

CHAPTER 19

APIARIES

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19.01 DEFINITIONS. Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases shall, for the purposes of this chapter, be given the meanings subjoined to them.

Subdivision 2. **Apiary.** "Apiary" means any place where one or more colonies of bees are kept.

Subdivision 3. **Appliances.** "Appliances" means any apparatus, tools, machines, or other devices used in the handling and manipulating of bees, honey, wax, and hives. It shall also include any containers of honey and wax which may be used in any apiary or in transporting bees and their products and apiary supplies.

Subdivision 4. **Bees.** "Bees" means any stage of the common honey bee, *Apis mellifera* L.

Subdivision 5. **Bee diseases.** "Bee diseases" means American or European foulbrood, sacbrood, bee paralysis, or any other disease or abnormal condition of egg, larval, pupal, or adult stages of bees.

Subdivision 6. **Bee equipment.** "Bee equipment" means hives, supers, frames, veils, gloves, or any other appliances or equipment.

Subdivision 7. **Colony.** "Colony" means the hive and its appliances, including bees, comb, honey, and equipment.

Subdivision 8. **Hive.** "Hive" means frame hive, box hive, box, barrel, log gum, skep, or any other receptacle or container, natural or artificial, or any part thereof, which may be used or employed as a domicile for bees.

Subdivision 9. **Persons.** "Persons" means individuals, associations, partnerships, and corporations.

Subdivision 10. **Queen apiary.** "Queen apiary" means any apiary or premises in which queen bees are reared or kept for sale or gift.

[1939 c. 404 s. 1] (5473-1)

19.02 APIARY INSPECTIONS. The state entomologist of the department of agriculture, dairy, and food is hereby authorized to establish apiary inspection and to have charge of the inspection of apiaries, as hereinafter provided. He shall investigate, or cause to be investigated, outbreaks of bee diseases and cause suitable measures to be taken for their eradication or control.

[1939 c. 404 s. 2] (5473-2)

19.03 ENFORCEMENT. For the enforcement of this chapter, the state entomologist, or his deputies, shall have authority to enter upon any private or public premises, and shall have access, ingress, and egress to and from all apiaries or places where bees, combs, or apiary appliances are kept for the purpose of ascertaining the existence of the diseases known as American foulbrood or European foulbrood or any other disease which is infectious or contagious in its nature, and injurious as to honey bees in their eggs, larval, pupal, or adult stages, and of this the state entomologist shall be the sole judge; and should any of these diseases exist in such apiaries it shall be the duty of the state entomologist, or deputy, to treat or cause to be treated, or to destroy or cause to be destroyed by fire, the colony, including hives, frames, honey, wax, and brood. No damages shall be awarded to the owner for the loss of any infected apiary, bees, bee equipment, appliances, bee products destroyed under the provisions of this chapter, or of any order or regula-

tion made in pursuance thereof. The state entomologist, or deputy, may destroy or cause to be disinfected immediately all used beekeeping equipment situated in diseased areas. After each individual apiary has been inspected and found apparently free from American foulbrood or other dangerous contagious or infectious bee diseases, and provided all other sections of this chapter have been complied with, a certificate of inspection shall be issued. Such certificate of inspection or health shall be valid for the current year or the remainder thereof. A certificate of inspection may be revoked at any time whenever the state entomologist in his judgment determines adequate cause for revocation.

[1939 c. 404 s. 3] (5473-3)

19.04 LICENSES. Every person owning or possessing bees shall, on or before the first day of July, of each year, file with the state entomologist of the department of agriculture, dairy, and food an application for registration, which application shall set forth the exact location of his apiaries, the number of colonies of bees in each apiary owned by him or in his possession or under his control, together with such other information as may be required by the state entomologist, and such person, firm, or corporation shall pay the state entomologist, by draft or money-order made payable to the department of agriculture, dairy, and food, at the time of registration the sum of not less than 50 cents, nor more than \$10.00, for each owner of an apiary, including all his branch apiaries; the scale of fees to be as follows:

1- 10 colonies	\$.50
11- 50 colonies	1.50
51-200 colonies	3.00
201-300 colonies	5.00
301-400 colonies	7.50
400- up colonies	10.00

and it shall be the duty of the state entomologist to issue and deliver to such applicant a receipt declaring that the holder thereof is duly registered and has paid the fees required by law. All sums collected under this section shall be used for carrying out the provisions of this chapter.

[1939 c. 404 s. 4] (5473-4)

19.05 QUARANTINES. All apiaries, bees, bee products, buildings, premises, bee equipment, and appliances wherein or on which American foulbrood is known to exist are hereby declared to be under quarantine. The removal of any and all bees, queen bees, bee products, colonies, nuclei, combs, and apiary appliances and bee fixtures is prohibited except under such cases as the state entomologist or his inspectors may permit or approve. Such quarantines shall exist until such time as the state entomologist, his assistants or inspectors, shall determine and declare such premises or material to be apparently free from American foulbrood. The state entomologist or his inspectors may quarantine in the same manner such premises wherein or on disease is known to exist or not, within a radius of any distance the state entomologist or inspector may deem necessary.

[1939 c. 404 s. 5] (5473-5)

19.06 UNLAWFUL ACTS. It shall be unlawful for any person to give false information in any matter pertaining to this chapter, or to resist, impede, or hinder the state entomologist, or his deputies, in the discharge of his or their duties.

[1939 c. 404 s. 6] (5473-6)

19.07 PREVENTION OF SPREAD OF DISEASE. After inspection of infected bees or fixtures or handling diseased bees, the state entomologist or his deputies shall, before leaving the premises, or proceeding to any other apiary, take such measures as shall prevent the spread of the disease by infected material adhering to his person or clothing or to any tools or appliances used by him, which have come in contact with infected materials.

[1939 c. 404 s. 7] (5473-7)

19.08 REARING QUEEN BEES. It shall be the duty of any person in the state engaged in the rearing of queen bees for sale, to use honey in the making of candy for the use of mailing-cages, which has been boiled for at least 30 minutes, unless candy which contains no honey at all is used. Any such person engaged in the rearing of queen bees shall have his queen rearing and queen mating apiaries inspected at least once during each summer season by the state entomologist or his deputies, and on the discovery of the existence of any disease which is infectious or contagious in its nature and injurious to bees in their eggs, larval, pupal,

or adult stages, such person shall at once cease to ship queen bees from such diseased apiary until the state entomologist shall declare the apiary free from disease.

[1939 c. 404 s. 8] (5473-8)

19.09 CONSTRUCTION OF HIVES. It shall be the duty of all persons engaged in beekeeping to provide movable frames in all hives used by them to contain bees, and to cause the bees in such hives to construct brood combs in such frames so that any of such frames may be removed from the hive without injuring other combs in the hive. It shall be the duty of any person keeping bees within the state to securely and tightly close the entrance of any hive in apiaries not free from disease in which the bees shall have died either during the winter or at any other time, and to make all hives tight in such manner that robber bees shall not find it possible to enter or leave such hive or obtain honey therefrom. The sealing of these hives must be maintained so long as the hives remain in the yard or in any place where honey bees can gain access to them.

[1939 c. 404 s. 9] (5473-9)

19.10 DISEASED COMBS AND FRAMES DESTROYED. It shall be the duty of any one keeping bees in the state to burn and bury combs and frames taken from diseased colonies in places where they shall remain undisturbed, unless they be placed in tight receptacles so constructed that it shall be impossible for bees to gain access to combs, or for honey or any other liquid to leak out where bees can gain access to it. Any one exposing comb, honey, frames, quilts, empty hives, covers, bottom-boards, or tools or other appliances contaminated by infected material from the same, from diseased colonies, shall, upon conviction thereof, be punished as provided in this chapter.

[1939 c. 404 s. 10] (5473-10)

19.11 IMPORTATION OF BEES IN COMBLESS PACKAGES; CERTIFICATE OF HEALTH. All bees in combless packages which may be brought into this state from other states or other countries must be accompanied by a certificate of health issued by the official inspector of the state or country from whence they came. The transportation of bees into this state without this certificate of health by any person or by any common carrier is expressly prohibited.

[1939 c. 404 s. 11] (5473-11)

19.12 IMPORTATION OF BEES; CERTIFICATE OF HEALTH. All bees on combs, used hives, or other used apiary appliances brought into this state from other states or countries must be accompanied by a valid certificate of health issued by the official inspector of the place of origin, and such certificate of health shall certify to the apparent freedom from foulbrood or any other contagious or infectious bee disease or contamination and must be based on the actual inspection of the bees and material within 60 days preceding the date of shipment, and any person, before transporting bees into this state must provide the state entomologist with at least a 30-day notice preceding the date of shipment, whereupon a permit will be issued for transportation of such shipment into this state and such bees must immediately upon being brought into this state comply with registration, as provided for in section 19.04.

[1939 c. 404 s. 12] (5473-12)

19.13 WHAT SALES PERMITTED. No combs or used beekeepers' supplies or bees except in combless packages and with food not made with honey, shall be sold or offered for sale or removed from the premises without being inspected by the state entomologist or his deputies and a permit issued by him.

[1939 c. 404 s. 13] (5473-13)

19.14 ASSISTANTS. The state entomologist is hereby empowered to appoint such assistants and employees as may be necessary to perform the duties imposed by this chapter.

[1939 c. 404 s. 14] (5473-14)

19.15 OWNERS INFORMED OF INSANITARY CONDITIONS. When it is determined by the state entomologist or his deputies that insanitary conditions exist or are permitted to exist in the operation of any honey house or building or portion of a building in which honey is stored, graded, or processed, the operator or owner of that honey house or building shall be first notified and warned by the state entomologist or his deputy to place such honey house or building in a sanitary condition within a reasonable length of time; and any operator or owner of such

honey house or building failing to obey such notice and warning shall be guilty of a misdemeanor and punished as provided in this chapter.

[1939 c. 404 s. 15] (5473-15)

19.16 FRUIT TREES NOT TO BE SPRAYED WITH POISONOUS MATERIAL.

It shall be unlawful to spray or dust fruit trees which are in full bloom with any poisonous material which is injurious to bees in their eggs, larval, or adult stages.

[1939 c. 404 s. 16] (5473-16)

19.17 VIOLATIONS; PENALTIES. Any person violating any of the provisions of this chapter shall be punished by a fine of not more than \$500.00, or by imprisonment in the county jail for not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

In addition to the penalties herein provided, bees on combs, used hives, or other used apiary appliances brought into this state in violation of the provisions of this chapter shall be confiscated and destroyed.

[1939 c. 404 s. 17] (5473-17)