

shipment into New Jersey. Inspections shall be conducted in the manner prescribed at N.J.A.C. 2:24-4.

1. The inspection date and percentage of inspection for American foulbrood, the percentage sampled for Varroa mites, if available 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 by the New Jersey Department of Agriculture on any colonies infected with American foulbrood. If an examination of the bees is undertaken pursuant to N.J.A.C. 2:24-2.1, the certificate of inspection will not be honored unless the findings of the examination are upheld.

(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."

Amended by R.2012 d.163, effective September 17, 2012.

See: 43 N.J.R. 1583(a), 44 N.J.R. 2241(a).

In (a), updated the second N.J.A.C. reference; in the introductory paragraph of (b), deleted "and a Varroa mite sample taken," following "made"; deleted former (b)1; recodified former (b)2 as (b)1; in (b)1, inserted "if available"; and in (d), inserted "by the New Jersey Department of Agriculture", deleted "or from an infected area as determined by the New Jersey Department of Agriculture" following "foulbrood", and updated the N.J.A.C. reference.

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 of Agriculture, a valid certificate in accordance with N.J.A.C. 2:24-2.2.

(b) All sellers or shippers shall provide the Department, by February 1, of the following year, with a list, including consignee's name and address, of all queen or package shipments to New Jersey or to New Jersey residents during the preceding year (that is, January 1 through December 31).

(c) All queens or package bees shipped to New Jersey shall be accompanied by a Federally approved miticide treatment for the control of Varroa mite.

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

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

2:24-2.4 Transporter

No colony, nucleus of bees or used apiary equipment coming from a state or country having apiary inspection service shall be accepted by any person or common carrier for transportation to a point within this state unless accompanied by a valid certificate of inspection stating that the bees or equipment are free of the conditions listed in N.J.A.C. 2:24-2.1 and 2:24-2.2. A copy of the certificates will be carried by the transporter and shown to the grower, apiary inspector or law enforcement personnel upon request.

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

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

2:24-2.5 Entities without apiary inspection services

A colony, nucleus of bees or used apiary equipment coming into New Jersey from a state or country having no apiary inspection service shall be immediately reported by the consignee and by the person or carrier delivering them in this state; giving the name and address of the consignee to the Department of Agriculture, which shall cause the shipment to be inspected at such time as shall be prudent and proper. Documentation of such inspection shall be issued to the owner and consignee after examination by the Department of Agriculture as to the freedom from the conditions listed in N.J.A.C. 2:24-2.1 and 2.2.

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

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

SUBCHAPTER 3. REGISTRATION OF APIARIES

2:24-3.1 Registration requirements; confidentiality and documentation

(a) All bee yards in New Jersey where bees are overwintered must be registered annually with the New Jersey Department of Agriculture.

(b) The only information contained in the individual registration that shall be considered public shall be the beekeeper's name and mailing address; all other required information shall be considered confidential.

(c) The Department of Agriculture shall supply the registrant, with any and all appropriate orders, laws and rules.

(d) Upon request, the Department shall issue to each registered beekeeper, documentation, which identifies them as a legally registered New Jersey beekeeper.

Amended by R.1990 d.202, effective April 2, 1990.

See: 21 N.J.R. 3045(b), 22 N.J.R. 1116(b).

New (b) added.

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 (d), substituted "Upon request, the" for "The" preceding "Department".

2:24-3.2 (Reserved)

Repealed by R.1990 d.202, effective April 2, 1990.

See: 21 N.J.R. 3045(b), 22 N.J.R. 1116(b).

SUBCHAPTER 4. INSPECTION AND CERTIFICATION OF APIARIES

2:24-4.1 Inspection protocol

(a) Beekeepers will be notified in advance, where possible and feasible, of any potential inspection of their bees.

(b) All inspections will be conducted in accordance with the following procedures:

1. The minimum number of hives, as listed below, shall be physically opened and the brood nest inspected for American foulbrood:

1–10 colonies in an apiary—100 percent of the colonies

11–20 colonies in an apiary—50 percent of the colonies

21–50 colonies in an apiary—33 percent of the colonies

51 + colonies in an apiary—20 percent of the colonies

2. Any apiary site where American foulbrood is found shall be inspected 100 percent.

3. Varroa mite sampling may be conducted as a population level monitoring tool by the State Apiarist.

(c) All hives sold in New Jersey must be found by the Department to be apparently free of American foulbrood. The inspection by the Department shall be conducted within 10 working days of the request for inspection by the seller.

(d) The treatment procedure for American foulbrood infected hives within New Jersey is as follows:

1. The Department shall categorize the infected colonies as "treatable" for control of American foulbrood (AFB) or "non-treatable." This classification shall be at the discretion of the inspector, according to (d)2 and 3 below, although the beekeeper is invited to be present and assist during the inspection.

2. Procedures for "treatable" colonies shall be as follows:

i. "Treatable" colonies are those colonies with no AFB scale present.

ii. The beekeeper shall begin treatment of the remainder of the infected colony within 15 days of in-

spection by the Department with Terramycin or other material/method approved by the Department.

iii. The Department shall reinspect "treatable" colonies as soon after 60 days as weather conditions permit. Colonies would be under a one-year probationary period. If treatment is not successful during this one-year period, the colony would be considered non-treatable.

3. Procedures for "non-treatable" colonies shall be as follows:

i. "Non-treatable" colonies are those colonies that have observable AFB scale.

ii. The beekeeper shall remove and destroy by burning all wooden frames within 15 days of the initial inspection. Upon request, the Department shall assist the beekeeper in obtaining the necessary burning permits.

iii. All other hive parts shall be disposed in a land-fill, destroyed by burning, treated by scorching, or rendered disease-free by any other method approved by the Department.

iv. The Department may reinspect the infected equipment as soon as possible but no sooner than 30 days after initial inspection.

(e) All colonies requiring treatment for contagious/infectious diseases or other pests are subject to quarantine by the Department. If time constraints prohibit treatment before movement, the Department, upon request from the beekeeper, may approve movement to a holding yard until treatment is commenced.

(f) The beekeeper may be subject to penalty actions as per N.J.S.A. 4:6-12 through 14 for failure to follow treatment procedures detailed above.

Administrative change.

See: 27 N.J.R. 2577(a).

Amended by R.1998 d.191, effective April 20, 1998.

See: 30 N.J.R. 508(a), 30 N.J.R. 1401(b).

Rewrote (d); and added (e) through (g).

Amended by R.2012 d.163, effective September 17, 2012.

See: 43 N.J.R. 1583(a), 44 N.J.R. 2241(a).

Rewrote the introductory paragraph of (a) and (b)3; in (c), deleted the second sentence; deleted former (d); recodified former (e) as (d); in (d)1, substituted "(d)2" for "(e)2"; in (d)2i, deleted "less than 10 percent AFB infection and" following "with"; deleted former (d)2ii; recodified former (d)2iii and (d)2iv as (d)2ii and (d)2iii; rewrote (d)iii; in (d)3i, substituted "that" for "which", and deleted "10 percent or more AFB infection or have" following "have"; deleted former (f); and recodified former (g) and (h) as (e) and (f).

2:24-4.2 Certification protocol

All New Jersey queen breeders, as well as sellers of splits, nucleus or divides must obtain a certificate disclosing number of Varroa mites found per sample and provide a copy of such certificate to the buyer.

Amended by R.2012 d.163, effective September 17, 2012.

See: 43 N.J.R. 1583(a), 44 N.J.R. 2241(a).

Rewrote the section.