Survey of State Pest Control Regulatory Agencies on Green Pest Management

In July 2009, an email survey of state regulatory agencies was conducted on behalf of the Association of Structural Pest Control Regulatory Agencies (ASPCRO) by the Green Pest Management Committee. The structural pest control agency list serve maintained by Mr. Derrick Lastinger of the Georgia Department of Agriculture was used for the contact list for the email survey. A copy of the survey is attached (Attachment 1).

Thirty-two states responded to the survey. The results of the survey and individual state responses are attached (Table 1 and Attachment 2).

The purpose of the survey was to determine how state pest control regulatory agencies were regulating or responding to the issue of "green pest management". Pest management using "green" principles or approaches has become a widely discussed topic in the last year, with pest management associations establishing "green" certification programs, private companies and government agencies requiring "green" pest management from vendors, and pest management companies advertising or claiming that their services qualify as "green".

The most basic question to the states was whether they had any definitions of green pest management (GPM). Only two states, Georgia and California, reported that they had such a definition. Georgia's definition is *"Green Pest Management can best be defined as a service that employs an Integrated Pest Management (IPM) approach while utilizing fewer of the earth's resources as part of a larger effort to reduce human impacts on the environment".* California's report of a definition for GPM referenced their existing definition of integrated pest management and did not elaborate further on GPM.

States were also asked if they had any policies encouraging or promoting GPM. Four states (Arizona, Connecticut, Maine, and North Carolina) reported in the affirmative as a result of policies promoting integrated pest management (IPM).

States were asked about their regulation of pesticides exempt from federal registration (FIFRA Section 25 (b) products). Twenty states reported that they required registration of these products, and three states (Pennsylvania, Indiana, and Florida) reported that they required efficacy data for these products (only for termiticides in Florida).

Most states (27) reported that they had authority to take disciplinary action against pest control companies for misrepresentation or fraud. One of the concerns about GPM is that some companies may make misleading or fraudulent claims about it. This concern obviously is related to advertising and claims of efficacy. Twenty-seven states reported that they have authority or standards for the regulation of advertising by pest control companies. Only eleven reported the authority to regulate the effectiveness of pest

control, although many stated that they could regulate claims of efficacy if it constituted fraud or misrepresentation.

The impact of GPM on state regulatory programs is not evident yet from the state responses. States were asked if they had received any complaints from consumers regarding a pest control company's promotion or conduct of green pest management, if they had conducted any investigations or taken any regulatory action against a pest control company regarding promotion or conduct of green pest management, or if there were other green pest management related regulatory issues that their program was dealing with.

Two states (New York, Hawaii) reported consumer complaints regarding GPM. Four states (New York, California, Florida, and Washington) reported investigations related to GPM, and five states reported "other issues" that they were dealing with (Maine, Maryland, Ohio, New York, and Connecticut). The complaints, investigations, and other issues are summarized in Table 2, below.