

Chapter 602

1999 EDITION

Bees

602.010 Definitions

602.020 Chief Apiary Inspector

602.090 Registration of bee colonies; fees

602.180 Disposition of fees

602.190 Designation of diseases; eradication and control programs; regulation of commercial use of diseased wax

602.990 Penalties

CROSS-REFERENCES

Administrative procedures governing state agencies, 183.310 to 183.550

Agricultural products, marketing, Ch. 576

Allergic response, treatment program, 433.800 to 433.830

Bees and honey as commodity, 576.051

Enjoining violations of law, 561.280

602.990

Jurisdiction over prosecutions, 561.290

602.010 Definitions. As used in this chapter, the term:

(1) "Apiary" and "apiary property" includes bees, honey, beeswax, bee comb, hives, frames and other equipment, appliances and material used in connection with an apiary.

(2) "Appliances" means any implement or device used in the manipulating of bees or their brood or hives, which may be used in any apiary.

(3) "Bees" means honey-producing insects of the genus *Apis* and includes the adults, eggs, larvae, pupae or other immature stages thereof, together with such materials as are deposited into hives by their adults, except honey and beeswax in rendered form.

(4) "Colony" or "colonies of bees" refers to any hive occupied by bees.

(5) "Department" means the State Department of Agriculture.

(6) "Disease" means pests, disease or any condition affecting bees or their brood.

(7) "Hive" means any receptacle or container made or prepared for use of bees, or box or similar container taken possession of by bees.

(8) "Location" means the premises upon which an apiary is located.

(9) "Person" includes any individual, partnership, association or corporation, but does not include any common carrier when engaged in the business of transporting bees, hives, appliances, bee cages or other commodities which are the subject of this chapter, in the regular course of business. [Amended by 1961 c.177 s.1; 1963 c.65 s.1; 1989 c.738 s.5; 1993 c.350 s.1]

602.020 Chief Apiary Inspector. The State Department of Agriculture is authorized to appoint a Chief Apiary Inspector and such deputy apiary inspectors as may be necessary to conduct service work requested by the apiary industry. The administration of the program shall be under the direction and control of the Director of Agriculture. The apiary industry shall pay service fees in amounts established by the department by rule to cover all expenses incurred in the conduct of the program. [Amended by 1961 c.177 s.2; 1993 c.350 s.2]

602.030 [Amended by 1953 c.400 s.7; 1981 c.164 s.1; 1989 c.738 s.6; repealed by 1993 c.350 s.6]

602.040 [Amended by 1953 c.400 s.7; 1989 c.738 s.7; repealed by 1993 c.350 s.6]

602.050 [Amended by 1989 c.738 s.8; repealed by 1993 c.350 s.6]

602.060 [Amended by 1953 c.400 s.7; 1961 c.177 s.3; repealed by 1993 c.350 s.6]

602.070 [Amended by 1953 c.400 s.7; repealed by 1993 c.350 s.6]

602.080 [Repealed by 1953 c.400 s.7]

602.081 [1961 c.177 s.5; repealed by 1993 c.350 s.6]

602.083 [1967 c.123 s.2; 1989 c.738 s.9; repealed by 1993 c.350 s.6]

602.085 [1967 c.123 s.4; 1989 c.738 s.10; repealed by 1993 c.350 s.6]

602.087 [1967 c.123 s.3; 1989 c.738 s.11; repealed by 1993 c.350 s.6]

602.090 Registration of bee colonies; fees. (1) Every person who owns or is in charge of five or more colonies of bees located within this state, shall cause the colonies to be registered with the State Department of Agriculture as in this section provided.

(2) Application for registration shall be made on a form furnished by the department. The registration shall cover each colony of bees owned by the applicant, and shall give the locations of such colonies and the name, address and telephone number of the owner and the name, address and telephone number of the person in charge if the person in charge is not the owner. The registration shall be made before June 1 of each year for all colonies. Each registrant shall furnish an address to which any notice required by this chapter to be given may be sent, and shall agree that any notice sent by the department to such address shall be deemed to be notice in fact.

(3) The application for registration shall be accompanied by a fee not to exceed \$10. For each registration after July 1, the fee shall not exceed \$20. The department, by rule, shall establish the fees subject to be the maximum limits prescribed in this subsection.

(4) When the ownership of bees which have been subject to the charge provided in this section is changed, the department shall transfer the registration to the new owner without charges. However, if the bees have not been previously registered, the new owner shall pay the registration fee without penalty.

(5) The department shall maintain records of registered beekeepers and the number of colonies registered. [Amended by 1953 c.400 s.7; 1961 c.177 s.6; 1963 c.65 s.2; 1989 c.354 s.1; 1991 c.633 s.1; 1993 c.350 s.3]

602.100 [Repealed by 1993 c.350 s.6]

602.110 [Repealed by 1993 c.350 s.6]

602.120 [Repealed by 1993 c.350 s.6]

602.130 [Repealed by 1993 c.350 s.6]

602.140 [Amended by 1991 c.249 s.60; repealed by 1993 c.350 s.6]

602.150 [Repealed by 1993 c.350 s.6]

602.160 [Repealed by 1993 c.350 s.6]

602.170 [Repealed by 1993 c.350 s.6]

602.180 Disposition of fees. The State Department of Agriculture shall deposit all fees paid to it under this chapter into the Department of Agriculture Service Fund. Such fees are continuously appropriated to the department for the purpose of administering and enforcing this chapter, including release and publication of information and material to better acquaint the bee industry with the law and regulations promulgated thereunder. [Amended by 1961 c.177 s.7; 1979 c.499 s.16]

602.190 Designation of diseases; eradication and control programs; regulation of commercial use of diseased wax. In order to prevent and control apiary diseases, the State Department of Agriculture:

- (1) May designate diseases and conditions which threaten the honey bee population in this state.
- (2) May establish by rule treatment programs designed to eradicate or control the disease or condition.
- (3) May establish rules regulating commercial facilities which render diseased wax. [1989 c.738 s.2; 1993 c.350 s.4; 1993 c.742 s.63]

602.200 [1989 c.738 s.3; repealed by 1993 c.350 s.6]

602.210 [1963 c.65 s.4; 1989 c.738 s.12; repealed by 1993 c.350 s.6]

602.220 [1963 c.65 s.5; 1989 c.738 s.13; repealed by 1993 c.350 s.6]

602.230 [1963 c.65 s.6; 1989 c.738 s.14; repealed by 1993 c.350 s.6.]

602.240 [1963 c.65 s.7; repealed by 1993 c.350 s.6]

602.250 [1963 c.65 s.8; repealed by 1993 c.350 s.6]

602.260 [1963 c.65 s.9; repealed by 1993 c.350 s.6]

602.270 [1963 c.65 s.10; repealed by 1993 c.350 s.6]

602.280 [1963 c.65 s.11; 1967 c.637 s.20; repealed by 1993 c.350 s.6]

602.300 [1989 c.61 s.2; repealed by 1993 c.350 s.6 and 1993 c.742 s.62]

602.900 [1989 c.738 ss.4, 17; 1991 c.734 s.53; repealed by 1993 c.350 s.6]

602.990 Penalties. Subject to ORS 153.022, violation of any of the provisions of ORS 602.090 or 602.190, or any rule adopted pursuant thereto, is punishable, upon conviction, by a fine not exceeding \$500 or imprisonment in the county jail not exceeding six months, or both. [Amended by 1993 c.350 s.5; 1999 c.1051 s.320]
