarget organisms, and endangered species and further steps are needed to reduce rodenticide exposure in nontarget animals.*

(6) *Rodenticides can be counterproductive to rodent control by poisoning, harming, and killing natural predators that help regulate rodent populations throughout California.*

(b) *It is the intent of the Legislature in enacting this measure to ensure that aquatic, terrestrial, and avian wildlife species remain a fully functional component of the ecosystems they inhabit and move through in California.*

(c) *This act shall be known, and may be cited, as the California Natural Predator Protection Act of 2017.*

SEC. 2. *Section 12978.7 of the Food and Agricultural Code is amended to read:*

12978.7. (a) Except as provided in subdivision ~~(d)~~, (c), the use of any pesticide that contains one or more of the following anticoagulants is prohibited in ~~a wildlife habitat area~~ this state:

(1) Brodifacoum.

(2) Bromadiolone.

(3) Bromethalin.

(4) Chlorophacinone.

(5) Cholecalciferol.

~~(3)~~

(6) Difenacoum.

~~(4)~~

(7) Difethialone.

(8) Diphacinone.

(9) Warfarin.

~~(b) As used in subdivision (a), a "wildlife habitat area" means any state park, state wildlife refuge, or state conservancy.~~

~~(e)~~

(b) State agencies are directed to encourage federal agencies to comply with subdivision (a).

~~(d)~~

(c) (1) This section does not apply to the use of pesticides for agricultural activities, as defined in Section 564.

(2) For purposes of paragraph (1), "agricultural activities" include activities conducted in any of the following locations:

(A) Warehouses used to store foods for human or animal consumption.

(B) Agricultural food production sites, including, but not limited to, slaughterhouses and canneries.

(C) Factories, breweries, wineries, or any other location where rodent or pest populations need to be controlled for food safety or agricultural purposes.

~~(e)~~

(d) This section does not preempt or supersede any federal statute or the authority of any federal agency.

SEC. 3. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

~~SECTION 1. Section 47005 of the Food and Agricultural Code is amended to read:~~

~~47005. An enforcing officer may enter and inspect any place or conveyance where products are produced, stored, packed, delivered for shipment, loaded, shipped, transported, or sold pertaining to a certified producer's certificate over which the enforcing officer has jurisdiction.~~