

# Washington State Beekeepers Association

*Keep the "Bee" in Business*



Publication of Washington State Beekeepers Association

[www.wasba.org](http://www.wasba.org)

September 2007

## President's Message

For me personally this has already been one wild year...we still have the stretch run. It has not been a real good honey year in Eastern Washington and honey crops are being reported as below normal. Everyone is getting the honey off and getting going with extracting. I hope that goes well. The convention is up and off to a very good start but we need everyone to call and get their hotel room setup right away...\$85 a night is great. We have everything set and we are getting ready to go.

The state Apiary Advisory Committee met and I hope we have the minutes soon to share with you. We will be posting them on the web site as soon as they are out. It was a good first meeting and I think we can make some things happen. They won't come fast but I think by next convention we can report some good progress. I'm looking forward to our next meeting. Eric Olson was elected Committee Chairman. It was nice to see some new faces and some I had not seen in some time.

We have opened some dialog with Mark Johnson of Oregon State Beekeepers on a joint meeting next year. Hank Sowers and Mark are hoping to attend our convention and we will get the details all worked out on next year and future conventions. Bob Arnold and I will be meeting with them to get that up and going.

Don't forget that the Master Beekeepers will be testing at the convention, so look for it on the agenda and let's get some folks there to take the certification test. Looking forward to reestablishing an old tradition. Signing off for the night....See you all at the convention.

Jerry Tate

## Washington State Updates

Program Calendar for the Association.

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## Scholarships and Grants & Beekeeper of the Year

### Don't forget Beekeeper of the Year Nominations!

The 2007 Deadline for submissions is October 2nd. Please send your candidate selection & letter of nomination to Bob Smith.

Contact Bob at;  
Phone: 360-894-2159, Area2@wasba.org  
15525 Castle SE  
Yelm, WA 98597

### It's time to submit your application for grants and scholarships!

The 2007 Deadline for submissions is October 2nd. Please send your grant or scholarship application to John Timmons and Jerry Tate. The link to the application form is posted on the [www.wasba.org](http://www.wasba.org) web site. Or call John or Jerry for a copy.

Contact John at;  
Phone: 253-847-1561  
8018 224th St., Graham, WA 98338  
Contact Jerry at;  
Phone: 509-924-6669, President@wasba.org  
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Come to the convention and take the Apprentice Certification test!

## Treasurer's Message

Hello Everyone!

Registration time for the WSBA Fall Convention is here once again. We have a great bunch of speakers and topics, so please find the time and funds to come to the convention at the beautiful Sun Mountain Resort. If at all possible, **register with the resort by Sept. 15 to assure the \$85.00/night rate**—I know, that's almost tomorrow! But just give Sun Mtn. a call at 800-572-0493, say you are attending the WSBA convention, and they'll give you a deal: if you want to stay Saturday night, they will honor the \$85 room rate for that night as well.

Big reasons to attend this convention: Ms. Sue Cobey, now on the West Coast at UC Davis, will update us on her bee semen research, Bart Smith from the Beltsville bee lab will talk about services available from the lab, and since he works with Dr. Jeff Pettis, he'll probably have some things to say on the latest research on the virus that might be causing CCD. Professor Emeritus Dr. Mike Burgett will update the latest on the NW pollination report, and Glenda Wooten of Wooten's Golden Queens will be on hand to talk about their queen breeding operation and the American Bee Federation, and the National Honey Board. We have Jim Bach with a presentation on Nosema cerana, and Deer Park beekeeper Bob Arnold with his experience as a small commercial beekeeper. Our own Dr. Steve Sheppard will discuss the long-term genetic study of US honey bees, and all of his students will be giving talks as well! These young scientists are researching honey bee topics of value to northwest beekeepers: WSBA scholarship money has helped fund their research through the Thurber, Timmons, and Van Wechel Accounts.

Which brings me to another topic of great importance: the Auction!

Put your thinking caps on and come up with something unique you could bring to put up for bid at the auction. Thanks again for being a member of WSBA and keeping the bee in business!

Lisa Knox  
WSBA Treasurer

## Washington Legislature & Honey Bee Laws

**Eric Olson, WSBA Vice President, and Jim Bach, WSBA Exec. Bd. Area 3, submit the following in the interest of the beekeepers of Washington State.**

The Legislature has responded to issues affecting agricultural growers and beekeepers and their interaction with people in the urban–rural interface. As you may be aware, city folks are moving out into rural farming areas, building houses and installing swimming pools, and then objecting to neighboring farm practices, equipment noise and farm odors. In beekeeping terms, neighbors are afraid of honey bees and so object to having apiaries in the vicinity of their dwellings, or because bees forage their swimming pools for water. Bees are attracted to the color of the pool and the salts and chemicals in the water. In some instances dead bees may plug up the circulating pump intake screen causing damage to the re-circulating pump. Commercial beekeepers have purchased, rented or leased land for use as apiaries for forage and also for access with semi trucks and trailers used for interstate transport and pollination activities. Reports of these conflicts have surfaced for years but a permanent solution has never been created. Usually the beekeepers have done what they could to soften the impact on the complainants while still trying to reduce the costs of transporting bees.

Much of the credit for the recent legislative action goes to the Washington State Farm Bureau and supporting grower organizations that carried Engrossed House Bill 1648 (EHB1648) through the legislative process. The bill amends RCW 7.48.310 and reenacts and amends RCW 7.48.305. Below are quotes and paraphrasing from the bill that effect apiculture.

**Engrossed House Bill 1648** by Senators Rasmussen, Schoesler, Spanel, Honeyford & Kilmer

Adopted on 04/11/2007.

**“New Section. Sec. 1.** The legislature finds that agricultural activities are often subjected to nuisance lawsuits. The legislature also finds that such lawsuits hasten premature conversion of agricultural lands to other uses. The legislature further finds that agricultural activities must be able to adopt new technologies and diversify into new crops and products if the agricultural industry is to survive and agricultural lands are to be conserved. Therefore, the legislature intends to enhance the protection of agricultural activities from nuisance lawsuits, and to further the clear legislative directive of the state growth management act to maintain and enhance the agricultural industry and conserve productive agricultural lands.”

**Sec. 2.** pertinent parts paraphrased:

“Agricultural activities conducted on farmland, if consistent with good agricultural practices and established prior to surrounding nonagricultural activities, are presumed to be reasonable and shall not be found to constitute a nuisance unless the activity or practice has a substantial adverse effect on public health and safety.

If those agricultural activities are undertaken in conformity with all applicable laws and rules, they are presumed to be good agricultural practices not adversely affecting the public health and safety. An agricultural activity in conformity with such laws and rules shall not be restricted as to the hours of the day, or day, or days of the week during which it may be conducted.”

**Sec. 3.** pertinent parts paraphrased:

“(1) “Agricultural activity” means...”keeping of bees for production of agricultural or apicultural products” and ...”including a change in the type of plant-related farm product being produced. The term includes use of new practices and equipment consistent with technological development within the agricultural industry.”

(4) “Farm product” means those plants and animals useful to humans and includes, but is not limited to...apiaries and apiary products.”

This language means that honey bees, their apiaries and the activities associated with them are now protected from so-called nuisance lawsuits. The language in Sec. 2 second paragraph means that beekeepers must comply with any statute and rule (regulation) regarding honeybees. The WA honey bee statutes and rules can be found on the WSBA web home page at: [www.wasba.org](http://www.wasba.org).

In addition to the above, the issue of what constitutes a farmer and farm has come up for discussion for many years. Beekeepers have often considered themselves as “honey bee farmers.” And since their bees pollinate orchards and other crops they consider themselves as linked to crop farmers. To give this approach legal standing “beekeepers, or apiculturists” must be included in the statutory definition of farmers and/or their beekeeping operation defined as a farm activity. Currently RCW 7.48.305 states:

“Farm means the land, buildings, freshwater ponds, freshwater culturing and growing facilities, and machinery used in the com-

*(Continued on page 4)*

## Washington Legislature & Honey Bee Laws, continued

(Continued from page 3)

mercial production of farm products.” And “Farmland means land or freshwater ponds devoted primarily to the production, for commercial purposes, of livestock, freshwater aquacultural, or other farm products.” As above, “Farm products” has been defined as including apiaries and now includes “apiary products.”

When the Washington State Department of Revenue was consulted as to whether beekeepers were included in their definition of farmers, a resounding “NO” was received. We reviewed the DOR statutes and found the following definitions:

### RCW 82.04.213 "Agricultural product," "farmer."

(1) "Agricultural product" means any product of plant cultivation or animal husbandry including, but not limited to: A product of horticulture, grain cultivation, vermiculture, viticulture, or aquaculture as defined in RCW [15.85.020](#); plantation Christmas trees; short-rotation hardwoods as defined in RCW [84.33.035](#); turf; or any animal including but not limited to an animal that is a private sector cultured aquatic product as defined in RCW [15.85.020](#), or a bird, **or insect**, or the substances obtained from such an animal. "Agricultural product" does not include animals defined as pet animals under RCW [16.70.020](#).

(2) "Farmer" means any person engaged in the business of growing, raising, or producing, upon the person's own lands or upon the lands in which the person has a present right of possession, any agricultural product to be sold. "Farmer" does not include a person growing, raising, or producing such products for the person's own consumption; a person selling any animal or substance obtained there from in connection with the person's business of operating a stockyard or a slaughter or packing house; or a person in respect to the business of taking, cultivating, or raising timber.

### WAC 458-20-209

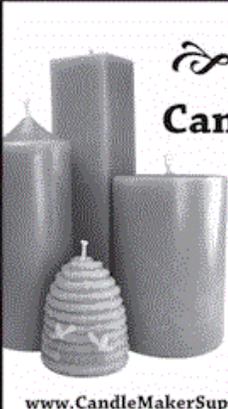
Farming for hire and horticultural services performed for farmers.

2) **Definitions.** For the purposes of this section, the following definitions apply:

(a) "Farmer" means any person engaged in the business of growing or producing, upon the person's own lands or upon the lands in which the person has a present right of possession, any agricultural product whatsoever for sale. "Farmer" does not include a person using such products as ingredients in a manufacturing process, or a person growing or producing such products for the person's own consumption. The term does not include a person selling any animal or substance obtained there from in connection with the person's business of operating a stockyard, slaughter or packing house. "Farmer" does not include any person in respect to the business of taking, cultivating, or raising timber. RCW [82.04.213](#).

(b) "Agricultural product" means any product of plant cultivation or animal husbandry including, but not limited to a product of horticulture, grain cultivation, vermiculture, or viticulture. "Agricultural product" includes plantation Christmas trees, ani-

(Continued on page 5)



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## Washington Legislature & Honey Bee Laws, continued

(Continued from page 4)

mals, birds, **insects**, or the substances obtained from such animals. RCW [82.04.213](#). On and after July 1, 1993, "agricultural product" includes products of "aquaculture" and animals that are "cultured aquatic products," as those terms are defined by RCW [15.85.020](#). Also effective July 1, 1993, "turf" was added to the definition of "agricultural product," and "animals intended to be pets" were specifically excluded. (See chapter 25, Laws of 1993 sp.s.)

### Author's Opinion:

At first glance RCW 82.04.213 (1) agricultural product means "or insect" though the legislature wasn't specific as to which insect(s). Though honey bees may be conjectured to "fit," they can't be presumed to be included in the intent of the legislature. Likewise in (2) the farmer definition can't be stretched to include beekeepers since the first sentence refers to selling the agricultural product not renting the bees as a pollination service to farmers. The language is not specific enough to include honey bee husbandry.

For the same reasons the definition of farmer in WAC 458-20-209 (a) can't be stretched to fit honey bees or beekeepers even though in (b) the definition of agricultural product does include "insects, or the substances obtained from such animals."

Current State Senator Jim Clements indicated to Eric Olson that he would propose legislation this fall that would include beekeepers (presumably commercial beekeepers) within the definition of "farmers" as used in DOR statute and rules and also include them in the exemption from off-road fuel taxes. The Senator is currently drafting proposal language. Senator Jim is serving a partial term but needs to be elected to his position to be able to submit a bill to the next legislature.

### Further thoughts on beekeeper conformity to statutes and rules:

Note that EHB 1648 Sec. 2 states: agricultural activities...consistent with good agricultural practices and established prior to surrounding nonagricultural activities..." This language would not apply to urban beekeeping and maybe not to non-commercial beekeeping in the urban-rural agricultural interface.

Note also that beekeeping under the statute and rule would be presumed reasonable and not constitute a nuisance unless it has a substantial adverse effect on public health and safety. And, beekeeping would be considered good agricultural practices if it conforms to all applicable laws and rules.

All applicable laws and rules include state statutes and rules as in RCW 15.60 Apiaries, RCW 69.28 Honey, and WAC 16-600 Honey and 16-602 Apiaries. They also include local county and city ordinances since these are promulgated under authority granted by the legislature.

For the most comprehensive discussion of local beekeeping issues, public health and safety and prudent beekeeping practices that I've seen, I refer you to: *Creating a Model Beekeeping Ordinance* by Ms. Sylvia A Ezenwa, J.D. in the April thru June 2007 issues of the *American Bee Journal*, ISSN 0002-7626, Hamilton, IL 62341, at <http://www.dadant.com>. And see her book: *Honey Bee Law: Principles and Practice* available at <http://www.beeculture.com/store/> or call 1-800-289-7668.



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## Catch The BUZZ - Reason For Resistant Foulbrood?

### Where did American Foul Brood resistant to Terramycin come from? Now we know.

American researchers have discovered why the American foulbrood (AFB) causing bacteria has suddenly developed resistance to the only treatment approved for use in the United States.

The antibiotic oxytetracycline (OTC), sold under the brand name Terramycin has been used successfully for more than 50 years to kill the bacterium *Paenibacillus larvae*.

But in the last few years there have been several reports of OTC's loss of effectiveness.

Agricultural Research Service molecular biologist Dan Murray, who works at the ARS Honey Bee Research Unit at Weslaco, Texas, has figured out why.

Murray and molecular biologist Katherine Aronstein discovered in *P. larvae* a natural plasmid - dubbed pMA67 - that contains an OTC resistance gene. Plasmids are small DNA molecules containing up to several dozen genes that bacteria pass on when they reproduce.

This is the first report of any tetracycline resistance gene being found in any *Paenibacillus* bacteria.

Among 35 *P. larvae* strains tested from across the U.S. and one from Canada, all 21 OTC-resistant strains possessed this plasmid and all 15 OTC-sensitive strains did not.

"This finding was unexpected," Murray says. "Other scientists have found plasmids in various AFB bacterial strains but none of them conferred antibiotic resistance. This plasmid is significant because it has rendered useless what until very recently has been the only effective preventive treatment for AFB."

Fortunately, ARS scientists at Beltsville, Maryland, have recently shepherded approval by the Food and Drug Administration of a new antibiotic against AFB called tylosin.

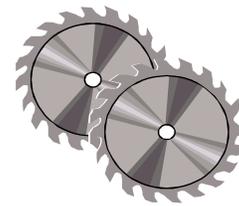
The researchers say there are two likely reasons for the relatively rapid spread of OTC resistance: First, bees from broad geographical areas are brought together when beekeepers rent out their hives to agricultural producers for pollination. That means the bees can spread OTC-resistant bacteria to bees they wouldn't normally encounter.

Second, based on its DNA sequence, plasmid pMA67 is thought to have the ability to transfer to other bacterial cells in a

*(Continued on page 7)*

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## Catch The BUZZ - Reason For Resistant Foulbrood?, continued

*(Continued from page 6)*

process called plasmid mobilization. This means that, in addition to passing the plasmid - and its OTC resistance genes - on to their descendants, bacteria can physically transfer a copy of the plasmid to other bacterial cells they come in contact with.

It is the same phenomenon largely responsible for spread of antibiotic resistance among disease-causing bacteria in humans. OTC resistance in *P. larvae* is thought to have begun when, at some point, pMA67 was transferred from some other bacterial species into *P. larvae*. From Alan Harman.

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## Bee Culture's Beeyard

**by: James E. Tew**

After several hundred years of observations, there are still plenty of mysteries behind the closed doors of the beehive. As beekeepers, we have always given simple answers to complicated bee questions. In most instances, our only other alternative was to give no answer at all. During the Spring of 2002, numerous Alabama beekeepers experienced an inexplicable bee colony die-off. There was no obvious cause - even after USDA analysis. An old diagnosis was called up - The Disappearing Disease of Honey Bees.

My first association with this peculiar ailment was about 20 years ago, when I talked to the late Dr. Walter Rothenbuhler about the sickness. He had attempted to work on the problem, but never made much headway. Though he had performed several research projects, no conclusions were ever drawn. Scant research attention has been allocated to this syndrome over the years. Like an urban legend, the disease lives in scattered paragraphs in bee books near the end of the requisite chapter on bee diseases.

### Some History

The condition was first described in 1915 and was called Disappearing Disease because the disease was self-limiting and disappeared. Through the years, that name has increasingly been broadened to describe any mysterious instance where adult bees disappear - not the disease. Confusing isn't it? If the bees have disappeared, then the disease is gone, too. Right? From 1915 until this time, no single pathogen has even been isolated. Other possible names for the ailment are: Spring Dwindling, Fall Dwindling, May Disease, and Autumn Collapse. The Isle of Wight Disease, caused by tracheal mites, has many similarities to Disappearing Disease. The reported symptoms are broad and indistinct appearing to be a collage of characteristics.

In 1915, after a particularly wet Spring, significant colony losses were reported. One beekeeper lost 400 hives. The problem was noted in multiple states from Florida to California. Hives came out the Winter in good shape, but adult bees began to vanish at the beginning of the Spring nectar flow. In afflicted apiaries, at best, honey crops were reduced. At worst, colonies were essentially emptied of adult bees. During subsequent years, now and then, reports were posted presenting Disappearing Disease as the cause of occasional colony losses.

### Characteristics of Disappearing Disease

Adult bee loss with no accumulation at the hive entrance.

Adult bee loss after a cool damp Spring - though losses have also been reported in the Summer and Autumn.

Queens are the last hive individuals to be affected.

*(Continued on page 8)*

## Bee Culture's Beeyard, continued

*(Continued from page 7)*

Pollen and honey stores are strangely normal.

A disproportionate brood/adult bee ratio.

Spotty outbreaks.

Honestly, characteristics are broad and indistinct - except for one - adult bees are mysteriously gone. In 1985, Dr. Roger Morse wrote, 'It seems unlikely that any one cause produces all the losses attributed to Disappearing Disease.'

### Possible Causes

Having already admitted that a single causative agent has never been isolated, guesses have been postulated that could justify the problem. I have presented them in no order of priority.

### Possible Causes of Disappearing Disease

Pesticide exposure.

Nosema disease.

Tracheal mites.

Nutritional shortages.

Environmental conditions (predominantly weather).

Toxic pollen or nectar.

Genetic disorders.

Colony stress.

Viral infections.

*(Continued on page 9)*

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## Bee Culture's Beeyard, continued

(Continued from page 8)

### Is this disorder a mystery?

I don't know what to say. As beekeepers, we all know that bad things can happen to good hives. With tongue-in-cheek, I suggest that this syndrome should be called the Miscellaneous Disease for it appears that any pathogenic problem of unknown origin that causes adult bee loss can be dumped in this group. The symptoms and specifics are just too broad to neatly fit into one grouping. As currently described, Disappearing Disease is not diagnosable, being nothing more than a list of disassociated symptoms. This is not say that something is not wrong within the affected colony, but rather we simply don't know where to place the blame. It follows then, that no control recommendations can be made.

### Possible Sarcasm

A diagnosis of Disappearing Disease begs sarcasm and dark humor. How can you study the problem if there are no bees to study? I have no specific photographs for you in this component of this article because there is nothing to photograph. Beekeepers with full honey supers on hives with no bees humorously have said that at least the colonies were gentle to rob. But to commercial beekeepers who are trying to make a living at bee keeping, this occasional condition is anything but amusing. Thankfully, it is not a common condition and appears to be self-limiting. But to beekeepers who have lost revenue and income, it is easy to be concerned - even superstitious. If you don't know what you did incorrectly, then you don't know what to do differently next season.

### Sooner or Later

Sooner or later, apicultural science, in its lumbering fashion, will develop explanations and suggest solutions to various aspects of what is now occasionally called Disappearing Disease. Until that time, I suppose the diagnosis of Disappearing Disease serves a useful function in that, at least, we have a broad, indistinct category in which to place the occasional inexplicable and abrupt loss of adult bees. They just disappeared.

Dr. James E. Tew, State Specialist, Beekeeping, The Ohio State University, Wooster, OH 44691

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## WSBA Officers & Exec. Committee

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(5/07)

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