

THE ANNOTATED CODE
OF THE PUBLIC GENERAL LAWS
OF MARYLAND

Agriculture

ENACTED BY CHAPTER 6. ACTS 1973
FIRST EXTRAORDINARY SESSION

Prepared by the Editorial Staff of the Publishers

Under the Supervision of

Adrian D. Kowalsky, Clifton W. Anderson, Dennis M. Dougherty,

Michele K. Skarvelis and Alice E. Estes

Consultant

F. Carvel Payne

Director, State Department of Legislative Reference

1985 Replacement Volume

Including Acts of the 1985 Session and annotations taken from
The Atlantic Reporter: Second Series, Volume 490 (p. 983)

THE MICHIE COMPANY

Law Publishers

Charlottesville, Virginia

1985

Subtitle 5. Honey Bees

§ 5-501. Definitions.

- (a) *In general.* --- In this subtitle, the following words have the meanings indicated.
- (b) *Abandoned apiary.* --- "Abandoned apiary" means an apiary where a beekeeper fails to maintain a colony.
- (c) *Apiary.* --- "Apiary" means a place where one or more bee colonies may be maintained.
- (d) *Appliance.* --- "Appliance" means any device used in handling bees, hives, honey, or wax.
- (e) *Bee.* --- "Bee" means the common honey bee, *Apis mellifera*, at any stage of development.
- (f) *Bee equipment.* --- "Bee equipment" means any part of a hive, including any frame, hive body, or super.
- (g) *Colony.* --- "Colony" means a hive that contains bees, comb, and honey.
- (h) *Disease.* --- "Disease" means an abnormal condition resulting from action by a parasite, predator, or infectious agent.
- (i) *Hive.* --- "Hive" means a container for housing bees.
- (j) *Honey house.* --- "Honey house" means a structure where honey is extracted and processed for sale.
- (k) *Packaged bee.* --- "Packaged bee" means any bee shipped in a combless package.

Editor's note. --- Chapter 387, Acts 1980. §§ 5-501 to 5-507 and enacted present effective July 1, 1980 repealed former §§ 5-501 to 5-507 in lieu thereof.

§ 5-502. Inspection of apiaries; investigations; information to promote
— industry; records. —————

The Secretary shall:

- (1) Inspect apiaries and honey houses:
- (2) Conduct investigations:
- (3) Disseminate information to promote the beekeeping industry; and
- (4) Keep records of any work performed in carrying out the provisions of this subtitle. (1980. ch.387.)

§ 5-503. Registration.

- (a) *Annual registration.* --- (1)A beekeeper shall register annually with the Department each colony that it maintains, as provided in this subsection.

- (2) On or before January 1 of each year, the beekeeper shall complete and submit to the Department a registration form on which the beekeeper shall state the number of colonies he maintains and the location of each colony.
 - (3) The Department shall adopt a form which shall be used to comply with the registration requirements of this subsection.
- (b) *Registration upon acquiring colony.* --- Any person who is not registered as a beekeeper under this section and who acquires a colony shall register it with the Department within 30 days after the acquisition. (1980. ch. 387.)

§ 5-504. Diseased colonies or equipment.

- (a) *Possession prohibited.* --- Except as provided in this section, a person may not keep a colony or possess bee equipment that is infected with an infectious bee disease.
- (b) *Notice to Department.* --- Each beekeeper with an infected colony shall notify the Department.
- (c) *Distribution.* --- A beekeeper may not sell, barter, or give to any person any infected colony, bee equipment, or appliance unless it is treated in a manner that the Department approves.
- (d) *Quarantine: treatment: destruction.* --- (1) The Department may do any of the following:
- (i) After sending to the beekeeper a written notice of quarantine, quarantine any apiary containing an infected colony or bee equipment;
 - (ii) Order treatment of an infected colony or bee equipment; and
 - (iii) Order destruction of an infected colony or bee equipment.
- (2) A quarantine shall remain in effect until the Department issues a written release of the quarantine.
- (3) The Department shall instruct the beekeeper on any treatment or destruction that is ordered under this section. (1980. ch. 387.)

§ 5-505. Colonies or used equipment shipped or transported into State.

- (a) *Required documents.* --- A person may not ship or transport into this State any colony or used bee equipment that is not accompanied by the following documents:
- (1) An entry permit, issued by the Department; and
 - (2) A valid inspection certificate that:
 - (i) has been issued by an authorized apiary inspector of the state or origin;

- (ii) based on an inspection by that inspector within A TIME PERIOD AS DETERMINED BY THE DEPARTMENT stating that the colony or Equipment is disease free.

(b) *Request for entry permit.* --- Before a person may ship or transport into this State any colony or used bee equipment, the person shall request an entry permit by submitting to the Department:

- (1) An inspection certificate from the state of origin;
- (2) The name, address, and state of residence of the shipper;
- (3) The person to whom and destination to which the colony or bee equipment is to be shipped;
- (4) The number of hives that contain bees;
- (5) The type and quantity of bee equipment contained in the shipment;
- (6) The date of the last official inspection of the apiary and bee equipment;
- (7) The total number of colonies in the apiary inspected;
- (8) The number of infected colonies, if any, that were found in the apiary on that last inspection; and
- (9) The number of these infected colonies that were destroyed.

(c) *Certain bees and used equipment or appliances from outside United States.* ---

Without the prior written permission of the Department, a person may not transport into this State from outside of the United States a bee that belongs to the genus *Apis*, used bee equipment, or a used appliance.

(d) *Queen bees and packaged bees.* --- A person may not ship or transport into this State any queen bee or packaged bee unless it is accompanied by a valid certificate that:

- (1) was issued by an authorized apiary inspector of the state or origin;
and
- (2) states that the bee is from a disease free colony.

(e) *Notice of shipment without documents.* --- A person who receives a delivery of a colony, or bee that was transported into this State without the documents required under this subtitle, immediately shall give to the Department notice of the delivery.

(f) *Restriction of shipment without document; removal; destruction.* --- (1) Any colony or bee that is transported into this State and that is not accompanied by the documents required under this subtitle shall be restricted to an area that the Department designates and may not be moved.

(2) The Department shall give the owner notice that unless the colony or bee is removed from the State within 24 hours, it may be destroyed by the Department at the expense of the owner.

(3) The Department may destroy, at the expense of the owner, any bee or colony that is not removed from the State within 24 hours after notice is given under this subsection.

(g) *Immunity of carrier from liability.* --- A transportation company or common carrier shall have the immunity from liability described under § 5-345 of the Courts and Judicial Proceedings Article. (1990, ch. 546, § 3.)