ARIZONA DEPARTMENT OF AGRICULTURE OFFICE OF PEST MANAGEMENT **SUBSTANTIVE POLICY STATEMENT** Initial Corrective Treatment TARFs	SP 13-04 POLICY NO. SIGNATURE DATE

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.

1. BACKGROUND

Laws 2011, ch. 20, § 6 required the Director of the Arizona Department of Agriculture to appoint a nine member task force to study the regulation of structural pest management in Arizona, specifically as it related to the following four items: (1) a review of all laws and regulations governing structural pest management in this state, (2) a review of possible organizational configurations within ADA for structural pest management regulation, (3) a review of personnel and funding issues relating to the administration of structural pest management regulation within ADA and (4) statutory changes necessary to accomplish the future structural pest management program. The task force and its subcommittees met 18 times between August 2011 and October 2012. In November 2012, the task force's final recommendations for changing OPM's statutes and rules were submitted to the Governor, the President of the Senate, and the Speaker of the House. These recommendations were adopted by the Legislature in substantial part and signed into law in 2013. *See* Laws 2013, ch. 125.

A.R.S. § 32-2301(17) defines "initial corrective treatment" as "the first postconstruction treatment ..." and A.R.S. § 32-2301(27) defines "postconstruction treatment" as a "treatment to control wood-destroying organisms ...." The phrase "wood-destroying organisms" broadly covers more than just wood-destroying termites. The purpose of this substantive policy statement is to inform the general public of OPM's approach to and opinion of these statutes with respect to termite action report forms and fees. *See* A.R.S. § 41-1001(21).

2. POLICY

After completion of an initial corrective treatment, the business licensee or certified applicator must submit a termite action report form (TARF) and fee to OPM. *See* A.R.S. § 32-2331; *see also* A.R.S. § 32-2321(C)(11). As the name indicates, termite action report forms are for termite treatments. Accordingly, OPM only requires submission of a TARF and TARF fee for an initial corrective treatment when that initial corrective treatment relates to termites.

3. EFFECTIVE DATE

This policy is effective _____, 2013 and shall continue in effect until repealed, modified, or superseded.