

ADOPTED REGULATION OF THE  
STATE QUARANTINE OFFICER

LCB File No. R035-01

Effective January 17, 2002

AUTHORITY: §§1-6, NRS 554.110.

**Section 1.** Chapter 554 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

**Sec. 2. 1.** *A quarantine is hereby established against Africanized honeybees (Apis mellifera scutellata).*

*2. The following areas are under the quarantine:*

*(a) Any area within the boundaries of Clark County, Nevada;*

*(b) Any portion of Nye County, Nevada, that lies west of Clark County, Nevada; and*

*(c) Any portion of Lincoln County, Nevada, that lies south of 38° north latitude.*

**Sec. 3.** *The following commodities are designated as restricted:*

*1. Any colony of honeybees that is owned or managed by a person; and*

*2. Any queen or other honeybee obtained from a colony specified in subsection 1.*

**Sec. 4.** *A person shall not:*

*1. Ship, transport or otherwise move a commodity that is restricted pursuant to section 3 of this regulation to a destination that is located outside of an area specified in section 2 of this regulation unless, within 30 days before the commodity is transported, shipped or moved, the department certifies that the commodity is not an Africanized honeybee or does not contain any Africanized honeybees; or*

*2. Produce for sale or distribution any queen or other honeybee specified in section 3 of this regulation unless the department, at least twice during the year in which the queen or honeybee is produced for sale or distribution, certifies that the colony that is used to produce the queen or honeybee does not contain any Africanized honeybees.*

*Sec. 5. If the department determines that a colony specified in section 3 of this regulation contains Africanized honeybees, the department shall, within 10 days after making that determination, notify the owner or manager of the colony of that fact in writing. Within 30 days after receiving the notice, the owner or manager shall:*

- 1. Destroy the colony in a manner specified by the department; or*
- 2. Provide the colony with a queen that is not an Africanized honeybee.*

*Sec. 6. If any commodity that is restricted pursuant to section 3 of this regulation is shipped, transported or otherwise moved to a destination in this state that is located outside an area specified in section 2 of this regulation in violation of sections 2 to 6, inclusive, of this regulation, the commodity must be immediately returned to the area or destroyed in a manner specified by the department.*

# ADOPTED REGULATION OF THE STATE QUARANTINE OFFICER

## NOTICE OF ADOPTION

On August 30, 2001, the Nevada Board of Agriculture adopted regulations assigned LCB file number R035-01 which pertain to chapter 554 of the Nevada Administrative Code. A copy of the regulations as adopted is attached hereto.

## INFORMATIONAL STATEMENT

1. A public workshop was held on October 9, 2001, in Las Vegas, Nevada, at the Nevada Department of Agriculture office, 2300 McLeod.
  
2. A public hearing was held on October 9, 2001, in Las Vegas, Nevada, at the Nevada Department of Agriculture office, 2300 McLeod.  
Notice of workshop and notice of hearing was posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. The notice of workshop and hearing was posted on the Department's web site. Copies could be requested from the Nevada Department of Agriculture by writing to 350 Capitol Hill Avenue, Reno, Nevada, 89502, calling (775) 688-1180, contacting all other Department offices, the Nevada State Library in Carson City, and all Nevada county libraries. All persons who have requested to be notified of amendments were notified by fax or e-mail.
  
3. Workshop held October 9, 2001 – Las Vegas  
Number attended: 1  
Number testified: 1  
No written statements were submitted: 0

Summary of comments:

Compliance with quarantine has an impact on small business beekeepers.  
Queen raising should be accomplished by artificial insemination in the quarantine zone.  
Registration of colonies in the quarantine zone should be voluntary.

4. Hearing held October 9, 2001 – Las Vegas  
Number attending: 1  
Number testifying: 1  
Number of written statements submitted: 0

Summary of comments:

Compliance with quarantine has an impact on small business beekeepers.  
Queen raising should be accomplished by artificial insemination in the quarantine zone.  
Registration of colonies in the quarantine zone should be voluntary

5. Comments were solicited from business and the public by posting in public locations and through direct fax and e-mail notices as outlined in #1 above. A copy of the comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, (775) 688-1180.

The Nevada Board of Agriculture adopted the following less restrictive amendments with amendments:

- a. Any portion of Lincoln County, Nevada, that lies south of ~~37° 50'~~ 38° north latitude.
  - b. Delete the registration requirements in the quarantine zone.
6. The economic effects of the adopted amendments on the business which it is to regulate include:
    - a. Adverse effects:  
None
    - b. Beneficial effects:  
Less restrictive to beekeepers.
    - c. Immediate and long-term economic effects:  
The adverse and beneficial effects are the same for immediate and long-term.
7. Economic effects of the proposed amendments on the public include:
    - a. Adverse effects:  
None
    - b. Beneficial effects:  
The prevention of the artificial spread of Africanized into uninfested areas
    - c. Immediate and long-term economic effects:  
The adverse and beneficial effects are the same for the immediate and long-term.
8. Economic cost to the agency for the enforcement of the regulation:  
There will not be any additional cost to the agency to enforce the amendments adopted.
  9. There are no other state or federal agency regulations, which the adopted amendments overlap or duplicate.
  10. The amendments adopted do not include any provisions more stringent than any federal regulation with the same activity.
  11. This regulation does not establish or increase any fees.