

**CHAPTER 7-02-02
RULES OF THE APIARY DIVISION**

Section

7-02-02-00.1	Apparently Disease-Free - Definition
7-02-02-00.2	Treatment of Diseased Bees
7-02-02-00.3	Entrance Permit Requirements
7-02-02-01	Beekeeper's License
7-02-02-02	Registration of Apiaries [Repealed]
7-02-02-03	Measurement of Two-Mile [3.22-Kilometer] Radius Restriction [Repealed]
7-02-02-04	Sale or Transfer of Commercial Locations [Repealed]
7-02-02-05	Pollination Locations [Repealed]
7-02-02-06	Crops Pollinated [Repealed]
7-02-02-07	Identification of Hives [Repealed]
7-02-02-08	Notification of Violation
7-02-02-09	Yards Registered Under North Dakota Century Code Chapter 4-12 [Repealed]
7-02-02-10	Honeybee Tracheal Mite - Statement of Purpose - Inspection Upon Request [Repealed]

7-02-02-00.1. Apparently disease-free - Definition.

"Apparently disease-free" means that after an inspection of five percent of the colonies operated in North Dakota, less than three percent American foulbrood and an average of two or less varroa mites are detected through an ether roll test or an average of forty mites or less through an apistan strip test in the colonies inspected.

History: Effective April 1, 1992.

General Authority: NDCC 4-12.2-02

Law Implemented: NDCC 4-12.2-01

7-02-02-00.2. Treatment of diseased bees.

1. Varroa mites. Colonies in apiary locations where varroa mites are detected must be treated with an approved pesticide at an approved rate or destroyed.

In order to allow orderly development of treatment programs and management programs that are not pesticide based, the department may provide advance written approval of such programs. Such approval must be based upon a written application by the beekeeper or researcher and the department shall evaluate such applications for such factors as feasibility, merit, and legality.

2. American foulbrood. Colonies with American foulbrood must be treated with an approved antibiotic or destroyed.

History: Effective April 1, 1992.

General Authority: NDCC 4-12.2-02

Law Implemented: NDCC 4-12.2-16

7-02-02-00.3. Entrance permit requirements.

In addition to the requirements in North Dakota Century Code section 4-12.2-20, before an entrance permit will be granted, the beekeeper shall verify to the satisfaction of the department that treatment has been completed in colonies from apiary locations where varroa mites or American foulbrood had been detected.

History: Effective April 1, 1992.

General Authority: NDCC 4-12.2-02

Law Implemented: NDCC 4-12.2-20

7-02-02-01. Beekeeper's license.

No application for a beekeeper's license will be accepted by the commissioner of agriculture prior to January first of that licensing year. The registration of apiaries required under North Dakota Century Code section 4-12.2-07 shall be submitted at the same time as a license application.

History: Effective July 1, 1983.

General Authority: NDCC 4-12.2-02

Law Implemented: NDCC 4-12.2-04

7-02-02-02. Registration of apiaries.

Repealed effective April 1, 1992.

7-02-02-03. Measurement of two-mile [3.22-kilometer] radius restriction.

Repealed effective April 1, 1992.

7-02-02-04. Sale or transfer of commercial locations.

Repealed effective April 1, 1992.

7-02-02-05. Pollination locations.

Repealed effective April 1, 1992.

7-02-02-06. Crops pollinated.

Repealed effective April 1, 1992.

7-02-02-07. Identification of hives.

Repealed effective April 1, 1992.

7-02-02-08. Notification of violation.

Each beekeeper or beekeeper's agent will be notified by receiving a copy of the inspection report of any violation found in the apiary at the time of inspection. It shall be the beekeeper's responsibility to comply with the recommended procedures for correcting the violation.

History: Effective July 1, 1983; amended effective June 1, 1989.

General Authority: NDCC 4-12.2-02

Law Implemented: NDCC 4-12.2-16

7-02-02-09. Yards registered under North Dakota Century Code chapter 4-12.

Repealed effective June 1, 1989.

7-02-02-10. Honeybee tracheal mite - Statement of purpose - Inspection upon request.

Repealed effective April 1, 1992.