

BEEKEEPING



The Texas Legislature added another agricultural use for purposes of open-space land appraisal. Tax Code Section 23.51 (2) was amended to include in the definition of agricultural use “the use of land to raise or keep bees for pollination or for the production of human food or other tangible products having a commercial value, provided that the land uses **is not less than 5 or more than 20 acres**. This provision permits the owner to raise or keep bees for two purposes: (1) pollination or (2) the production of human food or products that have commercial value.

In the second of the two options the food or products must have commercial value, not commercial production. While human food and products must be produced, the law does not require that they be sold commercially. In order to justify the use of land for bee pollination and show how the bee’s are an agricultural enterprise the property owner may include a landscape plan of the property that indicates how different plants and plantings would contribute to the bee foraging. In addition, the property owners may be required to provide a basic marketing plan on how the honey would be sold and discuss value added products, such as candles, soap, etc) that potentially could be sold. They may also discuss renting the hives for pollination services.

SUBTITLE A. BEES AND NONLIVESTOCK ANIMAL INDUSTRY

CHAPTER 131. BEES AND HONEY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 131.001. DEFINITIONS. In this chapter:

- (1) "Abandoned apiary, equipment, or bees" means an apiary, equipment, or a colony of bees that is not regularly maintained or attended in accordance with this chapter or rules or quarantines adopted under this chapter.
- (2) "Apiary" means a place where six or more colonies of bees or nuclei of bees are kept.
- (3) "Beekeeper" means a person who owns, leases, or manages one or more colonies of bees for pollination or the production of honey, beeswax, or other by-products, either for personal or commercial use.

- (4) "Bee" means any stage of the common honeybee, *Apis mellifera* species.
- (5) "Colony" means the hive and its equipment and appurtenances including bees, comb, honey, pollen, and brood.
- (6) "Director" means the director of the Texas Agricultural Experiment Station.
- (7) "Disease" means American foulbrood, European foulbrood, any other contagious or infectious disease of honeybees, or parasites or pests that affect bees or brood.
- (8) "Equipment" means hives, supers, frames, veils, gloves, tools, machines, or other devices for the handling and manipulation of bees, honey, pollen, wax, or hives, including, storage or transporting containers for pollen, honey, or wax, or other apiary supplies used in the operation of an apiary or honey house.
- (9) "Inspector" means the chief apiary inspector.
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- (10) "Label" as a noun, means written or printed material accompanying a product and furnishing identification or a description. The term includes material attached to a product or its immediate container and material inserted in an immediate container or other packaging of a product.
- (11) "Label" as a verb, means to attach or insert a label.
- (12) "Nucleus" means a small mass of bees and combs of brood used in forming a new colony.
- (13) "Pollen" means dust-like grains formed in the anthers of flowering plants in which the male elements or sperm are produced.
- (14) "Pure honey" means the nectar of plants that has been transformed by, and is the natural product of, bees and that is in the comb or has been taken from the comb and is packaged in a liquid, crystallized, or granular form.
- (15) "Queen apiary" means an apiary in which queen bees are reared or kept for sale, barter, or exchange.

The number of recommended hives per acre depends on the attractiveness of the crop to bees, number of wild bees, number of competing weeds, strength and location of bee hives, weather, and the grower's experience. The Duval County Appraisal District has established that 3 hives per 5 acres will qualify the property for agricultural use.

Best Management Practices for Beekeeping:

1. Colony Temperament/Queens – A colony’s temperament is determined by its queen’s characteristics. Any colony exhibiting unusually defensive behavior or an excessive swarming tendency should be requeened as soon as possible. Beekeepers should evaluate their queens on a regular basis for performance and have gentleness. Local sources for obtaining queen bees are preferred in order to reduce the chances of introducing Africanized honeybees and ensure that the queen is well suited to the climate.
2. Hive placement – Correct placement of hives is very important consideration for responsible beekeeping. Hives should be placed in a quiet area. Hives should be kept as far away from roads and rights of way. Flight paths into the hive should remain within 300 feet.
3. Considerate Hive Management – Beekeepers should take into account that weather conditions influence bee behavior and plan to work bees when conditions are favorable. Property owners should make sure that neighbors are not outdoors when they open hives and should perform hive manipulations as quickly as possible with minimum disturbance to the bees. A smoker should be used when working bees. Hive entrances should be smoked before mowing or trimming in the hive area. Clippings and exhaust should be directed away from hive entrances.
4. Provision of water – Beekeepers should provide water for their bees before locating them in designated areas. Bees prefer a sunny place with surface moisture.
5. Swarming – While swarming is natural honeybee behavior, it is one that should be prevented or minimized. Two primary causes of swarming are congestion and poor ventilation in the hive.
6. Robbing Behavior – When nectar is scarce, honeybees may rob honey from other hives which makes them appear more defensive. Under such conditions, beekeepers should work hives for only short periods of time and only if really necessary. All empty hive equipment should be removed or securely sealed.
7. Disease Control – It is incumbent on beekeepers to manage all disease and pests to ensure colony health and hone quality.

