

Statutes:

Leaf Cutter Bees

Regulations:

**Chapter 50 – Regulations Pertaining to
Leaf Cutter Bees**

ALFALFA LEAF-CUTTER BEE

11-7-401. Definitions.

(a) As used in this act:

(i) "Bee" means any stage in the life cycle of a bee of the species *Megachile rotundata* (F), commonly known as the alfalfa leaf-cutter bee;

(ii) "Certification" means the process of analyzing bees and equipment by the department to determine whether they meet the required health standards;

(iii) "Department" means the department of agriculture;

(iv) "Equipment" means trays, incubators, cell removers, tumblers and other apparatus used in rearing bees excluding nesting materials;

(v) "Nesting materials" means shelters, laminates, polyblocks, drilled boards or any other product which leaf-cutter bees actually use for nesting;

(vi) "Parasite" means an organism living in or on any stage of the alfalfa leaf-cutter bee obtaining nutriment from the body of the bee or nesting material;

(vii) "Pathogen" means an organism, parasite or otherwise, that causes disease in the alfalfa leaf-cutter bee;

(viii) "Wild trap" means to trap bees on property not owned by the trapper;

(ix) "This act" means W.S. 11-7-401 through 11-7-407;

(x) "Sanitization" means any treatment including iodine, heat, chlorine or any other method approved by the department.

11-7-402. Duties and powers of department.

(a) The department shall:

(i) Administer this act;

(ii) By rule or regulation adopt minimum standards for the presence of pathogens and parasites in bees to be certified, imported and possessed or controlled in this state;

(iii) Whenever it has reasonable cause to believe a person is in possession of any diseased or parasitized bee or equipment or otherwise possesses any bee or equipment in violation of this act or rules adopted under this act, order a quarantine of the suspected bees or equipment and

may require any person in possession of such bees to hold them under specified conditions until notified otherwise in writing;

(iv) Release any quarantine or order to hold bees upon a finding that the bees and equipment are possessed in compliance with this act.

(b) The department may:

(i) Enter into agreements with other governmental agencies or private associations in carrying out the provisions of this act;

(ii) Enter upon any public or private premises to inspect and sample bees or equipment that may be diseased or parasitized;

(iii) Quarantine any bees or equipment found to be infected with pathogens or parasites at a level exceeding certification standards;

(iv) Order the sanitization or destruction of any bees or equipment that is infected with parasites or pathogens and that does not meet certification standards.

11-7-403. Annual certification; application; inspection of sample; recertification; fees.

(a) No person shall import, possess or control alfalfa leaf-cutter bees in this state unless the bees are certified annually under this section.

(b) To certify bees, a person shall file a completed application form provided by the department together with the certification and laboratory fees. Certification and laboratory fees shall be established by the department for each pound of bees certified. The applicant must provide at least the following:

(i) Name and place of residence;

(ii) The general location and number of bees to be registered; and

(iii) Other relevant information as required by department regulation.

(c) After receipt of an application for certification, a sample of the total population of bees to be certified shall be selected by the department or its agent in a manner prescribed by the department. The sample shall be inspected for pathogens and parasites. If no pathogens or parasites in excess of certification standards are found, the sample shall be reported within certifiable limits.

(d) When the department receives a completed application form, a certification fee and a report that the sample is within certifiable limits, it shall issue a certificate for the bees.

(e) The department shall specify the date by which any applicant must apply for recertification the following year.

(f) Fees collected under this act shall be deposited into a separate account and expended for administration and enforcement of this act. In administering and enforcing the provisions of this act, the department, by a separately negotiated agreement with another governmental agency or a private association as authorized by W.S. 11-7-402(b)(i), may make the fees available for expenditure by that agency or association. Any such agency or association shall be required to submit an annual budget to the department for its review and approval prior to the expenditure of any funds under this section.

11-7-404. Importation restrictions.

(a) No bee shall be imported into this state except under the provisions of this section.

(b) Prior to the importation of any bee, the importer shall file a completed application form as required under W.S. 11-7-403(b) and arrange a date and time for inspection.

(c) Prior to certification, each bee and associated transport equipment shall be quarantined.

(d) No bee shall be imported except in loose cells or as adults. No bee shall be imported in a drilled board, soda straw or other equipment that prevents adequate inspection of the bee.

(e) A representative sample of the population of bees imported shall be inspected as the basis for certification.

(f) No person shall import used nesting materials.

(g) No bee shall be certified unless all other requirements for certification under W.S. 11-7-403 are met.

(h) Used metal or plastic equipment may be imported with prior written notice to the department. Used equipment shall be sanitized prior to entry into this state and immediately after entry as provided by W.S. 11-7-401(a)(x).

(j) Any person not already owning or having leaf-cutter bees in Wyoming who imports leaf-cutter bees for the first time into an area where no leaf-cutter bees have previously been placed by that person shall meet the standards for unconditional leaf-cutter bee certification established by rules and regulations adopted by the department.

11-7-405. Restrictions on rearing, moving and trapping bees; permits; fees.

(a) No person shall rear any bee in a nesting material from which samples of loose larval cells cannot readily be obtained such as drilled boards or soda straws.

(b) No person shall move any quarantined bee or equipment except by special permit issued by the department.

(c) No person may wild trap or attempt to wild trap bees unless that person has been issued a permit to wild trap in accordance with rules adopted by the department.

(d) The permits under subsections (b) and (c) of this section shall be issued under rules adopted by the department. The department shall by rule establish a reasonable fee for each permit.

11-7-406. Penalty.

Any person who violates this act is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00). Each day a violation of this act continues is a separate offense.

11-7-407. Laboratory authorized; fees for services.

The department may develop and maintain a laboratory at the University of Wyoming agriculture extension center at Powell to provide analytical services required under this act and may authorize the laboratories to provide services to persons possessing bees or equipment by charging a fee equal to the cost of providing those services.

Chapter 50

REGULATIONS PERTAINING TO LEAF-CUTTER BEES

Section 1. Authority. Pursuant to the authority vested in the Department of Agriculture by WYO. STAT. § 11-7-402, the following regulations pertaining to the leaf-cutter bees are hereby promulgated and adopted.

Section 2. Definitions.

- (a) “Area” means the farm or property owned by or leased to the owner of the alfalfa leaf-cutter bees or a seed grower who contracts for bees to pollinate alfalfa.
- (b) “Department” means the Wyoming Department of Agriculture.

Section 3. Standards for Certification. (% to be determined by lab analysis.)

(a) Unconditional Alfalfa Leaf-cutter Bee Certification - Bees that have been officially examined and analyzed and found to contain no more than 10% composite infestation by the parasites listed in Section 3 (c) (i)(A) below; and which contain no infestation by the pathogens listed in Section 3 (c) (i)(B), below.

(b) Restricted Alfalfa Leaf-cutter Bee Certification - Bees that are officially reported as containing composite parasite infestation levels of 10% through 25%, or composite pathogen infestation levels of not more than 10%, shall be designated as being restricted certification.

(c) Quarantined Alfalfa Leaf-cutter Bee Certification - Bees that are officially reported as containing composite parasite infestation levels of more than 25%, or composite pathogen infestation levels of more than 10% shall be designated as being under Quarantined Certification. Alfalfa Leaf-cutter Bees and all associated nesting material and other equipment shall be quarantined and restricted to the landowner’s or bee owner’s area. Quarantined bees and equipment may be used only at the locations they were used when put under Quarantined Certification. Treatment, sterilization, or other methods of recognized control shall be performed by the bee owner before said bees and equipment can be used for pollinating. Quarantined Certification for two successive years shall result in an order for destruction of larvae or removal from the State.

(i) Parasites and Pathogens that the bees are to be specifically examined for are:

(A) Parasites

(I) Minute Chalcid (*Tetrastichus megachi*)

(II) Sapyga wasp (*Sapyga pumila*)

- (III) Canadian Chalcid (*Pteromalus venustus*)
- (IV) Imported Chalcid (*Monodontomerus obscurus*)
- (V) Checkered Flower Beetle (*Trichodes ornatus*)
- (VI) Giant Flower Beetle (*Tribolium brevicornis*)
- (VII) Sunflower Beetle/Longtongues blister beetle (*Nemognatha lutea*)
- (VIII) Driedfruit Moth (*Vitula edmandsae*)
- (IX) Indian Meal Moth (*Plodia interpunctella*)
- (X) Cadelle Beetle (*Tenebriodes mauritanicus*)
- (XI) Blister Beetle (*Epicauta normalis*)

(B) Pathogens

- (I) Alfalfa Leaf-cutter Bee Chalkbrood (*Ascospaera* sp.)

Section 4. Importation and Movement of Leaf-cutter Bees within the State of Wyoming.

(a) Bees imported into Wyoming which meet the standards for Unconditional Alfalfa Leaf-cutter Bee Certification set forth in Section 3 (a) may be moved into any area within the State of Wyoming.

(b) Bees meeting the standards for Restricted Alfalfa Leaf-cutter Bee Certification set forth in Section 3(b) may be moved into any area in which bees designated as being under Restricted Alfalfa Leaf-cutter Bee Certification are located within the State of Wyoming.

(c) Bees meeting the standards for Quarantined Alfalfa Leaf-cutter Bee Certification shall not be moved from the landowner's or bee owner's area within the state as described in Section 3 c. No special permit to move bees or equipment under quarantined Alfalfa Leafcutter Bee Certification will be issued under Wyo. Stat. § 11-7-405(b).

Section 5. Alfalfa Leaf-cutter Bee Sampling Procedure. The following procedures shall be used to sample bees under the bee certification program.

- (a) All bees must be in loose cell state before samples can be taken.

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(b) A two ounce sample shall be taken from each 20 pounds of bees owned or possessed by a beekeeper. An official sample size shall not consist of less than eight ounces (8 oz.). If the beekeeper owns or possesses more than 400 pounds, then the larvae will be divided into 400 pound lots and official samples shall be obtained from each lot. All official samples shall become the property of the department.

(c) Once the official samples have been obtained, the remaining composite sample shall be left in the possession of the owner of the bees or his designee. The owner has 10 days from date of receipt of certification to contact the department and discuss the original laboratory test results.

(d) All samples shall be collected using a random sampling procedure, i.e. a uniform sample from the top, middle, and bottom within the bee storage containers.

(e) All official samples will be obtained by department personnel in the presence of the owner of the bees or his designee.

(f) All official sample lot numbers must correspond with lot numbers assigned to the beekeepers storage containers.

(g) Sanitization - Wyoming Department of Agriculture personnel shall sanitize or dispose of equipment used in connection with sampling.

Section 6. Fees. All requests for certification shall be made to the department. The required certification fee shall be paid upon sampling.

(a) Importation Certification- All imported bees must be sampled by the department at the buyer's or owner's location within 10 days after importation and only a \$50.00 per sample lab fee will be assessed.

(b) Annual Certification - Any person owning or possessing leaf-cutter bees within Wyoming shall make a request to the Department for certification by February 1 of each year and pay assessment fees at the time of sampling. A lab fee of \$50.00 for each sample shall be assessed on bees sampled before March 1. Any samples received after March 1 will be assessed a \$100.00 lab fee per sample.

(c) A certification fee shall be assessed for all Leaf-cutter Bees examined by the State of Wyoming. The fee, to cover costs of administration and enforcement of the Wyoming Alfalfa Leaf-cutter Bee Act and other related program needs shall not exceed \$.26 per pound.

Section 7. Sale and Termination. All sales of bees shall be reported to the department as follows:

(a) All sales made shall be reported to the department by the bee owner giving name, address and location of the new owner.

(b) The department shall be notified of termination of bee operations.

Section 8. Wild Trapping Permit Procedure. A person intending to engage in wild trapping shall obtain a permit from the department prior to commencing trapping activities. The person applying for a permit shall obtain the signature of the property owner on which the bees are to be wild trapped. Any person keeping bees or nesting materials on property other than their own shall clearly mark the trapping material with his or her correct name, address, phone, location of wild trapping activities (1/4 section, section, township, range), number of bee boxes, and permission of property owners. Wild trapping will only be allowed with new laminated nesting material which must be removed from the state by October 1 of the year in which trapping began or submitted for certification as required under the regulations. A fee of \$10.00 shall be submitted with each application for a wild trapping permit, with the check being made payable to the Wyoming Department of Agriculture. Each trapper is required to have a separate permit for each county in which he traps. New permits are required each season.