



Florida Department of Agriculture and Consumer Services
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**MINUTES
HONEY BEE TECHNICAL COUNCIL
July 29, 2009**

**Division of Plant Industry Building Auditorium
Gainesville, Florida**

MEMBERS PRESENT:

Bill Merritt, Chairman
Jerry Hayes, Secretary
Dr. Jamie Ellis, UF/IFAS Apiculturist
Reno Plenge, President, Florida State Beekeepers Association
Mark McCoy
Jerry Latner
Steve Cantu
Nancy Gentry

OTHERS PRESENT:

(list can be requested)

Secretary, Jerry Hayes welcomed the group to the Honey Bee Technical Council meeting and turned it over to Chairman Bill Merritt who called the meeting to order at 10:00 AM.

Chairman Merritt called roll, all council members were present.

Chairman Merritt advised the council that they needed to approve the minutes previously sent to the council members. A motion was made by Jerry Latner to approve the minutes as provided. Seconded by Reno Plenge. Motion carried.

Mr. Hayes introduced Dale Dubberly from Agricultural Environmental Services (AES) who gave a power point presentation on AES' Incident Response Team. He shared with the group how AES, The Division of Plant Industry, the Florida State Beekeepers Association, and the University of Florida/Institute of Food and Agriculture Sciences are working together to keep the lines of communication open when the need arises for mosquito spraying in areas where bees are present.

Mr. Dubberly explained that most spraying is done by local and county agencies until their finances have been exhausted, then AES can assist under the Eligibility of Vector Control (Mosquito



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Abatement) which can be found at their website:

http://www.fema.gov/government/grant/pa/9523_10.shtm .

Mr. Dubberly explained the different methods of notification from state and local levels and said that working with the Division's registered beekeeper's e-mail addresses was invaluable, as well as the reverse 911 calling system, Code Red System and Message Board method. AES's goal is to give a 48 hour notification of any upcoming spraying for best results.. Spraying usually occurs from dusk to dawn and is always in accordance with the labeling for the approved pesticide Naled (dibrom).

There was discussion about the residual effects. It was explained that this is a hanging fog-like spray. Mosquitoes get most of their blood source from birds, birds are in trees, and this pesticide lingers in the trees as a fog or mist and breaks down quickly in sunlight the next day.

Some beekeepers asked about spraying during the day and the loss of approximately 400 colonies of bees sometime in 1997/1998 in Indian River county. AES Bureau Chief, Mike Page said that he was unaware that there had been a problem but further explained that the State does not cover the entire state's spraying, clarifying that some counties conduct their own spraying programs. It was also brought out that during this time in question, the spraying was probably for Med-Fly eradication. AES is confident that the lines of dialogue has now been opened between their agency and the beekeeping industry, which is beneficial to all.

Mr. Hayes thanked Mr. Dubberly and his agency for their presentation.

Mr. Hayes then introduced Ms. Stacy Hammock from the Division of Food Safety (DFS) who spoke on the recently passed Standard of Identity of Honey. She said the media response was phenomenal. She gave a time line guide of the passage of this law, initial beginning with the Food and Drug Administration petition in 2006 by the American Beekeeping Federation. At that time the FDA had other priorities and would not address the Honey Standard.

Ms. Hammock advised the group that Deputy Commissioner, Dr. Jo Ann Brown received the first draft in January 2008 and through required legal processes, including an open workshop, the final draft was submitted and approved. Commissioner Charles Bronson gave a press release on July 13, 2009 that the Honey Standard would take effect on July 14, 2009. Now that Florida has led with this new rule, other states like Hawaii, New York, California, and Georgia are trying to implement their own laws, based on Florida's.

The International Codex Standard which defines what honey is as a product produced by honey bees with no other additives. Analytical parameters for the Florida Standard of Identity of Honey means that no adulteration of any type is acceptable. Ms. Hammock explained that the Department of Agriculture, specifically her lab, sends inspectors through out the year within the state to conduct surveys on retail and honey producers to authenticate that product labeled and sold as honey is actually unadulterated honey.

Questions concerning debris removal, or pollen removal, was asked, if this is legal? Ms. Hammock advised that normal processes was acceptable, however ultra-filtration was not, because this would yield a non-honey product, only normal filtration was acceptable. There was considerable discussion about moisture being removed and/or added. Ms. Hammock said that honey could not be diluted. There was also mention of flavor additives to honey. Ms. Hammock stated that it must be labeled and identified as such. Any additives must have an appropriate description on the label as being imitation honey, honey flavored syrup, etc. and be very clear that it is not pure honey.

Someone asked who would be enforcing violation of labeling and when they would enforce mislabeling. The concern was due to imported honeys possibly containing high levels of antibiotics



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and corn syrup. Ms. Hammock advised inspectors could take consumer complaints and the lab would gain a sample of the product(s) in question and a fine of up to \$500.00 could be imposed. It was asked who would enforce it. She advised that Food Safety Inspectors would do routine surveillance on retailer/processors and that fines would be handled by Compliance and the Department of Agriculture's Legal Department.

It was asked how this surveying was funded and Ms. Hammock advised funds were received from permit fees collected from food establishments throughout the state. It was also asked if this information would be public record, the answer was yes and any further questions could be answered by notifying them at foodsafety@doacs.state.fl.us.

Mr. Hayes thanked Ms. Hammock for her presentation. Afterwards Mr. Hayes introduced Mr. Tony Hogg, who was not on the agenda but asked to speak to the Council members concerning getting an exemption for honey bottling for the small, part-time beekeepers so that they could re-coupe some of their costs. He advised these beekeepers would be selling to local markets and would then be able to encourage youth toward beekeeping, as the costs would not be as much as commercial beekeepers. There was a discussion concerning all the ramifications of this exemption and some felt that this was a Food Safety, hygiene issue and an exemption would not be wise.

Gary Ranker suggested that the Honey Bee Technical Council work towards this exemption with the Commissioner of Agriculture, however the consensus was that the Council would not pursue this. It was stated that the only fair thing was that everyone get licensed and be required to meet the same honey standards. There was concern that having the exemption would not allow FDA to be able to track back problems in regulations if some did not have to meet the same standards as larger beekeepers. After more discussion council member, Jerry Latner suggested that the issue be tabled, all council members agreed.

Mr. Hayes then introduced Nancy Gentry who gave a power point presentation on the Zoning Restriction of Beekeepers. After the presentation Ms. Gentry advised the group that a Model Ordinance with a law change needed to be in place from the Department of Agriculture that would prohibit local county/cities from banning beekeeping in any area. She highlighted the continued need for Registered Beekeepers maintaining European Honey Bees throughout Florida to slow the progression of the African bee population.

Ms. Gentry stated that she was currently working with Legislators who advised if a suggested Bill was submitted, it could be introduced at the next Legislative Session for approval.

Dr. Jamie Ellis advised the group that he constantly gets inquiries concerning the restrictions of honey bee locations and what the acceptable amount (if any) is. He reminded the group that he not only represents the Beekeeping Industry but all Floridians. He asked the group what did they want? To be realistic. Dr. Ellis suggested that a committee be formed to come up with acceptable language for beekeepers, municipalities, and sub-divisions before submission to the Legislature.

Dr. Ellis requested Richard Gaskalla's expertise on this issue. Director Gaskalla spoke about the same type of problems that developed over other agricultural issues and the need of the possibility to consider pre-emptive authority throughout the state on bee locations, suggesting when the committee reviews the situation that they realize that one size does not fit all, and may require review on a case by case basis. The actual legislative/law authority could be broad in scope with more detail on the specifics by rule.



It was agreed that the following HBTC members serve on this committee consisting of Chairman, Bill Merritt, Nancy Gentry, and Reno Plenge, volunteers from the beekeeping industry willing to serve are, David Webb, John Gentzel, and Charles Smith.

There was mention that Dr. Sanford had included an old Model of Beekeeping Ordinances in the recent Florida State Beekeepers Newsletter, this could be used as a starting point but would need major modification to protect the Beekeeping Industry, as they were only approximately 1300 compared to the 18 million Floridians. It was stated that Florida Farm Bureau would work with this committee to promote and push this policy through the Legislature.

There was considerable discussion about beekeepers having problems being forced out of certain areas, because of local laws being re-written to ban beekeeping. Director Gaskalla reviewed a situation in Hillsborough county where a beekeeping operation was trying to be forced out and found that they were within their rights to maintain their locations. The consensus was that the Department of Agriculture should have in addition to pre-emption language in the law the authority to make Rules to govern beekeeping locations in the State of Florida.

At this time Keith Councill offered to serve on the committee.

Council Member, Reno Plenge addressed Tony Hogg again and advised that he revisit the small beekeeping honey exemption through the Florida State Beekeepers Association.

Bert Kelley advised the group that Israel was actively seeking honey plants for replacements because like Florida, they are losing a lot of pollinating plants because of their being in the invasive classification and that Florida also needs to be thinking along these lines.

All items being discussed and agreed upon the meeting was adjourned at 11:58 AM

Respectfully submitted by G. W. Hayes, Jr.
July 30, 2009



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