

**RULES
OF THE
MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE**

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**SUBPART 3- BUREAU OF PLANT INDUSTRY
CHAPTER 06-Bee Disease Regulations**

Definitions

100 For the purpose of these regulations adopted under the provision of the Mississippi Disease Act of 1920, Mississippi Code 1972, Annotated, Chapter 25, Article 3, Sections 69-25-101 through 69-25-109, as amended, the following definitions shall be construed accordingly and unless the context otherwise requires shall mean:

1. “Honey Bee or Bee(s)” – Any insect(s) of the scientific genus and species, *Apis mellifera*.
2. “Apiary” – Any site or location whereby one or more colonies of bees are kept at anytime during the year.
3. “Colony” – A congregation of bees on combs consisting of worker bees and an active viable queen.
4. “Commercial Beekeeper” – Person or persons owning and/or managing 50 or more colonies of bees for the purpose of:
 - a. Producing honey
 - b. Producing package bees and/or queen bees for sale or use by other beekeepers.
 - c. Providing pollination services for a fee
 - d. Resale within the year.
 - e. Person(s) owning and/or managing less than 50 colonies of bees for any purpose so described above, except for honey production alone shall be deemed a commercial apiarist.
5. “Hives” – Boxes, barrels, logs, skeps or any other receptacles or containers natural or man-made, which may be used as a domicile for bees.
6. “Nuc or Nucleus” – Any division or portion of a colony that contains comb with bees.
7. “Pollination” – The use of bees for the transfer of pollen in the production of an agricultural crop.
8. “Contagious Diseases, Parasites, and Pests” – Unless otherwise specifies shall include the following: American foulbrood, European foulbrood, tracheal mites, *Acarapis woodi*, Varroa mite (*Varroa jacobsoni*), Chalkbrood, Africanized honeybee (*Apis mellifera* [adansonii]),

- hybridized African/European bees or any other disease, parasite or pest so determined by the Bureau of Plant Industry.
9. “Bureau of Plant Industry (BPI)” – An official agency within the Mississippi Department of Agriculture and Commerce including the office of the State Entomologist and State Apiary Inspector.
 10. “Certificate of Inspection” – A document issued by an official of the Bureau of Plant Industry or corresponding agency of another state or province which certifies said bees as being apparently free of contagious bee diseases, parasites and other designated pests of honey bees.
 11. “Registered Location” – A site whereby bee colonies are placed once approved by the State Apiary Inspector constituting said placement of bees within a said forty acre plot.
 12. “Application for Registration” – A specific form furnished by the Bureau of Plant Industry for registering Apiaries in Mississippi.
 13. “Apiary Registration Number” – A number assigned by the Bureau of Plant Industry to a specific apiary once its registration is approved.
 14. “Quarantined” – Prohibition of removal of any bees, combs, hive parts, honey, wax, propolis, etc from an apiary without written permission of the State Apiary Inspector.
 15. “Depopulated” – All bees within hives killed under the supervision of BPI Personnel.
 16. “Destroyed” – Burned or buried 18” below ground (earth) surface.
 17. “Treated” – Administering drugs or using ethylene oxide fumigant for controlling or curing a disease, parasite, or pest infestation.
 18. “Transfer Ownership” – To sell, to donate, to trade, to barter, or otherwise delegate ownership to another person or property.
 19. “State of Residence/Origin” – The state or providence in which a migratory beekeeper declares as his/her home state in which all inspections for contagious bee disease and parasitic mites shall be conducted by the state agency.
 20. “Used Beekeeping Equipment” – Equipment including but not limited to frames, supers, bottoms, tops, and other portions of a bee hive that has been inhabited by bees.
 21. “Not actively being cared for” – For quarantine purposes this shall mean that the owner/manager has refused to treat said colonies as described in section 104(a)(b) of this chapter for parasitic mites or if said bees contain more than 2% colony infestation rate of AFB, 5% colony infection rate for EFB.
 22. “AFB” – American Foulbrood, a brood disease caused by the spore producing bacteria, *Bacillus larvae*.
 23. “EFB” – European Foulbrood, a brood disease caused by the non-spore producing bacteria, *Streptococcus pluton* and associated bacteria, *Bacterium eurydice*, *Bacillus alvei*, *Bacillus laterosporus*, and *Bacillus para-alvei*.

24. “Compliance Agreement” – A written agreement between the Bureau of Plant Industry and a person who moves regulated articles interstate, in which that person agrees to comply with this subpart.
25. “Complier” – A person with whom the Bureau of Plant Industry has entered into a compliance agreement.
26. “Infestation” – The presence of varroa mite, tracheal mite or other declared pest of honey bees.
27. “Permit” – A document in which an inspector of the Bureau affirms that the regulated article, identified on the document is eligible to move to a specified destination in Mississippi.
28. “Inspector” – Any employee of the Bureau of Plant Industry or other person authorized by the State Entomologist to enforce this subpart.
29. “Quarantined Area” – Any state or portion of a state listed in this subpart.
30. Regulated Articles:
 - a. All honey bees, live and dead.
 - b. Hives (colonies) and the hive equipment, shipping and storage containers, and vehicles used at apiaries.
 - c. Combs with or without brood.
 - d. Pollen
 - e. Any other articles that BPI shall determine to pose a threat of harboring contagious diseases, parasites and pests.

Compliance Agreements between BPI and Beekeepers must be established to insure that regulated articles are moved to and from Mississippi in accordance with requirements outlined herein.

- 101.01 Such agreement shall state that said beekeeper agrees to request permits in writing at least 30 days prior to moving bees after having the necessary inspections completed.
- 101.02 Said beekeepers shall agree to notify a BPI Inspector within 24 hours upon arrival of bee colonies in Mississippi at which time he/she shall give specific written locations for all apiary locations.
- 101.03 Said agreement shall specify in writing all states, including counties within said state where bee colonies have been maintained during the preceding 12 months.
- 101.04 Said beekeeper must agree not to knowingly bring infested/infected colonies into Mississippi.
- 101.05 Said beekeeper must agree to treat all colonies moved in Mississippi with legally approved chemicals to keep parasitic mite infestations under control as described in section 104(b) of this chapter.

- 101.06 Said beekeeper must acknowledge in such agreement that he/she understands that any violation of the signed agreement may be grounds for BPI to refuse future issuance of a permit.
- 101.07 Said beekeeper shall agree to accompany BPI Inspector upon request or designate an employee to do so.
- 101.08 Said agreement shall expire only when said beekeeper requests such in writing, or the Bureau has proof that said complier has violated the agreement, at which time the agreement becomes void and all permits to the beekeeper are nullified.
- 101.09 To reinstate a Compliance Agreement, the beekeeper must request a hearing before the Bureau's Advisory Board, at such time its reinstatement must be approved by a majority vote.

Registration of Apiaries.

- 102 Apiaries owned and/or managed by a beekeeper may be registered by legal description with the Bureau of Plant Industry (BPI) each year. Non-commercial beekeepers may also register apiaries which shall meet all requirements and regulations governing commercial apiaries. Registration of each apiary shall be achieved at anytime and shall not expire until written notice from the apiary owner. Registration shall be accomplished by requesting the appropriate application from BPI, completing it and filing it with BPI.

Interstate Movement of Nucs and/or Colonies and/or Used Beekeeping Equipment.

- 103 1. Beekeepers who choose to transport into, operate, and maintain colonies in Mississippi must obtain an entry permit from BPI prior to entering the State. Before an entry permit is issued a certificate of inspection issued by a state apiary official must be provided to BPI at least 30 days in advance along with the number of colonies requesting to be moved. The certificate of inspection shall state that at least of 10% of the apiaries owned/operated by the applicant have been inspected within 10 months of shipment and meet the Mississippi Certificate of Inspection Standards.

When regulated articles are originating from a state that has no state apiary official or state entomologist that is available, a permit may be issued by BPI with special requirements.

If regulated articles are found brought into Mississippi without obtaining an entry permit they shall be immediately placed under quarantine until released by the state apiary official or state entomologist after an inspection for contagious diseases, parasites and pests including the Africanized honeybee or hybridized African/European bee.

2. When a beekeeper wishes to move colonies to another state, BPI shall make the necessary inspections which meet that state's entry requirements and issue the proper certificate, if allowable, unless other arrangements have been made between the receiving state and the beekeeper's official state of origin. Such a certificate may be issued with the approval of the receiving state based on treatments for Varroa and/or tracheal mites in lieu of inspection. Such certificate may also be issued by BPI once inspected and found to be apparently free of contagious and infectious bee diseases and parasites.
3. Netting Required: All beekeepers moving bees into or through Mississippi must have them covered by netting to prevent escape.

Certification/Certificate of Inspection Standards

- 104
- a. Brood Disease Status: Such certificate shall state that 10% of the apiaries owned/operated by the applicant have been inspected within 10 months of the date of the certificate by any state official who found the percent of the colony infections not to exceed 2% for American Foulbrood, or 5% for European Foulbrood or 25% for chalkbrood and that the colonies were inspected at a time when said bees were actively rearing brood.
 - b. Parasitic Mite Status: Such certificate shall verify or acknowledge that the apiaries have been inspected and found apparently free of parasitic mites.
 - i. Certification for varroa mites shall be based on surveys conducted to verify that mite control has been achieved. Control of varroa mites shall be evaluated as successful if ether rolls on 100 bees per 5 colonies show no more than 3 mites per roll or if sticky boards under "Apistan Strips" show no more than 10 mite per board.
 - c. Africanized Bee Status: Such certificate shall verify or acknowledge the freedom of Africanized or hybridized African/European bees.
 - i. Certification shall be based on
 - A. 100% of queen mothers were analyzed using the FABIS Fresh Weight Method or;
 - B. Only certified production queen were used in colonies as indicated by markings and/or proof of purchase or;
 - C. Beekeeper is actively under compliance agreement for European Bee Best Management Practices or;
 - D. Said bees originated from an Africanized Honey Bee Free (non-regulated) Zone.

Certification of Package Bees, Queen Bees and Nucs

- 105 All apiaries belonging to packaged bee, queen bee and nuc producers must be inspected annually for contagious diseases, parasites and pests including the Africanized honeybee or hybridized African/European bee as outlined in the standards for certification section 104. Certificates of inspection declaring apparent freedom from contagious bee diseases, parasites and pests including the Africanized honeybee or hybridized African/European bee shall be attached securely to each lot of packaged bees, queens or nucs being shipped. All lots of packaged bees, queens, or nucs being shipped into Mississippi must be accompanied by such a certificate from the state of origin.

Quarantines.

- 105.01 Quarantine Notices: A quarantine may be instituted by BPI on all apiaries and colonies of bees within this state, wherein American Foulbrood, *Acarapis woodi*, *Varroa jacobsoni*, *Apis mellifera adansonii* or other highly contagious diseases, parasites, or pests of honey bees are found to occur. Such quarantine shall only be issued whenever the Bureau determines that said bees are “not actively being cared for by the owner/manager”. And further yet, such quarantine shall become effective immediately upon written notices of quarantines by the Bureau to all beekeepers affected specifying locations and additional restrictions as deemed necessary by BPI. The removal of any and all colonies and/or bees, queen bees, worker bees, drone bees, or other regulated items as defined in section 100. from such quarantined apiary(s) is hereby prohibited until said quarantine is revoked by BPI or unless written permission is granted by BPI for the transport of infected equipment to a location where it can be properly treated by BPI personnel.
- 105.02 Brood Diseases : Any apiary found with more than 2% of the colonies infected with American Foul Brood disease, all apiaries owned/operated by the beekeeper shall be placed under quarantine and all infected hives shall be immediately destroyed by burning under the supervision of the inspector. The apiary or apiaries may be released by the State Apiary Inspector from quarantine at any time after sixty days from the date of finding of the infection, when the inspector determines that the apiary is free of American Foulbrood disease.

Any apiary found with more that 5% of the colonies infected with European Foul Brood disease, all apiaries owned/operated by the beekeeper shall be placed under quarantine and all colonies treated with FDA approved antibiotic. The apiary or apiaries may be released by the State Apiary Inspector from quarantine at any time after thirty days from the date of treatment, when the inspector determines that the apiary is free of European Foul Brood disease.

- 105.03 Parasitic Mites: Individual colonies found to be infested with parasitic mites that exceed standards for certification as outlined in section 104(b) of this chapter may be depopulated to expedite clean-up with the remaining colonies within the apiary and operation to be treated with an approved or acceptable chemical according to label directions. Infested yards shall remain under quarantine until all colonies have been treated for three weeks and reinspected .
- 105.04 Africanized Bees: Should a suspected colony/colonies of Africanized or hybridized African/European bees be detected in Mississippi said colonies shall be depopulated and the affected apiary quarantined. All apiaries within a three-mile radius shall be quarantined until an examination for Africanized or hybridized African/European bees is completed and no other infested/affected yards are detected.
- 105.05 Enforcement: When BPI finds contagious diseases, parasites and pests including the Africanized honeybee or hybridized African/European bees repeatedly that exceed standards for certification as outlined in section 104 of this chapter in bees shipped from another state under official certificates or receives adequate proof or testimony that said state's certificate standards are inadequate, BPI thereafter shall refuse to recognize certificates of such state until such time as he shall receive satisfactory proof that its inspection service has again become trustworthy.
- 105.06 At the discretion of the State Entomologist, a quarantine may be placed on an entire state wherein adequate restrictions or regulations are not in force to prevent, contain, or control occurrences of Varroa mite, Africanized or hybridized African/European bees or other contagious bee diseases, parasites, or pests of honey bees.
- 105.07 The exposure by any person of hives, combs, brood, honey, or bees from colonies or apiaries which have been determined by BPI to be infected/infested with contagious bee diseases, parasites at levels which exceed certification criteria in section 104 of this chapter or Africanized or hybridized African/European bees in such a manner as to expose other bees to the danger of infection/infestation, is hereby prohibited and such exposure shall be considered a violation of Chapter 25, Article 3, Sections 69-25-101 through 69-25-109, Mississippi Code annotated 1972, as amended.
- 105.08 It shall be unlawful for any person to knowingly purchase, receive or transport bees from quarantined areas or quarantined beekeeping operations whether instate or out-of-state.

Amended: February 17, 2014

Source: *Miss. Code Ann.* §69-25-103