PRE-CONSTRUCTION TERMITE TREATMENT DISCLOSURE

Street address	City	State / ZIP	Date of disclosure	Pages
				4

TPCL no.
Estimator
License no.

Licensed and regulated by: Texas Department of Agriculture, P.O. Box 12847, Austin, TX 78711-2847, Phone (866) 918-4481, Fax (888) 232-2567.

Builder or contractor: _____ Owner or buyer: _____

Lot, block, and subdivision: _____ Planned treatment date: _____

Construction: ☐ Slab ☐ Pier and beam ☐ Combination ☐ Other: _____

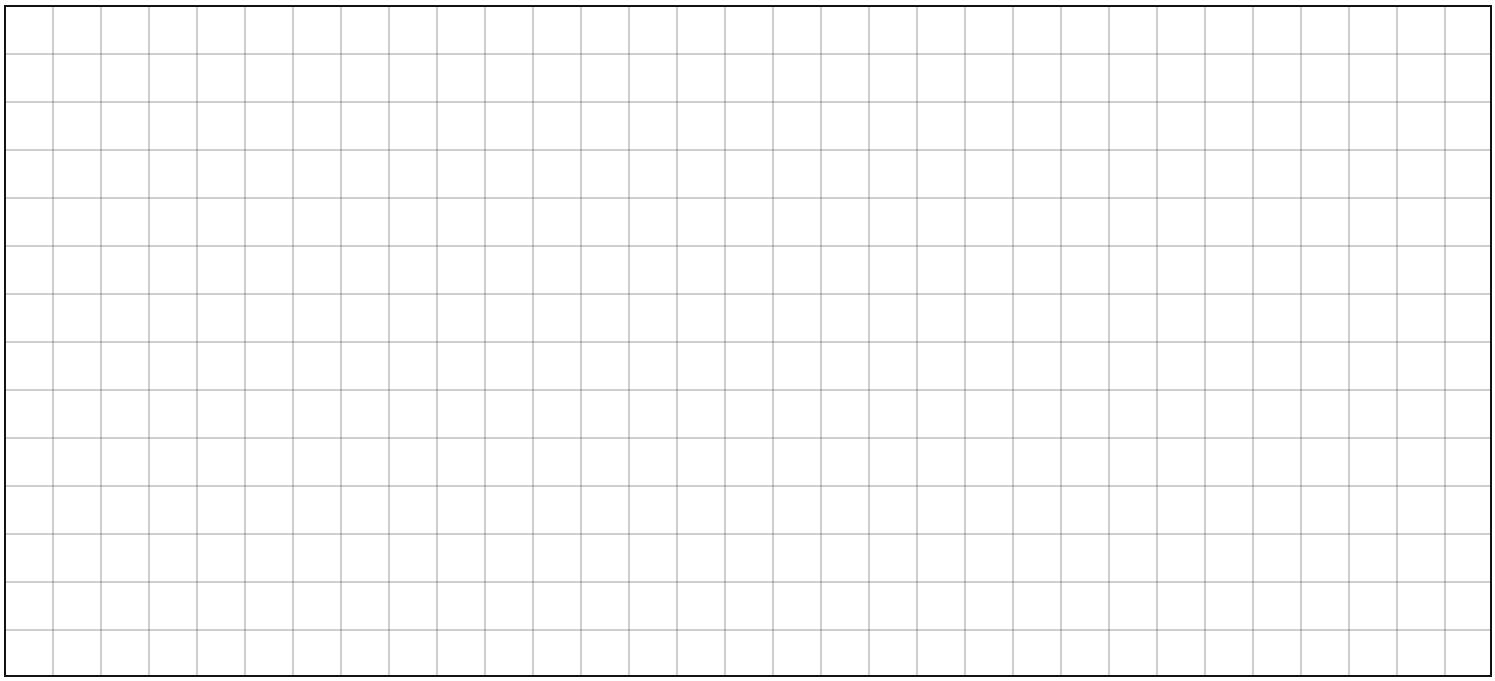
Treatment type

Treatment type: ☐ Full ☐ Partial ☐ Wood ☐ Bait ☐ Barrier

Structure: ☐ Single family ☐ Commercial

Diagram of the structure

Perimeter of entire structure: _____ linear ft



Treatment: **H** Horizontal **V** Vertical **TR** Trenched **RD** Rodded **BS** Bait station **BT** Physical barrier **W** Wood treatment

Activity: **A** Active **P** Previous —— Treated - - - Not treated

Conducive conditions: **G** Wood to ground contact **I** Formboards left in place **J** Excessive moisture **K** Debris under or around structure **L** Footing too low or soil line too high **M** Wood rot **N** Heavy foliage **O** Planter box abutting structure **Q** Wood pile in contact with structure **R** Wooden fence in contact with structure **T** Insufficient ventilation **C** Other

All termite treatments (4 TAC §7.174(b)(9))

For all treatments there will be a diagram showing exactly what will be treated. Treatment specifications and warranties for those treatments may vary widely. Review the pesticide label provided to you for minimum treatment specification. If you have any questions, contact the pest control company or the Texas Department of Agriculture, P.O. Box 12847, Austin, Texas 78711-2847. Phone (866) 918-4481.

Property address: _____ Date of disclosure: _____

Site and construction

Areas of active or previous termite activity: _____

Other wood destroying insect activity: _____

Conditions conducive to infestation: _____

_____

Construction details: _____

_____

Treatment

Product: _____ EPA Reg. No.: _____ Active ingredient: _____

Concentration: _____ Approx. gallons: _____

Square feet to be treated: _____ Linear feet to be treated: _____

Minimum bait stations: _____ Physical barrier (sq ft): _____

Areas to be treated, and how: _____

_____

_____

Horizontal barrier: _____ Vertical barrier: _____ TDA notice sent: _____

Given to the builder: ☐ Pesticide label ☐ Consumer information sheet ☐ Builder's guide ☐ Complete warranty details

Warranty

Warranty: ☐ No warranty ☐ Warranty, as written below

Areas covered: _____ Length: _____

Renewal: _____

If termites return: _____

_____

What voids the warranty: _____

_____

Price

Price: _____ Payment terms: _____

Terms

Final treatment. For a full treatment, we come back after the slab or piers are in to finish the vertical barrier. We finish within 30 days after you tell us the landscaping is done, or 1 year after construction is complete, whichever comes first (4 TAC §7.173(c), (d)).

Treatment sticker. After the final treatment, we leave a treatment sticker, as TDA's guide on page 4 describes.

Partial treatment. If construction is too far along to treat every area, you and our licensee sign a statement about the conditions, with an amended diagram. We send the owner copies within 7 days of the application (4 TAC §7.173(c)).

Commercial notice. For any structure other than a single family dwelling, we notify TDA 4 to 24 hours before each application (4 TAC §7.173(f)).

Records. We keep a copy of this disclosure for 2 years (4 TAC §7.174(d)).

Signatures

By signing, the builder or buyer accepts this disclosure and confirms receipt of the pesticide label, the consumer information sheet, the builder's guide, and the warranty details, if any.

Approved by

_____

Signature of certified applicator or licensed technician (termite category)

_____ _____ _____

Printed name License no. Date

Accepted by

_____

Signature of builder, contractor, or buyer

_____ _____

Printed name and title Date

PROPER PRE-CONSTRUCTION SUBTERRANEAN TERMITE TREATMENTS
A Guide for Builders and Commercial Customers

COMMISSIONER **SID MILLER**
TEXAS DEPARTMENT OF AGRICULTURE
STRUCTURAL PEST CONTROL SERVICE
P.O. BOX 12847, AUSTIN, TEXAS 78711-2847
Phone: 866-918-4481 Fax: 888-232-2567

I. Definitions

The Texas Department of Agriculture licenses pest control operators and regulates the application of pesticides for the prevention or control of subterranean termites. Because of the importance of treatments made to buildings under construction (commonly called pre-treats), this publication has been prepared for builders and consumers who hire pest control operators for these preventative termite treatments.

Pre-construction treatments may include methods such as soil treatments, baiting systems, treatments of wooden structural elements, and approved physical barriers.

A pre-construction liquid soil termiticide treatment may be a full treatment or a partial treatment, defined in the following manner.

A. FULL TREATMENT

Effective preconstruction treatment for subterranean termite prevention requires the establishment of complete vertical and horizontal chemical barriers or approved physical barriers between wood in the structure and the termite colonies in the soil.

For Horizontal Chemical Barriers, applications shall be made using a low pressure spray after grading is completed and prior to the pouring of the slab or footing to provide thorough and continuous coverage of the area being treated.

For Vertical Chemical Barriers, establish vertical barriers in areas such as around the base of foundations, plumbing lines, backfilled soil against foundation walls and other areas, which may warrant more than just a horizontal barrier.

B. PARTIAL TREATMENT

A partial treatment is anything less than a full treatment as described above. A partial treatment only protects the areas treated from wood destroying insects. The areas chemically treated must be treated using at least the minimum labeled rate.

Physical barriers and devices installed at slab penetrations are considered partial treatments. Baits shall be disclosed as bait treatments.

C. PRE-CONSTRUCTION TREATMENT WITH WOOD FRAMING

A pre-construction treatment of all or part of the wood framing as described in SPCS Rule 7.173 (e) shall be disclosed as a wood treatment. Label instructions for wood framing treatments allow a wide variety of treatment strategies. More extensive treatments may provide greater protection than treatments designed to protect a specific area or location.

II. APPLICATION RATES

Labels can and do differ. Read and follow label directions. Builders and consumers should ask for a copy of the label.

1) Unless otherwise directed by the label, fill material to be covered by a slab is treated at a rate of 1 gallon per 10 square feet (soil fill). For coarse fill, use 1.5 gallons per 10 square feet or as specified on the product label.

2) Unless otherwise directed by the label, soil backfill areas next to walls, piers, pipes and under “critical areas” like slab expansion joints are treated with 4 gallons per 10 linear feet per foot of depth. (This includes fill areas inside chimneys and earth-filled porches).

3) Hollow masonry units receive 2 gallons per 10 linear feet. Though a concrete block wall may have multiple chambers (2 or 3 hole blocks), it is counted as one hollow void when calculating the amount of termiticide needed for treatment. Review specific label requirements for proper mixture rates and application procedures.

4) Wood applied termiticide treatments are to be applied according to label directions.

III. CONTACTING THE TEXAS DEPARTMENT OF AGRICULTURE

TDA does not regulate pricing of treatments. However, we are interested in situations where the price is only a fraction of the cost of materials needed to do the job correctly. Remember, comparing the bid price to the size of the structure and the cost of termiticide does not include costs such as insurance, travel, labor and other costs associated with overhead. FURTHER, A CONTRACTOR MAY HAVE CIVIL OR CRIMINAL LIABILITY IF THEY CONSPIRE TO VIOLATE SPCS REGULATIONS.

Termiticide labels have specific directions about the product's use. Pest control companies must follow these directions and TDA/SPCS Rules including 7.173 (b) and (c):

(b) All pesticide applications must be made by using the application rate and methods and by following the precautionary statements on the labeling of the pesticide being used.

Treatments using less than label recommended concentrations at higher volume applications are prohibited for preconstruction treatments,

(c) for a full treatment the entire structure shall be treated to provide a continuous horizontal and vertical barrier as described on the pesticide label including the posting of a treatment sticker and the final treatment to be performed within 30 days of notification of completion of landscaping or one year from the date of completion of construction, whichever comes first. Except, when construction has proceeded to the point that all areas cannot be treated before the company providing the treatment is called to perform the application, a partial treatment will be permitted if the owner of the structure or the person in charge of the construction and the certified applicator for the pest control company sign a statement attesting to the conditions, and attach it to the contract with an amended graph showing the exact areas treated.

Termiticides must be used at the prescribed rate, to protect the structure from termites and to comply with federal and state regulations.

TDA will inspect specific treatments in response to consumer complaints or information that indicates a possible improper treatment. THE PEST CONTROL COMPANY IS REQUIRED TO INFORM THE STRUCTURAL PEST CONTROL SERVICE 4-24 HOURS PRIOR TO PERFORMING THE TREATMENT. The prior treatment notification requirement is specific to commercial preconstruction and is not required for single-family dwellings. TDA will also inspect treatments during compliance inspections of pest control company operations and will randomly make inspections of job sites where treatments are in progress. Such on-site inspections may involve collecting samples of the tank mix and soil samples of treatment sites following application. Questions about termite treatment procedures should be directed to the TDA office.

IV. TREATMENT REQUIREMENTS

For existing or post construction treatments, a variety of treatments may be used that include chemical, approved TDA physical barriers, methods and devices, and baiting systems. TDA will inspect some treatments in progress to ensure that proper procedures are being used. Keep in mind that an inspection by TDA is not required for the treatment or construction to proceed. Inspections at pretreatment sites, both residential and commercial, will be made on a case-by-case basis.

It is the philosophy of this agency to combine firm but fair enforcement actions with an educational approach to obtain regulatory compliance.

TREATMENT IS:

A. Full ☐
B. Partial ☐
C. Wood ☐
D. Bait ☐
E. Barrier ☐
F. Commercial ☐
G. Single Family ☐

I have received a copy of the Guide for Builders and Commercial Customers.

_____

Signature of Customer or Contractor

_____

Date

SPCS/D-4