



**House  
Legislative  
Analysis  
Section**

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## HONEYBEE REGULATION

House Bill 4090 as introduced  
First Analysis (5-25-93)

Sponsor: Rep. Tom Alley  
Committee: Agriculture and Forestry

### ***THE APPARENT PROBLEM:***

Bees are an important element in Michigan agriculture, not only producing a valuable agricultural product, honey, but also vital in the production of major fruit and vegetable crops dependent on bee pollination, including apples, cherries, blueberries (and, indeed, all fruit crops) as well as pickle cucumbers and the production of birdsfoot trefoil, an important forage crop in the northern part of the state. The original Apiary Inspection Act, passed in 1935, apparently was in response to a disease, known as American foulbrood disease (a contagious and fatal bacterial disease of bee larvae). The act required beekeepers to be registered with the Department of Agriculture (MDA), required the department to inspect apiaries (places where one or more colonies of bees -- or unoccupied hives -- are kept, including hives, bees, and bee-associated equipment), and restricted the transportation of bees. If hives were found to be infected, the department could quarantine and, if necessary, destroy, the infected hives. However, since the early 1970s, the MDA was able to inspect only about 60 percent of registered apiaries because of reductions in funding for the annual apiary inspection program. Before 1975, the incidence of American foulbrood disease reportedly varied between one and two percent, the lowest practicable rate because the disease also can be carried by wild bees. However, after the reduction in the inspection program, random inspections conducted in 1978 on about 11 percent of registered apiaries showed an increase in rates of American foulbrood disease to between three and four percent, with the incidence of the disease in some parts of the state reportedly as high as 30 percent.

Meanwhile, by the 1980s, there was an increase in the spread of a parasitic tracheal mite which weakens bees and, consequently, adversely affected honey production and pollination. The mite apparently was first found in the United States in Texas in 1983, and was soon discovered in Louisiana and throughout Florida. The United State Department of Agriculture (USDA) placed

restrictions on movement of bees and used equipment outside of infected areas, but the mite continued its progress northward, for example, appearing both in Ohio and Michigan. The mite is of particular concern in northern states, where infestation may increase winter die-off of bees, and the necessity for importing bees from southern states. Two kinds of bee mites -- tracheal mites and varroa mites, both of which are fatal to bees -- are now considered endemic in Michigan (that is, spread throughout the state), so quarantine is not an effective means of protecting either honey production or pollination. At first there was no treatment for these bee mites, but treatments have since been developed (under the trade names Micticur Bee Mite Strips, Mit-A-Thol, and Apistan Strips). Apparently while one of the treatments (Apistan) works well on varroa mites and Menthol can work well on tracheal mites (though application reportedly is tricky), Mit-A-Thol appears to be highly questionable in killing either mite while perhaps actually harmful to bees (perhaps because of some of the strips are tainted).

The mite problem is very serious, with some apiaries losing up to 95 percent of their colonies. At approximately \$35 to replace each colony, and a \$50 to \$60 loss from pollination for each colony, and the loss of \$20 to \$50 in honey production per colony, it is clear that mites pose a serious economic problem not only to beekeepers but to agriculture in general in the state.

The act has been amended a number of times (once, for example to include provisions regarding African or Africanized bees), and at the request of beekeepers in the state legislation has been introduced that would help beekeepers to get reimbursed for the loss of bees to bee diseases and these bee mites.

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**THE CONTENT OF THE BILL:**

The bill would amend the beekeeping act (Public Act 412 of 1976) to make the Animal Industry Division of the Department of Agriculture, instead of the Plant and Pest Management Division, responsible for regulating beekeeping.

MCL 286.801 et al.

**FISCAL IMPLICATIONS:**

According to the House Democratic Policy staff, there are no known fiscal implications for the state. (5-20-93)

**ARGUMENTS:****For:**

Currently the beekeeping act gives the director of the Department of Agriculture responsibility for carrying out and enforcing the act. The director has delegated this responsibility to the Plant and Pest Management Division of the department. By transferring regulation of bees from the Plant and Pest Management Division of the Department of Agriculture to the Animal Industry Division apiaries might become eligible for state and federal disaster relief when bees die due to disease or parasites.

**Response:**

If the bill intends to make beekeepers eligible for state and federal disaster relief by implicitly classifying bees as "livestock" (by transferring regulation of bees from the Plant and Pest Management Division of the Department of Agriculture to the Animal Industry Division), it is unclear that this purpose would be accomplished by the bill in its present form. In Michigan law, "livestock" are defined under the Animal Industry Act of 1987 (Public Act 466 of 1988) as "animals used for human food and fiber or animals used for service to mankind (sic)." "Livestock" includes, but is not limited to, cattle, swine, sheep, llamas, goats, bison, equine [horses], and rabbits, but does not include companion animals such as dogs and cats. Under this definition, bees might qualify as livestock because they are used for human food and for service to humans. However, currently, there are no state indemnification programs for the loss of bees, although bills have been introduced in past legislative sessions that would have attempted to put indemnification programs in place.

However, according to a representative of the USDA Agriculture Stabilization and Conservation Service, beekeepers would not be eligible for federal disaster relief for the destruction of bees themselves, because the only existing federal disaster program for beekeepers is for the loss of honey production due to weather conditions. Apparently five or six years ago there was a federal beekeeper indemnity program for beekeepers who lost bees due to pesticide drift from nearby farms, but that program is no longer in existence.

**POSITIONS:**

A representative from the Michigan Beekeepers Association spoke in support of the bill. (5-19-93)

The Department of Agriculture has no position on the bill. (5-24-93)