

February 5, 2012

OPM Task Force,

I would like to comment on the AzPPO Town Hall meeting that was held by AzPPO (Arizona Pest Professional Organization) in Tempe on December 14, 2011. For your convenience, you will find a video of the meeting at:

<http://its-our-turn.com/OpmTaskForce.html>

and I will reference the time stamps in the video so you can conveniently go back and listen to everything that was said.

I would like to start by pointing out that this meeting was not well publicized to the industry at large. OPM (Office of Pest Management) and AzPPO made no attempt to notify the pest control industry at large. OPM refused our request to post any notice on the Department of Agriculture web site. OPM refused to send written notice to the roughly 1200 pest control businesses or 7000 licensed applicators and QPs. AzPPO only notified their own members and associated friends - less than 1% of the license holders in the state of Arizona.

Although Its-Our-Turn.com did manage to get a notice sent to the industry at large, it was too late to allow most businesses the chance to attend.

The majority of people who showed up to talk at the Tempe meeting were AzPPO members and the AzPPO members expressed the overwhelming desire to keep as much of the status quo and barriers to entry as possible. However, there were a few people present who thought otherwise.

Courtney LeVinus (Capitol Consulting - lobbyist, PR and administration for AzPPO) ran the meeting. She started her presentation at 8:25. She provides a quick summary and then opens the floor for a discussion of criminal background checks at 12:15.

Several people talked for the continued need for background checks. The best suggestion is to provide an optional State background check that any company can pay for. It is understood that the time it takes for the background check can vary and be as long as 6 weeks if the resources are needed elsewhere. However, the State can perform a more thorough background check than is normally available to private individuals and thus there is a legitimate need for the State to provide background checks to companies.

The complete elimination of state background checks shows the State's disregard for the safety and welfare of women and children.

The discussion then turned to QPs (qualifying parties) and the 3000 hours requirement at 25:25. Most people talked for keeping the current requirements in general although there were several suggestions for not needing an additional 3000 hours for

expanding licensing into categories such as week control. There was also discussion about what was needed to qualify for the 3000 hours. There was also discussion about reciprocity between states. It was clearly pointed out that certain areas of pest control - such as fumigation with restricted pesticides - is very different and has very different needs compared to the general application of unrestricted pesticides. Therefore, the qualifications should be different.

Ryan Horn speaks up at 39:19 to discuss the fact that the QP is redundant and has essentially the same requirements and training as a regular applicator. I and others in the room agreed with this point of view.

Take a look at Arizona agriculture's regulations - rule 3-3-208 - which follows the federal guideline in 40 CFR. It is simple and straight forward. The commercial applicator corresponds to the existing structural applicator and the private applicator has no direct correlation to structural, but perhaps could be applied to anyone who owns or manages property and wants to take care of their own pest control. Rule 3-3-208 has no concept of QP and one is not required.

Getting rid of the mandated QP does not prevent a company from having a person assigned to supervise employee applicators, or to oversee general pest control operation, or to organize training, or to oversee the maintenance of records. However, there is no reason to have a law requiring such a position.

Bob Wagner spoke at 55:25. He says that he wants more than 3000 hours required and more regulation to drive out competition yet he does not want to work another 3000 hours for a competitor to add weed control to his business. He does not realize that the two positions are contradictory. Bob lamented how sad it was that all 1100 pest control businesses were not at the meeting yet it is his own organization (AzPPO) that failed to notify them even though AzPPO organized the meeting.

At 59:30 the discussion moved to TARFs (Termite Action Report Forms).

Several people talked about making TARF fees go away. Everyone seemed to be in agreement that the fees should be reduced or eliminated and that late penalties were way too high. Several people talked about the limitations of TARF data for use in real estate transactions. The quality of the data is the main problem and everyone agreed there is a data quality problem. All of the comments about WDIRs (Wood Destroying Insect Reports) were to eliminate WDIRs from the TARF reporting requirements.

Several people talked about using the TARF system to show homeowners they were still under warranty. Just like car, refrigerator and home entertainment systems, consumers should keep track of their own warranties. Forcing termite companies to give a 5 year warranties on a treatment that typically lasts 2 years is ludicrous.

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