

**SECTION .0800 - FUMIGATION**

**02 NCAC 34 .0801 SPOT FUMIGATION REQUIREMENTS**

(a) Any pesticide, used as a spot fumigant in gassing rodents, shall not be considered a fumigant under the provisions of these rules and regulations, provided that the pesticide shall be applied in such minimal quantities and in such locations that it, or the gases from it, will not harm human beings or domestic animals. All necessary precautions shall be taken with the pesticide and these shall include the following recommended procedures as outlined by the manufacturer.

(b) Spot Fumigation. The requirement of posting a guard or watchman as specified in Rule .0810(c)(1) of this Section shall not apply to spot fumigation, or during the fumigation of railroad box cars, trucks, aircraft, vaults, common carriers and similar structures of limited space, or when using pure chloropicrin, provided the structure or enclosed space can be adequately locked, unless deemed necessary by the certified applicator or the licensed structural pest control operator in charge of the fumigation operation. This does not relieve the certified applicator or the licensed structural pest control operator in charge of the fumigation operation, from full responsibility in connection with all other safety precautions and requirements.

(c) Rules .0805(a), (b), (c), and (d) of this Section do not apply to the use of fumigants to control insects, rodents, and other pests outside of structures or buildings, or to spot treatment within structures or buildings or to fumigation of railroad box cars, trucks, aircraft, special rooms, tanks, vaults, chambers, and similar structures of limited size where the fumigator remains outside the space being fumigated and is not exposed to toxic concentrations of the fumigant(s) used. These exemptions do not, however, relieve the individual in charge of the fumigation from full responsibility in connection with all safety precautions and requirements.

(d) Prior to the application or release of fumigant(s), suitable warning signs shall be securely and conspicuously posted at the ground level on the outside of all doors and entrances to the structure; and at least one warning sign on the outside of each side of the structure or enclosed space to be fumigated; and outside on all doors and entrances, to enclosed space(s) or common carriers to be fumigated. Such warning signs shall not be less than 10 inches by 12 inches, printed, painted or made in indelible red ink or paint, insoluble in water, upon a white background. All lettering on the sign shall be not less than one-fourth of one inch high.

(e) Warning signs for outside of structure(s) or enclosed space(s) shall be as follows:

(Skull	DANGER	(Skull
And	FUMIGATING WITH	And
Crossbones)	(Name of Fumigant)	Crossbones)

DEADLY POISON  
ALL PERSONS ARE WARNED TO KEEP AWAY

Name of Fumigator \_\_\_\_\_

Address \_\_\_\_\_

Day Telephone Number \_\_\_\_\_

Night Telephone Number \_\_\_\_\_

The words "Danger" and "Deadly Poison" shall be in block lettering at least two inches high. The name of the fumigant shall be at least five-eighths of one inch high. The skull and crossbones shall be at least one inch high.

(f) Warning signs for outside of structure or enclosed space shall be as follows:

"Warning: An area within this structure is being fumigated with a deadly poison. All persons entering this building should avoid areas so marked." All lettering on the sign shall be not less than one inch high. The skull and crossbones shall be at least one inch high on the sign.

*History Note: Authority G.S. 106-65.29;  
Eff. July 1, 1976;  
Readopted Eff. November 22, 1977;  
Amended Eff. August 1, 1980;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018.*