

02 NCAC 34 .0808 FUMIGATION APPLICATION

- (a) The dwelling or place of business to be fumigated and all parts thereof shall be vacated by human beings and domestic animals during the fumigation operation. In addition, dwellings or enclosed spaces which are physically joined to or in contact with or within ten feet of the structure to be fumigated shall be vacated by human beings and domestic animals during the fumigation and ventilation periods.
- (b) Exemptions from Rule .0808(a) of this Section. Apartments within a multiple unit apartment building may be fumigated only after proper sealing of the area to be fumigated and only after adjacent apartments on all sides and those apartments on the next floor, directly above and below, are vacated. All the herein described adjacent units shall be properly ventilated during the entire exposure and ventilation periods.
- (c) It shall be the duty of the certified applicator or licensed fumigator in charge of the fumigation operation to be present and personally to make a careful examination of all parts of the structure(s) to be fumigated, including locked rooms, compartments, and closets, and of dwellings or enclosed spaces physically joined to or in contact with said structure, to verify that no humans or domestic animals have remained therein, and that all necessary precautions have been undertaken to safeguard the lives and health of all persons and domestic animals occupying neighboring structures and buildings.
- (d) Fumigation of structures shall be performed in strict accordance with the registered label directions and precautions for the intended use of the fumigant, provided there is sufficient distance along the entire length of the passageway between the structure(s) to be fumigated and all adjacent occupied structures to permit comfortable, free and reasonable passage for the members of the crew to work; for the guard on duty to patrol and make frequent periodic inspections; for the certified applicator or licensed fumigator to make tests along the passageway for escaping gas with the gas-detecting equipment and otherwise.
- (e) No certified applicator or licensed fumigator shall fumigate any structure or enclosed space with any fumigant if the structure or enclosed space to be fumigated is less than ten feet away from any other structure, measured by their closest points unless such other structure(s) is vacated of all human beings and domestic animals during the entire fumigation and ventilation periods.
- (f) Premises to be fumigated other than those cited in Rule .0807(b) of this Section shall be sealed in such a manner as to adequately confine the fumigant to the space intended to be fumigated. Any structure which cannot be made reasonably gas-tight by sealing or tenting shall not be fumigated.
- (g) All structures to be fumigated for the control and/or elimination of infestations of drywood termites, wood boring beetles or other structural infesting pests shall be covered completely with a gas-retaining cover in advance of the release of any fumigant.

*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.*