

**ADOPTED REGULATION OF THE DIRECTOR OF  
THE STATE DEPARTMENT OF AGRICULTURE**

**LCB File No. R049-00**

Effective June 15, 2000

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 552.090.

**Section 1.** NAC 552.060 is hereby amended to read as follows:

- 552.060 1. ~~[The department on request]~~ *On request, the state department of agriculture* will make inspections of apiaries or colonies of bees for colony strength and for colony health.
2. The fees for certification of colony strength or health are \$20 for each hour of inspection and 40 cents per mile to the site of inspection.

**Sec. 2.** NAC 552.010, 552.011, 552.013, 552.016, 552.018, 552.020, 552.030, 552.050, 552.070, 552.080, 552.090 are hereby repealed.

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**TEXT OF REPEALED SECTIONS**

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**552.010 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 552.011 to 552.018, inclusive, have the meanings ascribed to them in those sections.

**552.011 “Department” defined.** “Department” means the state department of agriculture.

**552.013 “Director” defined.** “Director” means the director of the department.

**552.016 “Seasonal permit” defined.** “Seasonal permit” means a permit issued for the movement of a hive of bees or bee equipment for a period of time designated by the permit.

**552.018 “Temporary permit” defined.** “Temporary permit” means a permit issued for a movement of a hive of bees or bee equipment from one location to another. The permit shall be valid for not more than 5 days.

**552.020 Moving permits; requirements; notice.**

1. A resident beekeeper will not be issued a seasonal moving permit if American foulbrood disease exceeds 1 percent in his beekeeping operations during the previous year.

2. A resident beekeeper who is issued a seasonal moving permit shall notify the department of his intention to move any hive of bees within 5 days after each movement. Notification must include the following information:

- (a) Number of colonies to be moved.
- (b) Number of colonies to remain at apiary location.
- (c) Point of origin (apiary location).
- (d) Point of destination (apiary location).
- (e) Identification number of owner.
- (f) Name and address of owner.

**552.030 American foulbrood diseased colonies; treatment.** The treatment of colonies infected with American foulbrood disease must be accomplished in accordance with the following:

1. The live bees of a diseased colony must be killed after flight has stopped and field bees have returned to the hive.

2. The live bees must be killed by a method approved by the director.

3. The contents of the hive, including the bees, combs, frames, honey and wax, must be consumed by fire by burning in a pit, or in an incinerator approved by the director. All ashes must be buried not less than 2 feet below the surface of the ground.

4. Wood and metal equipment, including tops, bottom boards and hive bodies, must be disinfected by scorching with fire to the extent that the wood is lightly charred and all wax and propolis have been burned.

**552.050 Standard field colony: Qualifications.**

1. As used in this section:

(a) "American foulbrood" means *Bacillus* larvae.

(b) "European foulbrood" means *Bacillus pluton* and is regarded as serious if 20 or more dead larvae are found per colony.

(c) "Normal laying queen" means a queen bee laying eggs in worker cells, producing worker bees as indicated by the brood present.

2. A standard field colony must:

(a) Be free from American foulbrood.

(b) Not be seriously infected with European foulbrood.

(c) Have 3,000 square inches of comb, with brood covering not less than 800 square inches.

(d) Have sufficient bees to cover and care for brood.

(e) Have 10 pounds of honey or its equivalent of suitable bee food other than pollen or pollen substitute.

(f) Have a normal laying queen.

**552.070 Fee for permit for importation of bees.** The annual fee for a permit for the entry from another state of bees on comb and hives containing comb is 75 cents for each colony.

**552.080 Registration of apiaries; abatement of unregistered apiaries.**

1. Each person who owns or possesses an apiary shall apply to the department for registration of the apiary in accordance with NRS 552.155.

2. The department will notify the owner or person in possession of the apiary, personally or by certified mail, that he must apply for registration unless he is unknown or cannot be located, in which case notice will be given by posting a copy of NRS 552.155 in a conspicuous place in the apiary.

3. If the owner or person in possession of the apiary does not apply to the department for registration of the apiary within the time prescribed in NRS 552.155, the department may:

(a) Sell each colony in the apiary and deposit the proceeds with the state treasurer for credit to the apiary inspection fund; or

(b) Destroy each colony in the apiary.

**552.090 Annual fee for each colony in excess of 10.** Each person who owns or possesses 11 or more colonies of bees shall pay to the department an annual fee of 75 cents for each colony in excess of 10.

## LCB File No. R049-00

### NOTICE OF ADOPTION

On April 20, 2000 the Nevada Department of Agriculture adopted regulations assigned LCB file number R 049-00 which pertain to Chapters 552.060, 552.010 through 552.050, and 552 .070 through 552.090 of the Nevada Administrative Code. A copy of the regulations as adopted is attached hereto.

### INFORMATIONAL STATEMENT

1. A public workshop was held on April 3, 2000 in Reno, Nevada at the Nevada Department of Agriculture office located at 350 Capitol Hill Avenue.

Public hearings were held on April 3, 2000 in Reno, Nevada at the Nevada Department of Agriculture office located at 350 Capitol Hill Avenue.

Notice of workshop and notice of hearing were posted at all six department offices, the Nevada State Library in Carson City, and all Nevada County Libraries. Copies could be requested from the Nevada Department of Agriculture by writing to 350 Capitol Hill Avenue, Reno, Nevada 89502, calling (702) 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 mail.

2. Workshop held April 3, 2000 in Reno  
0 people attended  
no written statements were submitted

Hearing held April 3, 2000 in Reno  
There were no business or public attendees  
no written statements were submitted

3. Comments were solicited from businesses and the public by posting in public locations and through direct mail notices as outlined in #1 above. There were no oral or written comments submitted. A copy of the comments may be obtained by calling the Nevada Department of Agriculture office, (775) 688-1180.

The amendments were adopted with no changes. There were no objections to the repeal submitted verbally or in writing.

4. The economic effects of the adopted amendments on the business which it is to regulate.

1. Adverse effects:

None

2. Beneficial effects:

None

3. Immediate and long-term economic effects:

The adverse and beneficial effects are the same for immediate and long-term.

5. The economic effects of the adoption of the amendments on the Public:

1. Adverse effects:

None

2. Beneficial effects:

None

3. Immediate and long-term effects:

The adverse and beneficial effects are the same for the immediate and long-term.

6. 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.

7. There are no other state or federal agency regulations which the adopted amendments overlap or duplicate.

8. The amendments adopted do not include any provisions more stringent than any federal regulation which the same activity.

9. This regulation does not establish or increase any fees.

Sincerely,

Robert Gronowski, Administrator  
Division of Plant Industry

BG:cc