



## REQUEST FOR PUBLIC COMMENT Apiary Registration – Amended Rule Review

The rules in this package have been reviewed pursuant to Chapter 119 of the Revised Code and are being proposed as follows. The comment period will remain open through May 26, 2017. Comments may be emailed to [ecomments@agri.ohio.gov](mailto:ecomments@agri.ohio.gov) or mailed to Legal Section, Ohio Department of Agriculture, 8995 E. Main St., Reynoldsburg, Ohio 43068.

The rules contained in this chapter establish an apiary program to ensure a healthy beekeeping industry in the state of Ohio. Honey bees have always played a vital role in agriculture and as such the Ohio Department of Agriculture (“Department”) has overseen their inspection since House Bill 28 was approved on April 21, 1904. Honey bees not only provide honey but are a vital source of pollination for many of the fruit and vegetable crops grown in Ohio such as apples, melons, cucumbers, and pumpkins. They are also used to pollinate seed crops such as sunflower and canola.

The Department’s apiary program coordinates state and county inspection services that help to ensure a healthy beekeeping industry. In 2014, 4,435 beekeepers registered in accordance with Ohio Revised Code section 909.02 which represents 6,028 apiaries, and an estimated 39,055 colonies. Additionally, the apiary program works with several national groups and the USDA in providing samples for the study of Colony Collapse Disorder which caused massive colony deaths in various parts of the nation, including Ohio.

The rules contained in this package focus on science-based practices which support responsible apiary practices while allowing Ohio to continue to grow the apiary industry.

**Rule 901:5-55-01** outlines the definitions to be used in the chapter. The rule is being amended to alphabetize the existing list of definitions as well as adding definitions which will help to clarify the language of the rules in the chapter. The terms added are “Department”, “Queen rearing operation”, and “USDA/EPA”.

**Rule 901:5-55-02** sets forth registration requirements for apiaries. Pursuant to 909.02 of the Revised Code, all individuals who own or possess bees must register their apiary with the Department. This rule outlines who, what, and where individuals can register. The rule is being amended to clarify portions of the rule which may have been confusing. Further, the rule now points to the Department’s website where individuals can find an application to register their apiary.

**Rule 901:5-55-03** sets forth the list of serious bee diseases. The list of diseases contained in the rule outline the diseases which are a threat to the bee industry in the state. The rule is being amended for stylistic reasons and to correct two of the diseases scientific nomenclature. Further the



rule adds three diseases to the list. These diseases are: *Nosema ceranae*, *Tropilaelaps* spp., and European foulbrood (*Melissococcus plutonius*).

Nosema disease is widespread and causes serious damage to adult honey bees thus reducing the life span of individual bees and weakening or killing colonies. Infected nurse bees do not fully develop and infected queens die off prematurely. In colonies with high mite levels, *Tropilaelaps* causes damage similar to Varroa which is already listed in the rule. Death occurs in both brood and adult bees. This leads to colony decline and collapse, and can cause bees to abscond from their hives. Finally, European foulbrood is a bacterial disease that effects honey bee larvae before the capped stage. European foulbrood disease is characterized by dead and dying larvae

**Rule 901:5-55-04** has been rescinded and replaced due to the Legislative Service Commissions 50% rule. The new rule outlines inspection procedures for all Ohio apiaries.

**Rule 901:5-55-05** has been rescinded and replaced due to the Legislative Service Commissions 50% rule. The rule outlines the ways the Department can gain access to a property in order to inspect an apiary. The rule states a search warrant may be obtained by the Department in order to inspect an apiary so long as the Department has made reasonable efforts to notify the bee keeper.

**Rule 901:5-55-06** sets forth the procedure for confirming that an apiary has a serious bee disease. The rule is being amended to comply with formatting rules and to make the rule easier to read and understand.

**Rule 901:5-55-07** has been rescinded and replaced due to the Legislative Service Commissions 50% rule. The rule outlines the disease controls which may be taken by the Department or the owner of the apiary. This rule allows an apiary to comply with certain corrective actions which eradicate the disease from the apiary without its entire destruction.

**Rule 901:5-55-08** outlines the special inspection fees issued by the Department. The rule is being amended to comply with formatting rules and to make the rule easier to read and understand.

