

LCB File No. R050-00

**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 REPEAL OF NAC 554.530 TO 554.580 PERTAINING TO AN EXTERIOR QUARANTINE AGAINST SUGAR BEET NEMATODE AND 554.741 TO 554.801 PERTAINING TO AN EXTERIOR QUARANTINE AGAINST VARROA MITE.

Need and purpose of the proposed amendments

Sugar beets have not been grown in Nevada for over 10 years. Market conditions would not make it a viable crop, therefore the quarantine is not needed and should be repealed.

Varroa mite is established in Nevada. The exterior quarantine should be repealed.

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

1. Adverse effects:

None.

2. Beneficial effects:

Removes regulations which are no longer valid.

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: 9:00 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 809801**

**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. R050-00

Proposed repeal of NAC 554.530 to 554.580, pertaining to an exterior quarantine against sugar beet nematode.

Authority: NRS 554.020

~~[NAC 554.530 Establishment of quarantine. A quarantine is hereby established against the sugar beet cyst nematode (*Heterodera schachtii*), its hosts and possible carriers.~~

~~NAC 554.540 Areas under quarantine. All states and districts of the United States are under quarantine.~~

~~NAC 554.550 Commodities covered by quarantine. The following commodities are subject to restrictions:~~

- ~~—1. Farming implements and machinery;~~
- ~~—2. Field equipment, trucks and tractors; and~~
- ~~—3. Other appliances which have been used or operated in culturing, harvesting or transporting sugar beets.~~

~~NAC 554.560 Inspection of equipment.~~

- ~~—1. All equipment must be held for inspection upon arrival in this state and may not be used until inspected and released by the administrator or his authorized representative. A piece of equipment will be held without unnecessarily moving or placing it where it may be harmful.~~
- ~~—2. Pieces of equipment which are capable of disseminating the pest include, but are not limited to:~~
 - ~~—(a) Machines used to dig up sugar beets;~~
 - ~~—(b) Trucks used for hauling sugar beets;~~
 - ~~—(c) Tractors used for culturing and harvesting sugar beets;~~
 - ~~—(d) Equipment used to defoliate sugar beets; and~~
 - ~~—(e) Equipment used for loading and conveying sugar beets.~~

~~—3. Any person, firm, corporation or association receiving or bringing any piece of equipment listed in subsection 2 into this state shall notify the administrator or his authorized representative of its arrival.~~

~~NAC 554.570 Conditions of acceptance of equipment.~~

~~—1. All pieces of equipment will be accepted and released if they are found to be free of soil and debris and accompanied by a certificate issued by an authorized inspection official of the state of origin, certifying that the article has been cleaned or cleaned and treated in a manner set forth in NAC 554.580.~~

~~—2. All equipment found to be contaminated with soil and debris must be moved to a location designated by the administrator and then treated in a manner set forth in NAC 554.580.~~

~~NAC 554.580 Cleaning of equipment. All used equipment must be treated by:~~

~~—1. Cleaning with high pressure steam until all soil and debris are removed; or 2. The removal of soil and debris by washing, followed by a thorough drenching spray using 1 part of a 40 percent commercial formaldehyde to 9 parts water.]~~

For any clarification on the proposed repeal, contact Robert Gronowski at (775) 688-1182, ext. 239.

Proposed repeal of NAC 554.741 to 554.801 an exterior quarantine against varroa mite.

~~[NAC 554.741 Definitions. As used in NAC 554.741 to 554.801, inclusive, unless the context requires otherwise:~~

~~—1. "Appliance" has the meaning ascribed to it in NRS 552.0852.~~

~~—2. "Bees" has the meaning ascribed to it in NRS 552.0853.~~

~~—3. "Colony" has the meaning ascribed to it in NRS 552.0854.~~

~~NAC 554.751 Establishment of quarantine; areas under quarantine.~~

~~—1. A quarantine is hereby established against the Varroa mite (*Varroa jacobsoni*), its hosts and possible carriers.~~

~~—2. All states and districts of the United States are under quarantine.~~

~~NAC 554.761 Restricted commodities. The following commodities are designated as restricted:~~

- ~~—1. A colony of bees;~~
- ~~—2. Bees sold in a package by weight;~~
- ~~—3. A queen bee;~~
- ~~—4. A used beehive or honeycomb; and~~
- ~~—5. Any equipment or appliance used for beekeeping.~~

~~NAC 554.771 Certificate of origin: General requirements.~~

- ~~—1. Each shipment of a restricted commodity must be accompanied by a certificate of origin that is signed by an authorized inspector of the state, district or territory from which the commodity was shipped.~~
- ~~—2. The certificate must set forth:~~
 - ~~—(a) The name, address and telephone number of the owner or shipper and the state and county of origin.~~
 - ~~—(b) The address and telephone number of the owner or shipper in this state, if applicable~~
 - ~~—(c) The kind and quantity of the commodity constituting the lot or shipment.~~
 - ~~—(d) A legal description and the exact geographical location of the site for each commodity at its destination in this state.~~
- ~~—3. A copy of the certificate must be mailed to the Department of Business and Industry, Nevada Division of Agriculture, P.O. Box 11100, Reno, Nevada 89510.~~

~~NAC 554.781 Testing or treatment of bees before entry into state.~~

- ~~—1. Except as otherwise provided in NAC 554.801 and in addition to the information required by NAC 554.771, a certificate of origin for a colony of bees, bees sold in a package or a queen bee must affirm that the commodity has been:~~
 - ~~—(a) Tested not more than 90 days before entry into this state by using fluvalinate strips in at least 5 percent of the colonies, ether roll in at least 20 percent of the colonies or alcohol wash in at least 20 percent of the colonies, or by using another method that is approved by the administrator, and has been found to contain 10 or fewer Varroa mites per colony; or~~
 - ~~—(b) Treated for Varroa mites by using fluvalinate strips not more than 12 months before entry into this state or by using another method that is approved by the administrator.~~

~~—2. If a colony tested pursuant to paragraph (a) of subsection 1 has been found to contain more than 10 Varroa mites, all colonies in the apiary must be treated before entry into this state by using fluvalinate strips or by using another method that is approved by the administrator.~~

~~NAC 554.791 Certificate of origin: Used beehive or honeycomb; equipment used for beekeeping. In addition to the information required by NAC 554.771, a certificate for a used beehive or honeycomb or any equipment or appliance used for beekeeping must be certified free of live bees for at least 8 days before entry into Nevada.~~

~~NAC 554.801 Authority of administrator:~~

~~—1. The administrator may enter into an agreement with the federal authorities or the quarantine officials of the several states, territories and districts to prevent or restrict the introduction of the Varroa mite.~~

~~—2. The state quarantine office may exempt from the requirements of NAC 554.781 and 554.791 any commodity that is certified pursuant to such an agreement.]~~

For any clarification on this proposed repeal contact John O'Brien at (775) 688-1182, ext. 241.