

CHAPTER 26
FUMIGATION AND INSECTICIDAL FOGGING
Double strike through denotes model language deleted by Oregon
Blue text denotes Oregon Amendments

SECTION 2601
GENERAL

2601.1 Scope. Fumigation and insecticidal fogging operations within structures and spaces shall comply with this chapter.

Federal Law 7USC136j(a)(2)(G) and state law ORS 634.372(2) are not a part of this code but are reproduced or paraphrased here for the reader's convenience.

7USC136j(a)(2)(G) state it shall be unlawful for any person to use any registered pesticide in a manner inconsistent with its labeling.

ORS 634.372(2) states a person may not as a pesticide applicator or operator, intentionally or willfully apply or use a worthless pesticide or any pesticide inconsistent with its labeling, or as a pesticide consultant or dealer, recommend or distribute such pesticides.

2603.2.1 Electricity. ~~Electricity in any part of the building, structure or space where operation of switches or electrical devices, equipment or system could serve as a source of ignitions shall be shut off.~~ **The structure's electrical service shall be disconnected and locked out at the main service disconnect during fumigation or insecticidal fogging operations.**

Exception: Circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with NFPA 70.

2603.3 Notification. The *fire code official* and fire chief shall be notified in writing at least 48 hours before the building, structure or space is to be closed in connection with the utilization of any toxic or flammable fumigant. Notification shall give the location of the enclosed space to be fumigated or fogged, the occupancy, the fumigants or insecticides to be utilized, the *person* or *persons* responsible for the operation, and the date and time at which the operation will begin. Written notice of any fumigation or insecticidal fogging operation shall be given to all affected occupants of the building, structure or space in which such operations are to be conducted with sufficient advance notice to allow occupants to evacuate the building, structure or space. Such notice shall inform the occupants as to the purposes, anticipated duration and hazards associated with the fumigation or insecticidal fogging operations.

Exception: In warehouses or other structures used for the storage of produce, tarp-enclosed fumigation of not more than 5 percent of the total volume of the warehouse is allowed without notification when the fumigation is conducted by a licensed fumigator.

2603.3.3 Watch personnel. During the period fumigation is in progress, except when fumigation is conducted in a gas-tight vault or tank, a responsible watchperson shall remain on duty at the entrance or entrances to the enclosed fumigated space until after the fumigation is completed and the building, structure or space is properly ventilated and safe for occupancy. Sufficient watchers shall be provided to prevent *persons* from entering the enclosed space under fumigation without being observed.

See Technical Advisory #14-01, Fumigation and Insecticidal Fogging for alternative methods to this section.