

CEMETERY AND FUNERAL BUREAU

The following table summarizes the most common violations found during compliance inspections of **CREMATED REMAINS DISPOSERS**. It is not a complete list of all violations for which the Bureau can take disciplinary action. The Bureau may issue a warning letter, an administrative citation or citation with fine, or may issue an administrative accusation for violations of the law.

The code sections below are contained in the California Code of Regulations (CCR) Sections 2300 – 2390, Business and Professions Code (BPC) Sections 119 and 7600 - 7746, and Health and Safety Code (HSC) Sections 7000 – 103800. The full context of the laws and regulations may be found at the Bureau's Web site: www.cfb.ca.gov.

LICENSES AND POSTING REQUIREMENTS:

CCR 119(f)	Displaying a photocopy of a license
BPC 7680	Failure to conspicuously display a license in the place of business or employment of the licensee
BPC 7672.1(b)	Failure to post a copy of the boating and/or pilot's license if the cremated remains disposer is the captain and/or pilot performing the scattering
BPC 7672.1(b)	Failure to post, at the place of business, the address of the location where cremated remains are stored
BPC 7672.10	Unlicensed/unregistered practice as a cremated remains disposer

STORAGE AND SCATTERING:

HSC 7054.6(b)(2)	Failure to maintain cremated remains in a durable container
HSC 7054.7(a)(2)	Disposing or scattering cremated remains in a manner/location that the remains are commingled with those of another person
HSC 7116	Failure to remove cremated remains from their container prior to scattering in authorized areas
HSC 7117(a)	Failure to remove cremated remains from their container prior to scattering at sea
HSC 7117.1	Failure to scatter within 7 days of transfer from durable container to scattering urn
BPC 7672.3	Failure to have available for inspection a certification by the Federal Aviation Administration for all aircraft used for scattering cremated remains
BPC 7672.3	Failure to have available for inspection a registration from the Department of Motor Vehicles or other documentation from a federal for all boats/vessels used for scattering cremated remains
BPC 7672.6(a)(2)	Failure to maintain cremated remains in a responsible manner and/or keep free from the elements
BPC 7672.7(a)	Failure to file the annual report for the fiscal year ending June 30
BPC 7672.7(a)	Failure to maintain an updated copy of the annual report
BPC 7673.1(a)	Storing cremated remains in a reckless manner resulting in the loss of all or part of the cremated remains
BPC 7673.1(b)	Storing cremated remains in a reckless manner resulting in the inability to individually identify the cremated remains

FILE AUDIT:

HSC 7055	Failure to obtain a permit for disposition of human remains
HSC 7117(b)	Failure to file the disposition permit with the local registrar in the county nearest the point of scattering within 10 days, when scattering at sea by boat or air
BPC 7672.4	Failure to scatter cremated remains without, or in accordance with, specific written instructions
BPC 7672.5	Failure to return a completed copy of the disposition permit to the person with the right to control disposition within 30 days of scattering
BPC 7672.6(a)(1)	Failure to dispose of cremated remains within 60 days of receipt
HSC 103060	Failure to file the disposition permit with the local registrar within 10 days of scattering

The Bureau issues administrative citations and fines under CCR Section 2382. BPC Section 125.9 authorizes the Bureau to issue administrative citations and assess fines up to \$5,000 for violations of the CCR, BPC and HSC. Citations may include orders of abatement with additional terms and conditions of compliance. More than one violation may be contained in each section of law, and a citation can include a fine assessment for each violation. Administrative fines range from \$100 to \$5000 and can be assessed for each inspection or investigation.