

# 'Bout a 100 – Sideline Beekeeping

## LAWS, RULES AND REGULATIONS AND THE BEEKEEPER

Larry Connor

### Rants About Silly Rules

It is fair to say that most beekeepers want to be left alone. *Just let me keep my bees, sell my honey and pollinate my garden.* People associated with the bee industry a lot longer than I've been tell me that beekeepers, as people who want to work alone with a potentially stinging insect, are not the most socially skillful people on the planet. They are sometimes described by their own as being less than progressive leaders in the modern world. Consider this quote, in which a large commercial beekeeper describes his fellow beekeepers as "knuckle dragging Neanderthals" who "don't play well together and with society in general."<sup>1</sup>

The truth is I have said nearly the same thing working with beekeepers over the past 40 years, especially commercial beekeepers. My academic experience is discounted and my time working as a commercial bee breeder is dismissed. They keep to themselves, and their small cliques at national meetings. "Don't talk to that guy; it may rub off."

I think that the smaller the bee operation, the more socialized the beekeeper seems to be. Hobby beekeepers can be annoyingly social sometimes, especially when you are trying to close the meeting hall after a long meeting.

None of them – commercial or hobby – take hints very well. Maybe that is why I like working with sideline, semi-professional beekeepers. They tend to be small business operators and share some of the same issues all small businesses experience. Some even understand my sarcasm.

Perhaps, since CCD, we are getting a new crop of more enlightened beekeepers, those who use

the Internet daily, and are willing to reach out to non-beekeepers and educate them about their bees. Yet I have been flamed pretty severely on several beekeeping Internet groups (which is why I stopped reading their stuff several years ago). Apparently anyone with one year of beekeeping experience can be an expert on line if their colony didn't die. Maybe this new generation of hive managers are different. I don't know – I'll hold my opinion on that for a few more days, at least.

It is easy to see *why* some beekeepers might want, or need, to operate above the law. Some will deny it if pressed, while others will admit it in front of an audience, asking "What option do I have?" Many do not want to be regulated by anyone. We all suffer from the loss of registrations of useful chemicals and languish as we wait for new products to be approved by an ineffective and convoluted Federal government. The research may be done, the product shown to be safe and effective, and yet Federal Agencies do nothing. A few years ago the EPA demanded that Fumidil B, a safe and effective Nosema control, have its basic research repeated to make sure it still worked. The cost: About 1.5 million dollars, which the product owners could not afford. As a result our US supply of fumigillin comes from Canada. Is our Federal government helping us? Or interfering with our work?

Conversely, as an industry we have a long list of charges against us. Are we involved in –

Illegal chemical use?

Illegal practices by keeping bees in certain areas where zoning prohibits it?

The use of illegal honey processing facilities that do not meet Home Land Security, State and Local Laws?

Non payment of local, state and federal taxes?

Illegal bee and wasp removal?

Crimes against Nature?

#### **"Don't take a picture of that!"**

I have heard that quite a bit lately when I visit another beekeeper, and the host beekeeper opens a hive and there is an unregistered (= illegal) miticide treatment in place. The treatment is either using an illegal material or an unregistered delivery system. Quite often I don't know what they are using. I see chewed-on shop towels, meat pads and corrugated plastic signboard in the hive, on the ground of the apiary (at least pick up the evidence for heaven's sake!) or in containers filled with special equipment used for treatment.

What is even more disturbing is the number of times I see hives that have MULTIPLE treatments at the same time. Poor bees. . .

If a compound is not registered for use in a beehive it is illegal. Even Ivory soap, used in a water spray to kill bees – like unwanted African bee swarms – is illegal because the soap is being used as an insecticide. Ivory Soap is not a registered insecticide as far as I know. That will not stop most beekeepers. So, while there is an effective method to kill bees that is completely safe to use, as a professional I am unable to recommend its use.

Therein is the conflict, since I am not a lawyer or a professor of ethics. But it seems to me that a lot of the regulations in this country just do not make any sense at all. For example, the Ivory soap issue. If I was called to a neighbor's house and bees were stinging everything in sight, I would consider killing the bees. For me the Ivory soap is the quickest, easiest and safest way I know to kill a hive of nasty bees. Even here in Michigan

<sup>1</sup>John Miller, quoted in "The Silence of the Bees", March 19, 2008, High Country News, Paonia, CO.

## *"Just let me keep my bees, sell my honey and pollinate my garden."*

we have reports of African bees from packages, from queens, from migratory beekeepers – I am not sure which. But the reported bees are usually not tested, so it is hearsay. But the stinging attacks are real and must be managed by beekeepers. Please don't call the National Guard. If it is in a public area call the local fire department. If is a private homeowner, call an experienced beekeeper who knows how to make the problem become a non-problem.

More involved pesticides and mite treatments create a much greater exposure that may come back to bite us on the butt with hard data. With the growing research effort stimulated by CCD, there are now more and more people looking for pesticide residues in the hive in the honeycomb, honey, pollen and propolis. There is now a better chance that your illegal use of a compound will be detected in a chemical test from your own colonies.

*"Gosh, I never treated with that!"*

### ***"I can't sell my honey at the village festival!"***

A neighbor beekeeper who does not have a food approved honey processing facility for her two hives may sell her honey at the door, but she cannot go to her village festival and sell it. Legally that is. That is just stupid. It means that I cannot buy honey from a neighbor when I see her at her garden produce table, but I can go to the golden arches and ask for honey for my mystery chicken bits, honey that comes in tiny containers with no country of origin or even a hint of the source. I don't get it. I know my neighbor and she has no reputation of poisoning anything. I don't have a clue where the arches got their honey tubs. And, after poison in milk, toothpaste, peanuts, chili peppers and other scares, I am less and less secure about buying food from big companies, especially if they import food products! This is driving a lot of folks to Eat Local. But you will not be able to buy the honey from my neighbor when you buy your fresh green beans and sweet corn! *Insane!*

***"How much if I pay you in cash?"***

Oh, the great underground economy of this country! As economic conditions tighten, more and more people are looking for cash deals. Does this mean that they will not report this income to the state sales tax office or the IRS? Frankly, I don't know if they do or do not.

But I know which way I would put my bet, IF I were a betting man.

I am sure that there are small-scale beekeepers who never report any income from their bees. They probably do not expense the bee equipment they buy either. But most beekeepers are pretty darn careful with their expenses and look for a way to run their operations as a business.

Now, accountants have told me that if you enjoy your bees as a beekeeper, you have a hobby and cannot deduct your expenses. But if you hate the bee work you do you run a business. Well, what do bean counters know about beekeeping (unless they keep bees)? As far as I can tell, the difference between a hobby and a small business is how you approach your entire business operation. If you expect to make a profit (even if you did not), and you are actively involved in keeping bees, you have a business. If you want to make money with bees, and you are attending meetings to improve your methods, and you carry out your beekeeping in a business-like manner, you are a business in my opinion, especially if you have a number of hives. If you buy just one hive and sell a few pounds to neighbors, you have a hobby operation.

The advantage to having a small business is simple: you can deduct expenses you have in running that business, including equipment, bees, feed, medications, miticides and travel to bee meetings. Some sideliners never take any money from the business, but use it pay for

their travel to beekeeping meetings, since they are going there to become better beekeepers. If they happen to meet friends and enjoy the meeting, it does not mean they cannot claim the expenses on their farm or business form on their taxes.

### ***"Will you please get rid of these yellow jacket bees?"***

Okay, yellow jackets are wasps. If you remove a swarm of bees from a tree branch, and you do not charge for this, you are a beekeeper. If you remove a nest of yellow jacket wasps from the foundation of somebody's house, you are a pest control operator. If you charge for either you probably need a PCO license and all the training and exams and fees that go with that. I know some states have an easy route to bee removal – essential in areas with African bees – but not all do. Being a good neighbor may be illegal if you open a can of insecticide into a wasp nest for the elderly couple across the street.

Of course, these laws initially came from some idiot's abuse and maybe the envy of green-eyed PCOs; even those that would never kill a hive of bees do not want beekeepers removing a wasp nest. Ouch! You just stung me in my wallet!!

### ***Crimes against Nature***

Ever kill a bee putting the lid back on a hive? Of course you have, no matter how carefully you work. So, you are a bee killer. The sky will fall if you kill that hive of bees with Ivory Soap, right on your head. You are an evil bee killer. And a honey robber. And a bee abuser, putting bees on a truck for pollination.

*Why can't you just let the bees go wild, and let them live in nature, and not mess with them? I can live without honey for my organically grown green tea. Those bees will do so much better if you do not feed them when they are starving, or medicate them when their parasite loads gets high. Right? We can put hollow logs in the parks to let the bees occupy, and we will not*

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need you to keep your bees in those prisons you call bee hives. You must do that! Or we will raid your apiary and open all the hives and let the bees fly free from your enslavement and exploitation!

And if all the bees die from mites or systemic insecticides or new viruses and bacteria, I know that I can learn to live without my favorite fruits and vegetables and cooking oils. I can substitute my organic cotton T-shirts with shirts hand woven with wool from free range sheep that have voluntarily offered up their heavy coats to only the most honest and humble of shepherdess. I am sure it will all work out. Let your bees go! I will feel so much better.

When not sharpening his tongue with acrid venom, Dr. Connor is really a pretty nice guy who does talk to beekeepers. Recently he was named the "Queen-Bee" of the new Kalamazoo Bee Club, but is not sure how or why that happened. You can read some of his less venomous materials at his website [www.wicwas.com](http://www.wicwas.com). The last year's worth of Bee Culture articles are there as PDF files. Thanks to Kathy Summers for making that happen! You can comment on this article, or contact Dr. Connor at [larry@beeculture.com](mailto:larry@beeculture.com). Dr. Connor and Lesli Huston are the instructors at the Special Microscopy Workshop at EAS this Summer. See more at [www.easternapiculture.org](http://www.easternapiculture.org).



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