



AGRICULTURE, WEIGHTS AND MEASURES
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TO: Pest Control Businesses Working in Marin County
FROM: Marin County Department of Agriculture
DATE: December 2, 2024
RE: **2025 Bulletin for Pest Control Businesses Working in Marin County**

The Marin County Department of Agriculture would like to remind you that all county registrations expire on December 31, 2024. All pest control businesses, advisors, pilots, and farm labor contractors that perform work in Marin County must register with our office prior to operating in 2025.

NEW FOR 2025! All businesses physically located in Marin must register in person. Marin-based businesses should call (415) 473-6700 to schedule an appointment.

All out-of-county businesses can register with Marin County by mail or in person. Online registrations are *not* accepted by Marin County at this time.

Registration forms are available online at:
<https://www.marincounty.gov/departments/awm/agriculture/pesticide-enforcement>

Registration fees are as follows:

- Agricultural Pest Control Business (PCB): \$96
- Maintenance Gardener PCB: \$25
- Farm Labor Contractor: \$39
- Structural Branch 1 PCB: \$25
- Structural Branch 2 or 3 PCB: \$10
- Pest Control Advisor (Home County Marin): \$10
- Pest Control Advisor (Out of County): \$5

Continue reading for the latest news & information regarding:

- New rodenticide restrictions: first-generation anticoagulant rodenticides
- New fine levels for civil penalties
- Use of carbon monoxide pest control devices
- Neonicotinoid pesticides
- Rodenticide bait boxes: labeling and maintenance
- Pesticide notification requirements
- Pesticide use reports

LATEST NEWS & INFORMATION

New Rodenticide Restrictions: First-generation Anticoagulant Rodenticides

On September 25, 2024, the Governor signed Assembly Bill 2552, to add the same restrictions to first-generation anticoagulant rodenticides (FGARs – diphacinone, chlorophacinone, and warfarin) that were placed on second-generation anticoagulant rodenticides (SGARs) a few years ago. If you have any of these rodenticides, please read [AB 2552](#) and familiarize yourself with the restrictions. These new restrictions go into effect on January 1, 2025. Please contact us if you have any questions on this.

Please note: FGARs and SGARs can only be applied around wineries, breweries, pharmacies, food storage warehouses, medical waste generators, factories, and agricultural production sites.

New Fine Levels for Civil Penalties

Update to California Code of Regulations Title 3 (3CCR) [section 6130](#)

On July 1, 2024, the Department of Pesticide Regulation increased the fine range for administrative civil penalties levied by county agricultural commissioners from a maximum of \$5,000 to a maximum of \$15,000 for Class A violations and from a maximum of \$1,000 to a maximum of \$3,000 for Class B violations.

Agricultural Civil Penalties are classified as "Class A", "Class B", or "Class C". They can be assessed against both agricultural and structural pest control companies for violations of pesticide use laws and regulations (Food & Agricultural Code and Title 3 of the California Code of Regulations).

A "Class A" violation is one that caused a health, property, or environmental hazard. It can also be a violation of a law or regulation that mitigates the risk of adverse health, property, or environmental effects, and the commissioner determines that one of the following aggravating circumstances support the elevation to Class A:

1. The respondent has a history of violations;
2. The respondent failed to cooperate in the investigation of the incident or allow a lawful inspection; or,
3. The respondent demonstrated a disregard for specific hazards of the pesticide used.

Class A violations are also assessed when a respondent ignores a cease-and-desist order.

A "Class B" violation is a violation of a law or regulation that mitigates the risk of adverse health, property, or environmental effects that is not designated as Class A. An example would be an employee not wearing their PPE, or not having a service container properly labeled.

A “Class C” violation is a violation of a law or regulation that does not mitigate the risk of an adverse health, property, or environmental effect. Class C violations are most often paperwork violations.

The fine range for each class of violation is:

- (1) Class A: \$700 to \$15,000.
- (2) Class B: \$250 to \$3,000.
- (3) Class C: \$50 to \$400.

Use of Carbon Monoxide Pest Control Devices

[3CCR section 6695](#)

Some companies looking for alternatives to rodenticides have turned to carbon monoxide devices for rodent control. What is required to use these devices?

Each carbon monoxide device approved for use in California will have an EPA Establishment Number affixed to it. These devices can only be used on burrowing rodent pests and there are certain distance requirements companies must be aware of:

- Never use it inside a structure inhabited by people or livestock.
- Do not use within a certain distance of a structure as follows:
 - 50 feet for control of ground squirrels or field mice;
 - 100 feet for gophers; or
 - 65 feet for all other burrowing rodent pests.

Is PPE required to use this device?

If an employee performs an application using the device, they must wear protective eyewear.

Are use records required?

Yes! Pest Control Businesses and local governments, including a city, county, school district, park district, or any other political subdivision of the state, shall keep records for two years as follows:

1. Date the device was used;
2. Name of the operator of the property treated;
3. Address of where the device was used;
4. Site at which the device was used; and
5. Length of time the device was operated for every treatment.

It's important to note that reporting of adverse effects is also required! 3CCR section 6695(b)(3) states, *“Immediately submit to the Director factual or scientific information showing any adverse effect to human health or safety, property, or the environment, from the use of the carbon monoxide pest control device.”*

Neonicotinoid Pesticides

Restrictions for Non-Agricultural Outdoor Use

Effective January 1, 2025, neonicotinoid pesticide products used on non-agricultural outdoor ornamental plants, trees, or turf must be sold only by DPR-licensed pesticide dealers and possessed or used only by California certified commercial applicators.

“Neonicotinoid pesticide” is defined as a pesticide containing one of five active ingredients: acetamiprid, clothianidin, dinotefuran, imidacloprid, and thiamethoxam. “Non-agricultural” use includes home use, industrial or institutional use, structural use, and vector control use. If you have any of these pesticides and use them in any of these settings, please read [Assembly Bill 363](#) and [FAC 12838\(c\)](#) and familiarize yourself with the restrictions.

The following uses of neonicotinoid products are subject to the restrictions of FAC 12838(c):

- Outdoor applications to ornamental nursery stock at a retail nursery.
- Outdoor applications to ornamental plants in a non-agricultural use setting, such as landscaping around homes and other residences, schools, libraries, and businesses.
- Outdoor applications to all trees in non-agricultural use settings, including “non-production” fruit and nut trees around homes and residences.
- Outdoor applications to turf in non-agricultural use settings.

Who can apply these products?

An application of a neonicotinoid pesticide in non-agricultural settings to outdoor trees, turf, or plants must be done by an individual with a QAL or QAC with the proper category. They cannot be applied by employees trained as handlers under the supervision of a certified commercial applicator.

It's important to note that an individual with a QAC solely with Subcategory Q is not considered a certified commercial applicator. Therefore, a Maintenance Gardener PCB supervised by a QAC holder solely with Subcategory Q will not be able to legally apply a neonicotinoid pesticide to outdoor ornamental trees, turf, or plants.

Rodenticide Bait Boxes: Labeling and Maintenance

Labeling Requirements

County Department of Agriculture Offices across the Bay Area continue to receive bait box complaints. It seems many in the public are aware of bait boxes and we've received several complaints about bait boxes with questions specifically about labeling. Some of the bait boxes we discovered didn't have any labels on them. Some have labels that list several possible baits inside but were so weather-beaten that it was difficult to tell what material was inside the box. In another case, there was no label because there was a snap trap inside the “bait” box, which caused confusion to the public who expected to see a label on the unit.

State law requires that bait stations be marked with the name of the pesticide, signal word, and the name, address, and telephone number of the structural pest control business ([16CCR section 1983\(i\)](#)). It's important to talk to your technicians and make them aware to always check the bait box label at your customer sites. Make sure the boxes are properly and accurately labeled, and re-mark them if they become illegible!

Abandoned Rodenticide Bait Boxes

Our office has also received several complaints about abandoned bait boxes. On one occasion, we found multiple abandoned bait boxes, some of which still contained rodenticides. In this case, another pest control business was placing their boxes right next to a competitor's old bait boxes that were left at the service location after the competitor pest control business' contract was terminated.

State law requires that all rodenticides must be removed upon termination of a service. Not doing so is a violation, even if a business has communicated to their old client that they can keep the bait boxes; the business must still visit the site to remove any rodenticides they have placed.

Pesticide Notification Requirements

The *most common* pesticide complaint our office receives is lack of proper notification to tenants prior to pesticide applications. All pest control businesses must provide notice of pesticide applications *prior to the pesticide application*.

Regular and effective communication with property operators and tenants is essential. Know who your contacts are and arrange your notification process in advance.

Structural Pest Control Businesses are required to give *both* the property operator and tenants *written* notice of pesticide applications prior to the application. The information and statements required to be in this written notice can be found in [Business and Professions Code section 8538](#).

Every year the Marin County Department of Agriculture investigates multiple complaints where tenants did not receive notice of pesticide applications from the structural pest control business performing the application. In these cases, the structural pest control business provided written notice of pesticides that were going to be applied to the property operator (property management firm) but did not provide that notice of pesticide application to the tenants whose apartments were being treated.

In addition to giving notice before the application, structural pest control businesses (Branch 2 or 3) are also required to leave written notice after the application. The notice must identify the name of each pesticide applied, the date of service, and the businesses' name, address, and telephone number. More information on post-application notice requirements can be found in [16CCR section 1970.42](#).

Agricultural Pest Control Businesses and Maintenance Gardeners are required to give the operator of the property notice of the pesticide application (date of application, name of the pesticide, and any precautionary statements). Notice can be given orally or in writing, but we suggest you put the notice in writing, so you will have documentation that notice was given. The property operator is then responsible for making sure that notice is given to tenants or other people that may pass through the treated property. We suggest you remind your clients of their obligation to forward pesticide information to their tenants (see [3CCR section 6618\(b\)](#)).

Pesticide Use Reports

We strongly encourage all pest control businesses to submit pesticide use reports electronically through CalAgPermits. If you don't have a CalAgPermits account, please e-mail us at marin.dept.ag@marincounty.org or contact our office at (415) 473-6700 to set one up!

If you have questions on these subjects or anything else pesticide-related, please contact the Marin County Department of Agriculture at (415) 473-6700.