

LCB File No. R049-00

**PROPOSED REGULATION OF THE
DEPARTMENT OF AGRICULTURE**

NOTICE OF WORKSHOP

A Workshop will be held on proposed amendments or repeal of the following Nevada Administrative Code:

1. Amendments to NAC 552 pertaining to bees and apiaries
2. Repeal of NAC 554.530 to NAC 554.580 pertaining to an exterior quarantine against sugar beet nematode.
3. Repeal of NAC 554.741 to 554.801 pertaining to an exterior quarantine against varroa mite.
4. Amendments to NAC 555.100 to NAC 555.231 pertaining to the regulation of nurseries and nursery stock.
5. Amendments to NAC 555.800 pertaining to vertebrae pest subject to control by the Diamond Valley rodent control district.
6. Amendments to NAC 583.161 pertaining to the standards for size and weight.

DATE: April 3, 2000

TIME: 9:00 a.m.

PLACE: Nevada Department of Agriculture-Reno office
350 Capitol Hill Avenue
Reno, Nevada 89502-2923

For calcification on the proposed amendments, or to obtain a copy of the proposed amendments and repeals, contact Robert Gronowski at (775) 688-1182, ext. 239

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all county libraries. The Department of Agriculture offices in Reno, Sparks, Elko, or Winnemucca during the hours of 8:00 a.m. to 5:p.m., Monday through Friday.

NOTICE AND INTENT TO ADOPT REGULATIONS

THE NEVADA DEPARTMENT OF AGRICULTURE PROPOSED AMENDMENTS TO NAC 552 PERTAINING TO BEES AND APIARIES

Need and purpose of the proposed amendments

NRS 552 was amended in the last session. All authority pertaining to bees and apanies was amended. The only authority remaining is the inspection of bee colonies upon request and payment of inspection fees. The proposed amendments harmonize with the amended statutes.

Economic effect of these proposed amendments on the businesses which it is to regulate:

1. Adverse effects:

None. Beekeepers in Nevada requested the amendments to the statues and the regulations.

2. Beneficial effects:

If beekeepers need inspection results on their colonies they can request these services on a fee-for- service basis.

3. Immediate and long term effects:

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

Economic effects of the proposed amendments on the public:

1. Adverse effects:

None

2. Beneficial effects:

None

3. Immediate and long term effects:

None

Economic cost to the agency for enforcement of the proposed amendments:

The cost of enforcement will be reduced with the proposed amendments.

Description of any regulations of any other state, local or federal regulation that the proposed amendments overlap or duplicate:

There are no other state, local or federal government regulations that these amendments overlap or duplicate.

Fees:

The proposed do not contain any new fees or increase any existing fees.

The date, time, place and manner in which interested parties may present their views on the proposed amendments:

DATE: April 3, 2000

TIME: 10:00 a.m.

PLACE: Nevada Department of Agriculture office- Reno
350 Capitol Hill Avenue
Reno, Nevada 89502

Manner: Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All variable and written testimony will be in the record of the hearing.

Address at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m., Monday through Friday.

**Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, NV 89502**

**Nevada Department of Agriculture
2150 Frazer Street
Sparks, NV 89431**

**Nevada Department of Agriculture
1550 S. Wells Avenue
Reno, NV 89502**

**Nevada Department of Agriculture
1200 E. Winnemucca Blvd.
Winnemucca, NV 89445**

**Nevada Department of Agriculture
Eyer H Boies Building
Elko, NV 89801**

**Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104**

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, call Robert Gronowski at the Nevada Department of Agriculture, (775)-688-1182 Ext. 239 as soon as possible.

NRS 233B.064 Permanent regulations not to be adopted or revised by the Legislative Council; agency's reasons for adoption.

2. Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporate therein its reasons for overruling the consideration urged against its adoption.

Paul Iverson, Director

Date

PROPOSED REGULATION OF THE DEPARTMENT OF AGRICULTURE

LCB File No. R049-00

Proposed Amendments to NAC 552 pertaining to Bees and Apiaries

Authority: 552.090

552.010 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 552.012 to 552.018, inclusive, have the meanings ascribed to them in those sections.

~~[552.012 "Administrator" defined. "Administrator" means the administrator of the division.]~~

552.014 ~~["Division"]~~ **"Department"** defined. ~~["Division"]~~ means the ~~[division]~~ **department** of agriculture ~~[of the department of business and industry].~~

~~[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 division 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.]~~

552.060 Inspection of apiaries and colonies of bees; fees for certification.

1. The ~~[division]~~ *department*, on request, 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.

~~[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 division for registration of the apiary in accordance with NRS 552.155.~~

~~—2. The division 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 division for registration of the apiary within the time prescribed in NRS 552.155, the division 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 division an annual fee of 75 cents for each colony in excess of 10.]~~

For any clarification on these amendments contact: Robert Gronowski (775) 688-1182, ext. 239.