

1                                   A bill to be entitled  
 2       An act relating to honeybees; amending s. 586.10, F.S.;  
 3       revising the powers and duties of the Department of  
 4       Agriculture and Consumer Services for purposes of the  
 5       Florida Honey Certification and Honeybee Law; specifying  
 6       that the department has exclusive authority over  
 7       regulations, inquiries, and complaints relating to  
 8       beekeeping, apiaries, and apiary locations; providing an  
 9       effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Section 586.10, Florida Statutes, is amended to  
 14 read:

15           586.10 Powers and duties of department.—

16           (1) The department has ~~shall have~~ the powers and duties  
 17 to:

18           (a) ~~(1)~~ Administer and enforce ~~the provisions of~~ this  
 19 chapter.

20           (b) ~~(2)~~ Adopt ~~Promulgate~~ rules necessary to the enforcement  
 21 of this chapter.

22           (c) ~~(3)~~ Adopt ~~Promulgate~~ rules relating to standard grades  
 23 for honey and other honeybee products.

24           (d) ~~(4)~~ Enter upon any public or private premise or carrier  
 25 during regular business hours for the purpose of inspection,  
 26 quarantine, destruction, or treatment of honeybees, used  
 27 beekeeping equipment, unwanted races of honeybees, or regulated  
 28 articles.

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29        (e) ~~(5)~~ Declare a honeybee pest or unwanted race of  
30 honeybees to be a nuisance to the beekeeping industry as well as  
31 any honeybee or other article infested or infected therewith or  
32 that has been exposed to infestation or infection in a manner  
33 believed likely to communicate the infection or infestation.

34        (f) ~~(6)~~ Declare a quarantine against any area, place, or  
35 political unit within this state or other states, territories,  
36 or foreign countries, or portion thereof, in reference to  
37 honeybee pests or unwanted races of honeybees and prohibit the  
38 movement within this state from other states, territories, or  
39 foreign countries of all honeybees, honeybee products, used  
40 beekeeping equipment, or other articles from such quarantined  
41 places or areas which are likely to carry honeybee pests or  
42 unwanted races of honeybees if the quarantine is determined,  
43 after due investigation, to be necessary in order to protect  
44 this state's beekeeping industry, honeybees, and the public. In  
45 such cases, the quarantine may be made absolute or rules may be  
46 adopted prescribing the method and manner under which the  
47 prohibited articles may be moved into or within, sold in, or  
48 otherwise disposed of in this state.

49        (g) ~~(7)~~ Enter into cooperative arrangements with any  
50 person, municipality, county, or other department of this state  
51 or any agency, officer, or authority of other states or the  
52 United States Government, including the United States Department  
53 of Agriculture, for inspection of honeybees, honeybee pests, or  
54 unwanted races of honeybees and products thereof and the control  
55 or eradication of honeybee pests and unwanted races of  
56 honeybees, and contribute a share of the expenses incurred under

57 such arrangements.

58 (h)~~(8)~~ Carry on investigations of methods of control,  
59 eradication, and prevention of dissemination of honeybee pests  
60 or unwanted races of honeybees.

61 (i)~~(9)~~ Inspect or cause to be inspected all apiaries in  
62 the state at such intervals as it may deem best and to keep a  
63 complete, accurate, and current list of all inspected apiaries  
64 to include the:

65 1.~~(a)~~ Name of the apiary.

66 2.~~(b)~~ Name of the owner of the apiary.

67 3.~~(c)~~ Mailing address of the apiary owner.

68 4.~~(d)~~ Location of the apiary.

69 5.~~(e)~~ Number of hives in the apiary.

70 6.~~(f)~~ Pest problems associated with the apiary.

71 7.~~(g)~~ Brands used by beekeepers where applicable.

72 (j)~~(10)~~ Collect or accept from other agencies or  
73 individuals specimens of arthropods, nematodes, fungi, bacteria,  
74 or other organisms for identification.

75 (k)~~(11)~~ Confiscate, destroy, or make use of abandoned  
76 beehives or beekeeping equipment.

77 (l)~~(12)~~ Require the identification of ownership of  
78 apiaries.

79 (m)~~(13)~~ Enter into a compliance agreement with any person  
80 engaged in purchasing, assembling, exchanging, processing,  
81 utilizing, treating, or moving beekeeping equipment or  
82 honeybees.

83 (n)~~(14)~~ Make and issue to beekeepers certificates of  
84 registration and inspection, following proper inspection and

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85 certification of their honeybee colonies.

86 ~~(2)-(15)~~ If the department determines that a beekeeper or  
87 honeybee product processor is selling or offering for sale or is  
88 distributing or offering to distribute honeybees, honeybee  
89 products, or beekeeping equipment in violation of this chapter  
90 or rules adopted under this chapter, or has aided or abetted in  
91 the violation, the department may revoke or suspend her or his  
92 certificate of inspection or the use of any certificate or  
93 permit issued by the department.

94 ~~(3)-(16)~~ The department may refuse the certification of any  
95 honeybees, honeybee products, or beekeeping equipment when it is  
96 determined that an unwanted race of honeybees exists, or  
97 honeybee pests exist on honeybees, honeybee products, or  
98 beekeeping equipment, or that the condition of the apiary  
99 inhibits a thorough and efficient inspection by the department.

100 ~~(4)-(17)~~ The department is authorized to conduct,  
101 supervise, or cause the fumigation, destruction, or treatment of  
102 honeybees, including unwanted races of honeybees, honeybee  
103 products, and used beekeeping equipment or other articles  
104 infested or infected by honeybee pests or unwanted races of  
105 honeybees or so exposed to infection or infestation that it is  
106 reasonably believed that infection or infestation could exist.

107 ~~(5)-(18)~~ The department may require the removal from this  
108 state of any honeybees or beekeeping equipment which has been  
109 brought into the state in violation of this chapter or the rules  
110 adopted under this chapter.

111 (6) The department has the exclusive authority to regulate  
112 beekeeping, apiaries, and apiary locations and to dispense with

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113 | any inquiry or complaint relating to beekeeping, apiaries, or  
114 | apiary locations.

115 | Section 2. This act shall take effect July 1, 2010.