

Declaration of Emergency  
Department of Agriculture and Forestry  
Structural Pest Control Commission  
Minimum Specifications for Trench and Treat Termite Control Work (LAC 7:XXV.141)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953 (B), and under the authority of R.S. 3:3366, the Structural Pest Control Commission (SPCC) declares an emergency to exist and requests the adoption by emergency process the attached regulations to supersede the current permanent regulations found at LAC 7:XXV.141. The regulations being put into place by this declaration of emergency are in the process of being promulgated as permanent rules and are anticipated to become effective upon completion of promulgation. The implementation of these regulations by the emergency process is necessary in order to require pest control operators in Louisiana who use termiticides approved by the SPCC, to calculate the termiticide and water mixture for a minimum of a 12 inch depth application in the trench when using the trench and treat requirements on the termiticide labels. The implementation of these rules will clarify label requirements that have been industry standards and used in this fashion for many years, but were not specifically required on the federal labels or by the SPCC rules. Louisiana has a significant Formosan Subterranean Termite (FST) population. FST cause tremendous damage to homes each year. This rule will assure homeowners and other structure owners that they are obtaining the best scientific protection. With this rule change, the Department and the SPCC are continuing to protect the public by preventing homes and other structures from infestation by subterranean termites.

These emergency rules become effective on the signature of the Commissioner and shall remain in effect for 120 days, unless renewed or until the permanent rules and regulations become effective.

Title 7  
AGRICULTURE AND ANIMALS  
Part XXV. Structural Pest Control  
Chapter 1. Structural Pest Control Commission  
§141. Minimum Specifications for Termite Control Work

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A. – A.2. ...

B. Requirements for Trench and Treat.

1. Calculations made for the rate and volume of the termiticide mixture being applied in all trenches shall be based on a minimum of one foot of depth.

2. All trenches shall be a minimum of four inches wide at the top angled toward the foundation and a minimum of six inches deep in order to permit application of the required chemical.

3. Application of the product mixture into the trench shall be made at the rate and manner prescribed on the label and labeling.

4. Rodding shall be acceptable only when trenching will damage irrigation equipment, flowers and/or shrubs.

C.- I.2.c. ...

3. The requirements specified in Section 141. B.1 through 3 shall not be waived.

J. - M.9. ...

Signed and attested to this 3rd day of October, 2012.



MIKE STRAIN DVM, COMMISSIONER OF  
AGRICULTURE AND FORESTRY