

**MONTANA DEPARTMENT OF AGRICULTURE
AGRICULTURAL SCIENCES DIVISION
HELENA, MT**

**ADMINISTRATIVE RULES
CHAPTER 12 – AGRICULTURE
SUBCHAPTER 11 – ALFALFA LEAFCUTTING BEES
RULES 4.12.1201 THROUGH 4.12.1230**

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SUBCHAPTER 11

ALFALFA LEAFCUTTING BEE RULES

4.12.1201 PURPOSE OF RULES (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1103 MCA; NEW, 1981 p. 1779, Eff. 12/8/81; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1202 DEFINITIONS (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1102 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; AMD, 1983 MAR p. 1081, Eff. 8/12/83; REP, 1990 MAR p. 378, Eff. 2/23/90.

4.12.1203 STANDARDS FOR CERTIFICATION (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1105 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; AMD, 1983 MAR p. 1081, Eff. 8/12/83; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1204 ALFALFA LEAFCUTTING BEES NOT MEETING CERTIFICATION STANDARDS (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1105 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1205 CERTIFICATION OF IMPORTED ALFALFA LEAFCUTTING BEES (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1107 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; AMD, 1986 MAR p. 336, Eff. 3/14/86; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1206 ALFALFA LEAFCUTTING BEE SAMPLING PROCEDURE (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1105 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; AMD, 1983 MAR p. 1081, Eff. 8/12/83; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1207 CERTIFICATION PROCEDURES AND FEES (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1109 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; AMD, 1983 MAR p. 1081, Eff. 8/12/83; AMD, 1986 MAR p. 336, Eff. 3/14/86; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1208 SAMPLING/ANALYSIS FEES (REPEALED)

History: Sec. 80-6-1102 MCA; IMP, Sec. 80-6-1109 MCA; NEW, 1981 MAR p. 1779, Eff. 12/18/81; AMD, 1985 MAR p. 202, Eff. 3/1/85; REP, 1987 MAR p. 1965, Eff. 10/30/87.

4.12.1209 FOR THE PURPOSE OF DISEASE CONTROL - WILD TRAPPING PERMIT PROCEDURE (REPEALED)

History: Sec. 80-6-1102 MCA; IMP, Sec. 80-6-1108 MCA; NEW, 1981 MAR p. p. 1779, Eff. 12/18/81; REP, 1987 MAR p. 1965, Eff. 10/30/87.

Rules **4.12.1210** through **4.12.1219** reserved

4.12.1220 PURPOSE OF RULES

(1) The purpose of these rules is to implement HB 675 enacted by the 1989 Montana legislature (80-6-1101; MCA, et seq.).

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1103 MCA; NEW, 1987 MAR p. 1965, Eff. 10/29/87; AMD, 1990 MAR p. 378, Eff. 2/23/90.

4.12.1221 REGISTRATION PROCEDURES AND FEES

(1) All persons who own, possess or control alfalfa leafcutting bees shall register their bees with the committee.

- (2) All registration requests shall be made on forms provided by the committee.
- (3) The registration fee shall be transmitted with each registration request.
- (4) Any person owning or possessing bees that are not registered shall be subject to the penalties imposed under 80-61110 and 80-6-1111, MCA.
- (5) Each person who registers bees shall pay a registration fee of \$15.

History: Sec. 80-6-1103 and 80-6-1109 MCA; IMP, 80-6-1105 and 80-6-1109 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90; AMD, 1995 MAR p. 1793, Eff. 9/15/95.

4.12.1222 MINIMUM STANDARD FOR LEAFCUTTING BEES REGISTERED BY THE DEPARTMENT (REPEALED)

(See the Transfer and Repeal Table)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1103 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; REP, 1990 MAR p. 378, Eff. 2/23/90.

4.12.1223 SAMPLING PROCEDURE FOR THE REGISTRATION OF BEES (REPEALED)

(See the Transfer and Repeal Table.)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1103 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; REP, 1990 MAR p. 378, Eff. 2/23/90.

4.12.1224 OFFICIAL CERTIFICATION PROCEDURES AND FEES

(1) In addition to the required registration of bees, beekeepers may certify bees according to the following procedure:

(a) All requests for official certification shall be made on forms provided by the committee.

(b) All certification fees shall be transmitted within ten days after the official sampling has been completed.

(c) Any person owning or possessing bees within Montana who desires to apply for certification shall do so on or before April 1 and arrange a date for sampling of said lot(s) of bees.

(d) Each person requesting certification shall pay a certification fee of \$30 per sample. Each person shall also pay per diem and mileage charges as established in Title 2, chapter 18, part 5, MCA and a sampling fee of \$44 per hour during the time the department employee is collecting the certification samples, including travel time.

(e) The certification fee shall provide laboratory services for the determination of pathogens, parasites, predators, nest destroyers, and live larvae count. Additional laboratory services may be provided upon request based on appropriate fee schedules.

(f) A beekeeper may deliver entire lots of leafcutting bees to an inspector to be officially sampled for certification purposes.

(g) Parasites and pathogens that bees are to specifically be examined for are:

(i) Parasites:

- (A) Minute chalcid (*Tetrastichus megachi*),
- (B) Sapyga wasp (*Sapyga pumila*),
- (C) Canadian chalcid (*Pteromalus venustus*),
- (D) Imported chalcid (*Monodontomerus obscurus*).

(ii) Pathogens:

- (A) Alfalfa leafcutting bee chalkbrood (*Ascosphaera sp.*).

(h) Reported parasites and pathogens infestation levels apply to the levels found in the official laboratory sample only and makes no representation as to the lot from which the sample was collected.

History: 80-6-1103, 80-6-1105, 80-6-1109, MCA; IMP, 80-6-1103, 80-6-1105, 80-6-1109, MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 704, Eff. 2/23/90; AMD, 1995 MAR p. 1793, Eff. 9/15/95; AMD, 2014 MAR p. 1591, Eff. 7/25/14.

4.12.1225 BEE SAMPLING PROCEDURE FOR THE CERTIFICATION OF BEES

(1) The following procedure shall be used to sample bees under the bee certification program:

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

(b) A 2-ounce sample shall be taken from each 200 pounds of bees requested for certification. An official sample size shall not consist of less than 8 ounces. If the beekeeper requests for certification more than 200 pounds, then the cocoon larvae will be divided into 200-pound lots and official samples shall be obtained from each lot. All official samples shall become the property of the committee.

(c) Once the official sample has been obtained, the remaining composite sample shall be officially sealed and left in the possession of the owner/manager. The owner/manager has 30 days from date of receipt of certification to appeal 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 shall be obtained by department personnel in the presence of the owner/manager of the bees or the owner/manager under the direct supervision of the department.

(f) All official sample containers shall be sealed with a label showing lot number, date sampled, and signature of department employee.

(g) All official sample lot numbers must correspond with lot numbers attached to beekeeper storage containers.

(h) A grower whose total bees consist of less than 100 pounds may have an official sample consisting of a 2-ounce sample drawn from each 20 pounds of bees; and from a composite sample an official sample of 4 ounces may be drawn.

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1105 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90.

4.12.1226 MINIMUM STANDARD FOR LEAFCUTTING BEES CERTIFIED BY THE COMMITTEE (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, 80-6-1103 and 80-6-1105 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90; REP, 1995 MAR p. 1793, Eff. 9/15/95.

4.12.1227 IMPORTED ALFALFA LEAFCUTTING BEES - CERTIFICATION (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, Sec. 80-6-1103 and 80-6-1105 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90; REP, 1995 MAR p. 1793, Eff. 9/15/95.

4.12.1228 SALES OF BEES (REPEALED)

History: Sec. 80-6-1103 MCA; IMP, 80-6-1105 MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90; REP, 1995 MAR p. 1793, Eff. 9/15/95.

4.12.1229 FEES ESTABLISHED FOR SERVICE SAMPLES

(1) Laboratory analysis - \$50 per sample which includes pathogens, parasites, and larvae count/lb. In addition to the \$50 laboratory analysis, each sample may be tested for sex ratio and percent emergence for an additional fee of \$20.

History: 80-6-1109, MCA; IMP, 80-6-1109, MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90; AMD, 1991 MAR p. 440, Eff. 4/12/91; AMD, 2014 MAR p. 1591, Eff. 7/25/14.

4.12.1230 DISEASE CONTROL - WILD TRAPPING PERMIT - FEE

- (1) A person intending to engage in wild trapping shall apply to the committee for a permit prior to commencing trapping activities.
- (2) The application for a permit to trap wild bees shall contain: name, address, location of wild trapping activities, (1/4 section, township, range) number of bee boxes, and permission of property owners.
- (3) The fee for wild trapping shall be set at \$10 per laminated board
- (4) Only new laminated boards or laminated boards sterilized using approved committee methods will be used for wild trapping.
- (5) The person applying for a permit shall obtain the signature of the property owner on which the bees are to be wild trapped.
- (6) Any person keeping bees or nesting materials on property other than their own, shall clearly mark the trapping materials with his or her correct name, mailing address and phone number. The lettering shall not be less than 1 inch in size.

History: Sec. 80-6-1103, MCA; IMP, Sec. 80-6-1108, MCA; NEW, 1987 MAR p. 1965, Eff. 10/30/87; AMD, 1990 MAR p. 378, Eff. 2/23/90.