

CHAPTER 24
DISEASES OF BEES

Authority

N.J.S.A. 4:6-1 et seq.

Source and Effective Date

R.2005 d.289, effective August 5, 2005.
See: 37 N.J.R. 1276(a), 37 N.J.R. 3284(a).

Chapter Expiration Date

Chapter 24, Diseases of Bees, expires on August 5, 2010.

Chapter Historical Note

Chapter 24, Diseases of Bees, was adopted as Emergency New Rules by R.1984 d.592, effective December 12, 1984, to expire February 11, 1985. See: 17 N.J.R. 118(a).

Chapter 24, Diseases of Bees, was readopted as R.1985 d.107, effective February 11, 1985. See: 17 N.J.R. 118(a), 18 N.J.R. 573(a).

Subchapter 2, Registration of Apiaries, and Subchapter 3, Transport of Bees, were adopted as R.1989 d.128, effective March 6, 1989. See: 20 N.J.R. 2951(a), 21 N.J.R. 633(a).

Pursuant to Executive Order No. 66(1978), Chapter 24, Diseases of Bees, expired February 11, 1990.

Chapter 24, Diseases of Bees, was adopted as new rules by R.1990 d.202, effective April 2, 1990. See: 21 N.J.R. 3045(b), 22 N.J.R. 1116(b).

Subchapter 4, Volunteer Inspector Program, Noncommercial Apiaries and Bees, was adopted as R.1992 d. 278, effective July 6, 1992. See: 24 N.J.R. 1141(a), 24 N.J.R. 2421(a).

Pursuant to Executive Order No. 66(1978), Chapter 24, Diseases of Bees, was readopted as R.1995 d. 200, effective March 13, 1995, and Subchapter 1, Definitions, and Subchapter 4, Inspection and Certification of Apiaries, were adopted as new rules and Subchapter 1, Shipment of Bees into New Jersey, Subchapter 2, Registration of Apiaries, Subchapter 3, Transport of Bees, and Subchapter 4, Volunteer Inspector Program, Noncommercial Apiaries and Bees, were recodified as Subchapter 2, Shipment of Bees into New Jersey, Subchapter 3, Registration of Apiaries, Subchapter 5, Transport of Bees, and Subchapter 6, Voluntary Inspector Program, Noncommercial Apiaries and Bees, by R.1995 d.200, effective April 3, 1995. See: 27 N.J.R. 5(a), 27 N.J.R. 1400(a). Pursuant to Executive Order No. 66(1978), Chapter 24 expired on March 13, 2000.

Chapter 24, Diseases of Bees, was adopted as new rules by R.2000 d.165, effective April 17, 2000. See: 32 N.J.R. 343(a), 32 N.J.R. 1417(b).

Chapter 24, Diseases of Bees, was readopted by R.2005 d.289, effective August 5, 2005. See: Source and Effective Date. See, also, section annotations. As a part of R.2005 d.289, Subchapter 6, Voluntary Inspector Program, Noncommercial Apiaries and Bees, was repealed, effective September 6, 2005.

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SUBCHAPTER 1. DEFINITIONS

2:24-1.1 Definitions

As used in this chapter, the following words and terms shall have the following meaning:

“Apiary” means one or more colonies of honey bees.

“Apiary site” means the place where an apiary is located.

“Bee” means members of the genus *Apis*.

“Beekeeper” means any person who shall have or keep in his or her possession or in an apiary, a colony of bees.

“Colony” means a hive or swarm of bees.

“Commercial apiary” means a business classified by the United States Standard Industrial Classification (commonly referred to in the SIC Code) as 0279B—Bee farms.

“Consignee” means the receiver of any bees or equipment shipped into New Jersey.

“Department” means the New Jersey Department of Agriculture.

“Divide,” “split” or “nucleus” means bees and brood on drawn frames, with or without a queen. The number of frames, and the ratio of brood to honey or pollen, may vary but never exceeds 10 frames.

“Equipment” means hive parts, bee-related tools and extracting or wax rendering appliances.

“Hive” means the manmade structure which contains a colony of honey bees.

“Noncommercial apiary” means any apiary not classified as commercial.

“Nucleus” see “divide.”

“Package” means a group of bees, with or without a queen, shipped without comb in a wire cage.

“Queen” means the female reproductive caste of the honey bee. These normally are shipped in small individual cages and are often accompanied by up to a half dozen sterile workers as attendants.

“Scale” means the remains of an immature bee that has died from the American foulbrood disease.

“Secretary” means the Secretary of Agriculture or an authorized designee.

“Seller” means any person or business entity which offers for sale queens, packages or divides into or within New Jersey or to New Jersey residents.

“Shipper” means any person or business entity which ships or dropships, queens, packages or divides into New Jersey or to New Jersey residents.

Amended by R.1998 d.191, effective April 20, 1998.
See: 30 N.J.R. 508(a), 30 N.J.R. 1401(b).

Inserted “Beekeeper” and “Scale”.
Amended by R.2005 d.289, effective September 6, 2005.
See: 37 N.J.R. 1276(a), 37 N.J.R. 3284(a).

Deleted “Activity log”, “Advisory report”, “VIP”, and “VIP designee” definitions.

SUBCHAPTER 2. SHIPMENT OF BEES INTO NEW JERSEY

2:24-2.1 Regulated articles

Bees of the genus *Apis*, in any life stage, fresh or frozen bee sperm, used equipment, unprocessed comb, and any other product, article or means of conveyance of any character whatsoever, which when determined by the Department of Agriculture presents the risk of the spread of any contagious and infectious disease, arthropod pest or condition as determined by the Department of Agriculture, shall be permitted importation only if in compliance with N.J.A.C. 2:24-2.2 through 2.5.

Amended by R.1995 d.200, effective April 3, 1995.
See: 27 N.J.R. 5(a), 27 N.J.R. 1400(a).

2:24-2.2 Entities with apiary inspection services

(a) No colony, nucleus of bees, used apiary equipment coming from a state or country having an apiary inspection service shall be permitted into New Jersey unless accompanied by a valid certificate of inspection from the exporting state or country stating that the bees or equipment

are apparently free from the conditions listed in N.J.A.C. 2:24-2.1 and that the bees are not Africanized bees derived from the African subspecies (*Apis mellifera scutellata*) and free from the characteristics identifiable therewith in accordance with N.J.A.C. 2:22-3.1.

(b) No certificate of inspection shall be honored unless a brood nest inspection was made and a Varroa mite sample taken, no more than 60 days prior to shipment from the site the bees were immediately prior to shipment into New Jersey. Inspections shall be conducted in the manner prescribed at N.J.A.C. 2:24-4.

1. If, after inspection, the average of the Varroa mite sampling technique in an apiary exceeds two mites per sample with an ether roll, or an average of 50 mites per sticky board, all colonies must be shipped under treatment with an EPA approved miticide according to label specifications.

2. The inspection date and percentage of inspection for American foulbrood, the percentage sampled for Varroa mites, and the sampling method with the results, must be shown on the inspection certificate.

(c) Each colony must be annually inspected by a duly appointed inspector of the state of origin.

(d) No certificate of inspection shall be honored on any colonies infected with American foulbrood or from an infected area as determined by the New Jersey Department of Agriculture. If an examination of the bees is undertaken pursuant to N.J.A.C. 2:22-2.1, the certificate of inspection will not be honored unless the findings of the examination are supplied.

(e) No certificate shall be honored unless the sampling procedure is done in accordance to a sampling standard of the industry, or U.S. Department of Agriculture, and recognized by the New Jersey Department of Agriculture.

(f) The certificate of inspection must be received prior to entrance into New Jersey by the:

Director, Division of Plant Industry
New Jersey Department of Agriculture
PO Box 330
Trenton, New Jersey 08625-0330
Phone (609) 292-5440
Fax (609) 633-2550

Amended by R.1995 d.200, effective April 3, 1995.

See: 27 N.J.R. 5(a), 27 N.J.R. 1400(a).

Amended by R.2005 d.289, effective September 6, 2005.

See: 37 N.J.R. 1276(a), 37 N.J.R. 3284(a).

In (c), substituted “annually inspected” for “marked” and deleted the sentence “Such marks must be changed annually.”

2:24-2.3 Queen or package bees

(a) All apiaries shipping queen or package bees into New Jersey shall have recorded with the New Jersey Department