

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE
Robert Rivas, Chair
AB 719 Committee on Agriculture – As Amended April 22, 2021

SUBJECT: Bees

SUMMARY: 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. Specifically, *this bill*:

- 1) Clarifies the definition of “pest” and “infected”.
- 2) Clarifies the definition of “inspector” to include inspector certification by CDFA.
- 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) Changes the membership of CDFA’s Apiary Board (board) from five to eight, six of which will be beekeepers whose primary beekeeping work is queen breeding, pollination or honey production. Includes a representative of the California Agricultural Commissioners and Sealers Association (CACSA) as a non-voting member and a member of the public.
- 5) Allows a board member to be recommended for removal from the board by a majority of the board. The Secretary of CDFA makes the final decision on removal of a board member.
- 6) Requires inspector to try to give 72 hours’ notice of an inspection date, if a beekeeper requests to be present, otherwise only 48 hours is required.
- 7) Allows, except for emergencies, for the inspection of beehives if the following conditions are met:
 - a) Beekeeper is given 48 hours’ notice or agrees to a date not more than 120 hours after the notice is received, and
 - b) The beekeeper or representative is present during the inspection, and,
 - i) If the beekeeper is given notice and is not present, the inspection can still take place.
 - c) The inspection uses proper sanitation protocol, as specified.
- 8) Defines emergency as a threat to public health or safety, public nuisance, public complaint related to stinging or overly defensive hives, as specified.
- 9) Allows diseased bee colonies to be disposed of at any hazardous waste facility, as specified.
- 10) Makes numerous technical and conforming changes.

EXISTING LAW:

- 1) Creates the Apiary Board within the CDFA with 5 members that are appointed by the Secretary.
- 2) Requires Apiary Board members to be assessment-paying beekeepers that reside in California and represent the major geographical divisions of the beekeeping industry.
- 3) Allows the Secretary to appoint an additional member on the board as a public member.
- 4) 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.
- 5) Requires the Secretary to adopt regulations necessary to minimize the hazard to bees, while still providing for the reasonable and necessary application of pesticides toxic to bees to blossoming plants.
- 6) Allows the Secretary, or the county agricultural commissioner, or any inspector acting under their direction, to enter, if they determine it to be necessary, any location where an apiary is maintained, and inspect the apiary.

FISCAL EFFECT: Unknown

COMMENTS: California has the largest beekeeping industry of any state in the nation. Nearly three-quarters of the country's documented commercial honeybee crop pollination is conducted in California, adding over six billion dollars to the value of California agricultural products. 400 commercial and semi-commercial California beekeepers operate early 500,000 colonies of bees. The state is also the leader in honey production.

The Apiary Board is an advisory board to CDFA on all matters related to the beekeeping industry. The Apiary Board may make recommendations on all matters affecting the activities of CDFA in relation to the beekeeping industry, including an annual review of CDFA's apiary program.

According to the author, a major portion of apiary code is significantly outdated, with most sections dating back to the 1980s. This brings critically necessary clarity and consistency to the entire code section. It also provides important updates to definitions and important notification requirements based on technology changes in the industry.

Supporters state this bill primarily changes the Apiary Board to reflect changes in the past 30 years to beekeeping in California. The changes in this bill represent changes in technology and best practices, as well as improving on pest and nuisance issues related to beekeeping.

REGISTERED SUPPORT / OPPOSITION:

Support

California State Beekeepers Association (Sponsor)

Opposition

None on file

Analysis Prepared by: Victor Francovich / AGRI. / (916) 319-2084