
SENATE COMMITTEE ON AGRICULTURE
Senator Andreas Borgeas, Chair
2021 - 2022 Regular

Bill No: AB 719 **Hearing Date:** 7/1/21
Author: Committee on Agriculture
Version: 6/22/21
Urgency: No **Fiscal:** Yes
Consultant: Reichel Everhart

Subject: Bees

SUMMARY:

This bill would update portions of the Apiary Protection Act, primarily by changing the makeup of the Apiary Advisory Board, revising definitions, and updating provisions.

BACKGROUND AND EXISTING LAW:

- 1) Creates the Apiary Board within the California Department of Food and Agriculture (CDFA). The board is required to consist of five members that are appointed by the secretary of CDFA and are registered beekeepers that reside in California. Existing law also allows the secretary of CDFA to appoint an additional public member.
- 2) Defines, for purposes of the Apiary Protection Act, “pest” to mean American foulbrood or any other infectious disease, parasite, pest, or hereditary disease that affects bees that the secretary declares by regulation detrimental to the welfare of the bee industry.
- 3) Requires an owner or a person in charge or possession of an apiary to, among other things, register the number of colonies in each apiary and the location of each apiary; and abate an infestation of an apiary upon finding an infestation to be present or receiving notice of an infestation.
- 4) Authorizes any person to transport any contaminated hive, together with its contents, or any contaminated comb, including any frame associated with it, to a suitable place for burning or to a licensed wax salvage plant, as specified.
- 5) Specifies no person shall move or transport any bees, comb, appliances, or colonies within the state that are diseased.
- 6) Authorizes an inspector, in a summary manner, to destroy where required, any and all diseased colonies, bees, combs, or hives that are unlawfully moved within the state wherever they may be found.
- 7) Requires a beekeeper to report to the agricultural commissioner of the county in which the beekeeper’s apiary is located, on a form approved by the

secretary, each location of apiaries for which notification of pesticide usage is sought.

- 8) Requires each request, except as specified, to be mailed within 72 hours before locating an apiary, where feasible, but in no event later than 72 hours after locating an apiary.
- 9) Provides that no person shall import or transport into the state any comb, bees on comb, queen bees, package bees, bee semen, or any used hive or used appliance, unless each separate load, lot, or shipment is accompanied by a valid certificate, and filed in a form and in the manner as set forth by the secretary, and unless the certificate is delivered to the agricultural commissioner of the county of destination or to the secretary, if there is no agricultural commissioner in the county, within 72 hours after the arrival of the load, lot, or shipment.
- 10) Requires the colony strength of a bee colony to be certified after inspection on the basis of the number of active frames of bees or the square inches of brood per colony, or both, using a sampling system approved by the secretary.
- 11) Requires the inspector, to the greatest extent possible, to endeavor to give the beekeeper advance notice of the scheduled date of the inspection.
- 12) Prescribes various abatement methods for diseased colonies.
- 13) Authorizes the secretary, in cooperation with the Regents of the University of California, to approve programs statewide to train, on a voluntary basis, beekeepers in the maintenance of colonies free of Africanized honey bees.

PROPOSED LAW:

This bill:

- 1) Increases the number of board members from five to nine.
 - a. Six board members shall be registered beekeepers who live in California and are representative of queen breeding, pollination, and honey production.
 - b. One board member shall be designated as a nonvoting member and will be from the California Agricultural Commissioners and Sealers Association.
 - c. One member shall be a member of an agriculture commodity group that uses the services of pollinators to serve in a nonvoting capacity.
 - d. One member shall be appointed by the secretary of CDFA and will serve as a public member.
- 2) Revises the definition of “pest” to allow the secretary to consult with the association representing the beekeeping industry and board to declare by regulation a pest that is detrimental to the welfare of the bee industry.

- 3) Defines “broker” to mean a person who is engaged in pollinating agricultural crops for a fee using hives that are owned by another person.
- 4) Authorizes any person to transport any contaminated hive, together with its contents, or any contaminated comb, including any frame associated with it, to a suitable place for disposal.
- 5) Authorizes an inspector, in a summary manner, to destroy where required, any and all diseased colonies, bees, combs, appliances, or hives that contain pests, that are unlawfully moved within the state wherever they may be found.
- 6) Authorizes electronic submission of beekeeper reports to the agricultural commissioner of the county in which the beekeeper’s apiary is located for which notification of pesticide usage is sought.
- 7) States that no person shall import or transport into the state any comb, bees on comb, queen bees, package bees, bee semen, or any used hive or used appliance, lot, or shipment from a location other than the mainland United States or Hawaii.
- 8) Authorizes operations to abate diseased colonies to be performed by any authorized hazardous waste facility.
- 9) Authorizes the secretary, in consultation with the board, to approve programs statewide to train, on a voluntary basis, beekeepers, inspectors, or county agricultural commissioners in contemporary and geographically relevant colony management, including, but not limited to, the maintenance of colonies free from Africanized honey bees.

ARGUMENTS IN SUPPORT:

According to the author:

“This bill updates and changes portion of the Apiary Protection Act (APA), primarily changing the makeup of the California Department of Food and Agriculture’s (CDFA) Apiary Advisory board, revising definitions, and updating provisions to reflect current technology and industry best practices.”

The California State Beekeepers Association, sponsors of the bill, write in support because the bill updates and changes portions of the Apiary Protection Act to bring “critically necessary clarity and consistency to the entire code section.”

PRIOR ACTIONS:

Assembly Floor:	78 - 0
Assembly Appropriations Committee:	16 - 0
Assembly Agriculture Committee:	11 - 0

SUPPORT:

California State Beekeepers Association (Sponsor)

OPPOSITION:

None received

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