



PROTECT YOUR TERMITE REVENUE

**Your knowledge
of laws, labels and
liability risk will keep
you in the clear**

By Greg Baumann | *PMP* Contributor



To be successful, pest management professionals (PMPs) depend on managing liability as competently as they manage mice in a commercial account. Because of the effectiveness of today's control products and contract improvements, though, it is easy to have a false sense of security. Dangers lurk with each task of the cornerstone services of the inspection and control of subterranean termites and other wood-destroying organisms (WDO).

After decades of discussions about liability, where are we today? In our dynamic industry, things have progressed, but the world of liability still haunts us. It is not possible to go online or travel down a highway without getting barraged by plaintiff attorneys' ads, which not only push lawsuits for personal injury but also for any type of perceived losses, including property damage. Consequently, the insurance industry also has seen changes.

An insurer's perspective

"Today's liability environment features an increasingly active plaintiff's bar that sometimes cultivates distrust of businesses and insurance carriers," explains Gary Shapiro, senior VP of New York City-based Program Brokerage Corp. (PBC), which offers an insurance program for PMPs. "When they succeed in swaying a jury, the results can include substantial judgments and punitive damages that can exceed reasonable compensation."

PBC Chief Sales Officer Alexia Mosca notes another emerging concern. "Artificial intelligence is now playing a role in shaping customer experience, often providing information and expectations about consumer rights and company obligations," she says. "This creates additional exposure for our insureds."

Insurance is vital for PMPs. Knowing the terms and coverage of your policy is essential, and your insurance agent can help wade through the complexities. Remember, coverage may be jeopardized by not reporting potential claims as required by the policy, including deadlines.

A legal perspective

Veteran pest management defense attorney Cliff Slaten, founding partner of Montgomery, Ala.-based Slaten Law, observes that "some plaintiff lawyers try to make the mere presence of termites strict liability because if a house gets termites, then the company 'either didn't treat properly or didn't inspect properly or both.' This isn't necessarily true."

Educating customers on expectations will go far toward reducing liability. Inspectors can only report what they can see, and treatments are not an instant magic wand. An inspection today does not guarantee the future to be pest-free, and a treatment today won't eliminate termites instantly.

Let's explore some best practices regarding termite inspections and treatment.

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“TODAY’S LIABILITY ENVIRONMENT FEATURES AN INCREASINGLY ACTIVE PLAINTIFF’S BAR THAT SOMETIMES CULTIVATES DISTRUST OF BUSINESSES AND INSURANCE CARRIERS.”

— GARY SHAPIRO

Inspection tips

1 Select only the most-qualified inspectors for WDO inspections.

It is important to select candidates who are detail-oriented and savvy in not just pest biology but, more importantly, in construction, especially if the inspection is for real estate transactions. A typical service technician might fill both roles as a universal technician, but an employee who is trained to be quick yet effective on a time constraint must understand that WDO inspections are meticulous tasks requiring much care and consideration by an inquisitive mind.

2 Ensure that inspectors use outside as well as in-house training. Inspector training always should be a priority. The most experienced employees who have done the treatment work usually make the best inspectors, but that’s not always the case. While company training is



important, outside training further enhances the skills of inspectors and can set your company apart. Several states have voluntary accreditation programs, and state pest management associations present

▲ **Moisture meters are one of the most important tools to have for a thorough WDO inspection.**

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PHOTO: GREG BALIMANN

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PROTECT YOUR TERMITE REVENUE

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frequent in-person and online
conferences where these topics
are discussed.

3 Make sure all inspections
use the same tools and
procedures. Before heading
to an appointment, inspectors
should make sure they have all
the necessary tools, including
their work orders, field sheets for
notes, a probing and sounding
tool and a nondestructive pad-

► After finding
high moisture
when drywall
defects were
seen, the
homeowner
opened this wall
at the roofline
and found active
termites and
damage, some 30
feet above grade.
The source was
the crawlspace.



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type moisture meter (see p. 32). There are several modern tools to help with inspections, such as electronic detection. Companies should set a policy that special tools are only for special situations; otherwise, those same tools will be expected to be used for all inspections. It's important to avoid a double standard.

Opinions vary as to which areas of a structure to inspect. It is critical to inspect the entire structure. Subterranean termites can be found well above grade, for example, if a roof leak or other consistent source of moisture is available.

4 Keep records as though the next time you see them will be in court. Documentation is the key to success and liability reduction. Inspectors can now

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“ARTIFICIAL INTELLIGENCE IS NOW PLAYING A ROLE IN SHAPING CUSTOMER EXPERIENCE, OFTEN PROVIDING INFORMATION AND EXPECTATIONS ABOUT CONSUMER RIGHTS AND COMPANY OBLIGATIONS. THIS CREATES ADDITIONAL EXPOSURE FOR OUR INSURED.”

— ALEXIA MOSCA



PHOTO: GREG BALIMANN

PROTECT YOUR TERMITE REVENUE



“SOME PLAINTIFF LAWYERS TRY TO MAKE THE MERE PRESENCE OF TERMITES STRICT LIABILITY BECAUSE IF A HOUSE GETS TERMITES, THEN THE COMPANY ‘EITHER DIDN’T TREAT PROPERLY OR DIDN’T INSPECT PROPERLY OR BOTH.’ THIS ISN’T NECESSARILY TRUE.”

— CLIFF SLATEN

Continued from page 34 verify the property before the inspection via online real estate sites. Many local governments now list tax information that includes a diagram of the structure. Now, inspectors can easily see whether any additions to the property were made.

Treatment tips

Many of the concepts noted for inspections also apply to control, including training and documentation. There are a few additional tips that are worth noting, however:

1 Before digging, comply with state requirements. Each state has information online as

to the requirements before digging. If you are performing a liquid termite control or bait installation, for example, areas might need to be marked for underground utilities. Keep in mind that while most pipes are well below trenching or bait installation depth, fiber optics

▲ States require notice before digging so utilities can mark locations of underground lines, as these spray painted lines suggest.



PHOTO: GREG BAUMANN



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are commonly just a few inches below grade.

2 Read and reread the label. We've all heard constant reminders that "the label is the law." Even if the technician uses the same one or two products daily, it is good practice to review the label for each use. Labels change without warning, and the technician is responsible for following the label that accompanies the product. Reviewing the label sections applicable to the job each time will keep companies in compliance with the label.

3 When possible, mix liquids onsite. From an environmental risk perspective, mixing on the job, especially for bulk tanks, reduces the chances of chemical spills in case of an accident. Spills, no matter which product is in the tank, result in days of regulatory and media attention. It might be impractical to mix onsite for many reasons, but in that case, companies should stress the importance of defensive driving and frequently inspect rigs for damaged hoses, fittings and tanks.

4 Keep accurate and detailed records. Pesticide applications require detailed recordkeeping but setting a company standard that might go beyond regulatory requirements, including handwritten notes, will be valuable if there ever is a claim. Documentation should be completed as soon as possible after the work is done. Records should be retained beyond state regulatory requirements.

Bonus tip

Never criticize the competition.

During an inspection accompanied by the homeowner, an inspector bluntly criticized the termite job done years ago as insufficient and inadequate. When asked

which company did the work, the homeowner responded, "It was your company." There is no reason to criticize others' work. The results might be embarrassing and cost you a customer.

Taking these tips seriously will reduce company liability and lead

to yet another successful year. Just a little quality evaluation effort will have significant benefits for years to come. **PMP**

Baumann is an industry veteran and a member of the *PMP* Hall of Fame, Class of 2013. He can be reached at GBCreativeSciences@gmail.com.

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THE DIRT ON TERMITES

What's new for the control and prevention of termites and other wood-destroying organisms (WDO)? Seven top industry suppliers share their solutions, insights and predictions. But we also want to hear from pest management professionals (PMPs): Which termite species are giving you the most trouble lately, and what integrated pest management (IPM) tactics are helping you win the fight? Share your real-world observations by emailing us at pmpeditor@northcoastmedia.net.



BASF

By Dr. Jason Meyers
Senior Technical Services Representative

RECENT INNOVATIONS: BASF continues to innovate in termite management with products like Termidor HE High Efficiency Termiticide and Trelona ATBS Annual Bait Stations (*pictured*). Termidor HE stands out thanks to its advanced formulation and application technology, allowing PMPs to reduce time and labor by 50 percent or more on every treatment. The product's exclusive chemistry enables shallow trenching and few drill holes, minimizing disruption to structures and landscapes. This efficiency translates to fast service, low inconvenience for customers and high cost savings for PMPs. The "Genuine Transfer Effect" ensures termites transfer the active ingredient throughout the colony, leading to structural protection.



Trelona ATBS bait stations, meanwhile, offer a low-profile, durable design with a dose-independent active ingredient, making them an excellent choice for both preventive and remedial termite control. These innovations empower PMPs to deliver highly effective, efficient and customer-friendly termite management solutions.

PREDICTIONS: We expect the termite management sector to grow over the next five years. Several factors are driving this trend, including increased new construction, heightened termite pressure, more real estate transactions and greater public awareness of termite risks.

Notably, the use of termite baiting systems has increased over the past decade, reflecting a shift toward integrated, less-invasive treatment options. PMPs will increasingly rely on a combination of liquid termiticides, baiting systems and advanced monitoring technologies. Innovations in formulation and application will continue to make treatments more efficient and less disruptive.



CONTROL SOLUTIONS INC.

By Anna Iversen, BCE
PCO Technical Service Manager

RECENT INNOVATIONS: Control Solutions Inc. (CSI) is proud to offer a wide range of termite tools in our portfolio, most of which partner with traditional liquid application equipment for excellent control. One of our newest products, Taurus Dry, is an exciting evolution in termite control with an exclusive formulation and novel delivery system.

Taurus Dry is a dry flowable formulation designed to control subterranean (Rhinotermitidae) and drywood (Kalotermitidae) termites, as well as to supplement post-construction treatment of other termiticides. With fipronil as its active ingredient, it's a nonrepellent that's capable of physical transfer among the colony, so even termites that aren't directly treated are controlled through spread.

Taurus Dry is applied with CSI's Precision Delivery System (PDS). This battery-operated injector allows a cartridge of Taurus Dry to be dispensed into voids and galleries at 0.05 grams per second. The PDS ensures every application is consistent and precise.



PREDICTIONS: Traditional termite work is one of the more laborious specialties in pest management. Future advances will focus on ease of application and reducing user error. As we lean heavier on monitoring within all parts of the industry, we'll likely see artificial intelligence and remote monitoring play a greater part in termite control and foster educated decisionmaking.



CORTEVA AGRISCIENCE

By Amy Chapman

National Account Manager

RECENT INNOVATIONS: Just as it has been since 1995, Sentricon is scientifically designed to eliminate the entire subterranean termite colony — including its queen. The Sentricon System can be installed to both eliminate and prevent termite infestations.



Termites eat the bait and share it with the colony. Studies have shown that termites prefer the bait used in Sentricon nearly 10 times more than wood.

The active

ingredient, noviflumuron, gets shared within the colony and prevents termites from maturing through molting. When termites can't molt to grow, they die. When the colony dies, the queen dies.

PMPs become certified Sentricon Specialists to ensure the system is installed and maintained properly, with Corteva Agriscience being a marketing and technical partner to raise your revenue and reputation.

PREDICTIONS: One termite issue on the horizon that perhaps isn't talked about enough is the potential for hybridization among species. For example, South Florida is one of only three places in the world where you can find both Formosan (*Coptotermes formosanus*) and Asian (*C. gestroi*) termites—considered to be two of the most destructive termite species around.

It was previously observed that the swarming season of Asian termites occurs before that of Formosan termites, preventing interaction. But in recent years, the swarming seasons overlapped, and a new “super termite” was created. The hybrid of these two species was first identified in the lab in 2015.

In October 2024, however, University of Florida entomologists observed a colony of this larger, fast-growing hybrid species thriving in the wild. This disproves the theory that the hybrid termites are sterile. The Corteva team continues to watch these developments with interest and has confirmed in in-house tests that show not only is the Sentricon System an effective means of eliminating Formosan and Asian termite colonies, but it is expected to eliminate “super termite” colonies, too.



CRAWLSPACE DEPOT

By Andrew Hicks

Director of Operations

RECENT INNOVATIONS: Reducing humidity levels in a crawlspace reduces conditions conducive to termites. The AprilAire Dehumidifier line, along with a properly encapsulated crawlspace, removes excessive humidity, creating a healthier environment for your customers and a less-hospitable one for termites and other wood-destroying pests.

Two of the newest models we're carrying are Wi-Fi-enabled: the AprilAire E70W (pictured) and E100W. They're designed for easy installation, seamless setup and hassle-free pairing. The units are built to last with corrosion-resistant aluminum coils that are made in the USA.

These units are simple to set up: Just plug in to a standard 120-volt outlet, make sure it's level, provide proper drainage and adjust the setpoint to the target relative humidity level. The unit will automatically begin to dehumidify if the humidity rises above the setpoint.



Plus, with the AprilAire Healthy Air app, your customers can monitor and control their units from anywhere with an internet connection.

From Bora Foam Insulation Boards to reinforced liners and VentBlock brand panels, we supply everything PMPs need to protect their customers' crawlspaces from termites, WDO and other pests.

PREDICTIONS: We believe termite treatment methods will continue to evolve, especially in prevention tactics. By offering crawlspace protection and remediation services, PMPs can create an additional revenue stream, a competitive advantage over their competition and fewer termite issues for customers.



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PRODUCT INSIGHTS **TERMITES**



NISUS

By Harry Bryan
VP of Business Development

RECENT INNOVATIONS: There is no

magic fix for termites. Good termite control starts with a thorough inspection, finding the problem spots, and treating them the right way. In areas where Formosan termites are a threat, the attic usually is a focus. That's where the trademarked Pro-Shield Pest Control Nsulation from Nisus comes in handy.

Pro-Shield is a cellulose insulation treated with borates that goes in attics and walls.

The borates keep termites and other WDO from the home's structure.

When termites run into borate-treated material, they can't eat, grow or breed, which means they won't infest those areas.

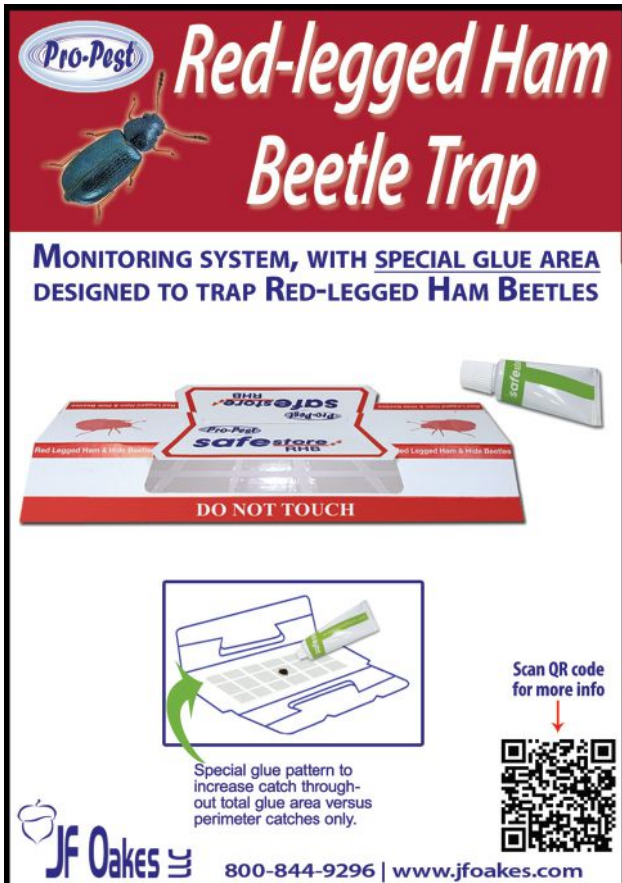


However, Pro-Shield is not intended to be used as a standalone termite treatment. It does not replace traditional soil treatments, baiting systems or direct-wood treatments. Rather, it complements these treatments by adding a long-lasting layer of protection in areas where it is installed.

When you use Pro-Shield with proven treatments like Bora-Care, you get solid protection against Formosan termites. This strategy gives you a strong termite management plan that also helps with energy efficiency.

PREDICTIONS: WDO work will keep growing because the fundamentals aren't changing. Homes are still being bought, sold and fixed up. Housing starts look steady, even if nobody can predict them, and repairs are expensive enough that prevention makes sense.

The industry continues to move away from one-time treatments toward offering inspections, ongoing monitoring and prevention plans that pay year after year.



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ROCKWELL LABS

By Dr. Cisse Spragins
Founder and CEO

RECENT INNOVATIONS: Famous for bed bugs, CimeXa Insecticide Dust also is labeled for (and highly effective against) drywood termites and many other pests. CimeXa is comprised of 100 percent food-grade synthetic amorphous silica. Because it is synthetic, it has no crystalline content, so that safety concern, as well as potential repellency, is eliminated. It is an extremely strong desiccant that attacks the waxy cuticle, causing rapid dehydration and death.

Unlike a typical organic (hydrocarbon) chemical, CimeXa isn't broken down by heat or light. The hotter it is, the better it works! And it is labeled to last up to 10 years when undisturbed. These features make it ideal for both prevention and control of drywood termites.

The use of silica is not new for drywood termites. None other than one of my fellow PMP Hall of Famers, the late Dr. Walter Ebeling (Class of

2003), advocated for its use in both pre- and post-construction drywood treatment some 50 years ago and noted its superiority to both 5 percent chlordane dust and 1 percent dieldrin spray.

"If silica is dusted onto wooden blocks, even in such small quantities that termites placed on them can survive for two weeks, the insects do not feed on the wood, although non-treated wood is vigorously attacked," he noted in his 1975 landmark textbook, *Urban Entomology*.

PREDICTIONS: Drywood termites, along with other invasive species, will continue to expand their territories and their active season with warmer temperatures, urbanization and movement of infested goods. With regulations on fumigation increasing, greener solutions are more in demand. Preventive treatments, during or after construction, can provide PMPs with an additional, valuable revenue stream.



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TECHNICIDE

By Jim Harper
Founder and CEO

RECENT INNOVATIONS:

The new Lithium-Ion Exacticide is built to be the ultimate workhorse for PMPs.

Designed with a powerful, long-lasting battery, it delivers consistent precision and reliability all week long — no cords, no interruptions. The upgraded lithium system provides extended run time and faster charging, keeping you efficient on every job. A new ergonomic rubber grip ensures comfort and control, while the lightweight design makes it easier than ever to treat both large and confined areas. This redesigned unit, first invented by a PMP and with continued feedback from other PMPs, continues to offer power, precision and performance.

Professional dust pesticides are especially effective in termite service for three key reasons:

- ▶ Deep access to voids and galleries. Dust can penetrate cracks and hidden areas where termites travel.

- ▶ Transfer effect. Termites carry dust particles back to the colony, spreading the treatment to others. Studies have shown this kind of dust application can achieve high mortality rates in termites over time.
- ▶ Long residual performance. Certain nonrepellent dusts can remain effective for months in protected spaces.



When it comes to delivering dust treatments effectively, the Exacticide system is the PMP's choice because it:

- ▶ Delivers precise, controlled dust placement into termite galleries and hard-to-reach voids
- ▶ Minimizes waste and mess compared to many other dusting methods
- ▶ Is designed for professional pest control use year-round, even in inclement weather

PREDICTIONS: We believe the industry will continue to research how to best manage and prevent WDO from damaging residential and commercial buildings through innovation via targeted development.



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