

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD & FORESTRY
CONSUMERS PROTECTION SERVICES DIVISION**

OKLAHOMA APIARY ACT & RULES

**TITLE 2, OKLAHOMA STATUTES SECTIONS 2-3-100 THROUGH 2-3-122
OKLAHOMA ADMINISTRATIVE CODE 35:30-38-1 THROUGH 35:30-38-12 AND 35:2-3-26**

Table Of Content

SECTION	Page
2-3-100.1. Definitions.	3
2-3-101. Inspection of Apiaries for Diseases - Instructions for Treatment Enforcement of act - Powers of Board – Apiary Advisory Committee.	4-5
2-3-103. Control Measures by Owners - Quarantine – Certification - Order to Destroy.	5
2-3-106. Queen Bees - Inspection of Rearing Apiaries - Package Bees for Sale Quarantines - Violations Sales and transport of apiaries, equipment, bees, or hives Sales and transport of apiaries, equipment, bees, or hives.	5
2-3-113. Voluntary registration program – Location of new apiaries – Abandoned apiaries.	5-6
2-3-116. Certificate of inspection – Initiating Inspection – Pollination or honey production colony inspection - Investigation–	6
2-3-117. Inspection fee – Sampling- Precautions and Standards – Inspection procedures.	7
2-3-117.1 Migratory Beekeepers - Information, Forms, Fees, and Certificates of Inspection -Requirements for transport of bees into state.	7
2-3-121. Violations.	7-8
2-3-122. Hearing for Alleged Violator- Emergency – Orders - Appeals.	8
2-3-123 - Africanized Honeybees - Illegality - Destruction or Confiscation	8-9
2-3-124 - Certified Beekeeper Program - European Honeybee Certification Program	9
2-3-125 - Local Government Regulations and Ordinances Regarding Honeybees and Hives	9
Apiary Rules	10-15
Title 35. Chapter 30. Subchapter 38. Apiaries	
Definitions	10
Receipt and Resolution of Complaints	10
Voluntary Registration	10

Unregistered Apiaries	11
Certificate of Inspection	11-12
Quarantines	12
American Foulbrood Quarantine	12-13
Africanized Honey Bees	13
Abandoned Apiaries	13-14
Entry permit for Migratory Beekeepers	14
SECTION	Page
Pollination	14
Title 35. Chapter 2. Fees Page	
Apiary Fee Rules	15
Registration Fee	15
Entry Permit Fee	15
Inspection Fees	15
Late Fees	15

Oklahoma Apiary Act

§2-3-100. Short title.

This subarticle shall be known and may be cited as the Oklahoma Apiary Act.

§2-3-100.1. Definitions.

For purposes of the Oklahoma Apiary Act:

1. "Abandoned apiary" means any apiary not regularly attended in accordance with good beekeeping practices;
2. "Africanized honeybee" or "Apis mellifera scutellata" means a hybridized bee of African descent that at any stage of development is considered a pest to bees, humans, and animals;
3. "Apiary" means a place where one or more colonies or nuclei of bees are kept;
4. "Apiary equipment" means any apparatus, tools, clothing, machines, or other devices used in the handling and manipulation of bees, honey, wax, pollen, propolis, and hives and includes, but is not limited to, any containers of honey or wax that may be used in any apiary, any vehicle used in transporting bees and products, or apiary supplies;
5. "Bee" means any one of the honey-producing genera of Apis including any queen, worker, or drone, or any of their four life stages. The term bee includes, but is not limited to, any species of bees used for commercial pollinating purposes;
6. "Beekeeper" means a person who owns, possesses, controls, or manages one or more colonies of bees for any purpose;
7. "Bee disease" means an abnormal condition of the eggs, larvae, pupae, or adult stages of bees that impairs normal functioning;
8. "Certificate of inspection" means a document issued based on an inspection by the Oklahoma Department of Agriculture, Food, and Forestry or other state or province stating that the apiary, bees, and apiary equipment appear free of bee diseases and pests;
9. "Colony" means an aggregate of worker bees, drones, queen, and developing young bees and the hive and its components including comb, honey, propolis, and pollen;
10. "Feral colony" means any colony that is not managed according to good beekeeping practices;
11. "Hive" means any domicile for keeping bees;
12. "Honey house" means any room in any building where honey is extracted, stored in raw form, processed, or packaged;
13. "Migratory beekeeper" means a beekeeper who moves or transports colonies of bees into the state to a more favorable location for the purpose of wintering colonies, increasing the strength of colonies, increasing the number of colonies, providing pollination services, or for honey production;
14. "Nucleus" means any division or portion of a colony that contains comb and bees;

15. "Pest" means any living organism which is responsible, directly or indirectly, for any condition that is or may be harmful or detrimental to bees in any of their four life stages, or interferes with their management including, but not limited to, diseases, parasites, and Africanized honeybees;
16. "Pollination" means the use of bees for the transfer of pollen in crops;
17. "Premise" means any place where bees, colonies, hive, apiary equipment, or honey may be located including, but not limited to, apiaries; and
18. "Quarantine" means, but is not limited to, any order, hold, detainment, affected area, infected premise or area, movement restrictions of any kind, or notice issued by any state or federal entity specifying boundaries or conditions placed on any apiary, apiary equipment, bees, hives, or honey at its location after discovering the presence of a bee disease or pest.

§2-3-101. Inspection of Apiaries for Diseases - Instructions for Treatment Enforcement of act - Powers of Board – Apiary Advisory Committee.

- A. The State Board of Agriculture or its authorized agents shall have the authority to enter any premises or mode of transportation during reasonable hours for the purpose of implementing the Oklahoma Apiary Act or rules promulgated pursuant thereto.
- B. The Board or its authorized agents shall have the authority to carry out all necessary and proper actions to determine compliance with the Oklahoma Apiary Act including, but not limited to, conducting investigations, opening any bundle, package, or container, examining and making photocopies of records or documents, examining devices, collecting and submitting samples for analysis, issuing any order to destroy infected or infested bees or apiary equipment, and removing or destroying bees, hives or other articles as deemed necessary by the Board.
- C. The Board is authorized to promulgate rules necessary, expedient, or appropriate for the performance, enforcement, or carrying out of any of the purposes, objectives, or provisions of the Oklahoma Apiary Act, including the establishment of fees. All fees shall be fair and equitable to all parties concerned. Any rules shall be promulgated pursuant to the Administrative Procedures Act.
- D. The Board shall have the authority to:
 1. Issue, renew, deny, modify, suspend, cancel, and revoke any registration, permit, certificate, license, identification, or order issued pursuant to the provisions of the Oklahoma Apiary Act;
 2. Issue certificates of inspection;
 3. Issue entry permits to any person transporting bees or apiary equipment into this state;
 4. Investigate complaints and violations of the Oklahoma Apiary Act and rules promulgated pursuant thereto;
 5. Issue quarantines, initiate control measures, confiscate, and destroy apiaries, bees, colonies, or hives that present a danger to the public safety or welfare; and

6. Exercise all incidental powers as necessary and proper to implement and enforce the provisions of the Oklahoma Apiary Act and the rules of the Board promulgated pursuant thereto.
- E. Pursuant to the general powers contained in Section 2-6 of this title, the Board may establish an Apiary Advisory Committee composed of interested residents and beekeepers of the state who, without compensation, may advise and make recommendations to the Department on the administration of the Oklahoma Apiary Act and on other apiary matters.

§2-3-103. Control Measurers by Owner - Quarantine – Certification - Order to Destroy.

- A. Upon the discovery of any bee disease or pest, a premise shall be quarantined by the Oklahoma Department of Agriculture, Food, and Forestry.
- B. The State Board of Agriculture shall have the authority to declare any form of bee, plant, animal, or virus that is injurious to bees as a bee disease or pest.
- C. Any person receiving a quarantine order shall immediately initiate any and all control measures specified in the quarantine.
- D. The quarantine shall remain in effect until officially removed by the Department.
- E. When there are no effective control measures available, or the person fails to initiate control, a Board order to destroy the bees and apiary equipment infected or infested with the bee disease or pest may be issued by the Department to prevent the spread of the bee disease or pest.

§2-3-106. Queen Bees - Inspection of Rearing Apiaries - Package Bees for Sale - Quarantines - Violations Sales and transport of apiaries, equipment, bees, or hives.

- A. A person shall not sell or offer for sale any apiary, apiary equipment, bee, or hive in this state unless free of bee diseases or pests.
- B. Any apiary, apiary equipment, bee, or hive shipped or transported interstate shall be accompanied with a certificate of inspection issued by the state of origin.
- C. Any person moving or transporting colonies into, within, or through the State of Oklahoma shall secure the colonies in a manner that prevents the escape of bees.
- D. Honey or honey products used in shipping cages for the transport or movement of bees shall be boiled for at least thirty (30) minutes.

§2-3-113. Voluntary registration program – Location of new apiaries – Abandoned apiaries.

- A. The Oklahoma Department of Agriculture, Food, and Forestry, on a form prescribed by the Department, shall establish a voluntary registration program. The program shall be available to any of the following:
 1. Any person establishing, maintaining, or locating an apiary within the state;
 2. Any person shipping bees into the state; or
 3. Migratory beekeepers that transport colonies of bees into the state.

- B. The Department shall issue to each registrant a registration identification number. Any person owning an apiary that does not register with the Department shall be required to post personal contact information at or near their apiary.
- C. All registrants shall pay registration fees as established by the State Board of Agriculture. Fees shall be paid to the Board prior to the processing of the registration.
- D. The Board shall promulgate rules to establish and administer the voluntary registration program.
- E. No person shall locate a new apiary within close proximity to an established apiary if the Department determines that the new apiary presents an imminent danger of spreading bee diseases or pests or interferes with the proper feeding and foraging of an established apiary.
- F. If the Department discovers an apiary that does not appear to have a registration identification number, the Department shall make a reasonable effort to locate and notify the beekeeper or owner. If no beekeeper or owner is identified for the apiary, then it may be designated as an abandoned apiary, and the Department may destroy the apiary or donate it to an appropriate research facility.

§2-3-116. Certificate of inspection – Initiating Inspection – Pollination or honey production colony inspection - Investigation.

- A. For the purposes of obtaining a certificate of inspection, a person may request the Oklahoma Department of Agriculture, Food, and Forestry to conduct an inspection of their apiary, colony, hive, apiary equipment, or premise.
- B. Upon completion of inspection, the Department shall issue a certificate of inspection stating that the apiary, the colony, hive, apiary equipment, or premise is either:
 - 1. Apparently free of bee diseases or pests; or
 - 2. Not free of bee diseases or pests and the certificate of inspection contains a list of any and all bee diseases or pests found during the inspection.
- C. Any beekeeper who provides colonies of bees for pollination purposes or honey production pursuant to an oral or written contract shall be subject to inspection by the Oklahoma Department of Agriculture, Food, and Forestry for the strength of colonies and the presence of pests. The Department may, upon complaint, investigate any bee colony. Copies of the written contract, if one exists, shall be furnished to the Board upon request.

§2-3-117. Inspection fee – Sampling- Precautions and Standards - Inspection procedures.

- A. 1. Any beekeeper who requests inspection of an apiary, colony, hive, apiary equipment, or premise pursuant to the Oklahoma Apiary Act, is subject to an inspection fee as established by the State Board of Agriculture.

2. During an inspection or upon request, the Oklahoma Department of Agriculture, Food, and Forestry may take samples. The manner of sampling, the cost of sampling, and the method of testing shall be established by the Board.
- B. Any inspections of an apiary performed at the request of a beekeeper shall be limited to availability of time and personnel.
- C. 1. Standard precautions for the prevention of the transmission of bee diseases or pests to humans, animals, and bees shall be followed by the Department when inspecting apiaries pursuant to their official duties specified by the Oklahoma Apiary Act.
2. Except for emergency situations or when enforcement of the provisions of the Oklahoma Apiary Act is required, the Department shall observe the health standards and sanitary requirements of the apiary.

§2-3-117.1. Migratory Beekeepers - Information, Forms, Fees, and Certificates of Inspection - Requirements for transport of bees into state.

- A. Prior to entry into Oklahoma all migratory beekeepers and persons shipping or transporting bees into Oklahoma shall provide the following to the Oklahoma Department of Agriculture, Food, and Forestry:
1. Information required on an entry form prescribed by the Department;
 2. An entry inspection fee as established by the Department; and
 3. A copy of the certificate of inspection issued from the state of origin.
- B. All persons shipping or transporting bees into Oklahoma for sale shall also provide the purchaser with a copy of the certificate of inspection issued from the state of origin.
- C. Except for persons in subsection B of this section, all other persons transporting bees into the state shall be required to retain a copy of the certificate of inspection for the duration that the bees remain in Oklahoma and shall be able to present the certificate of inspection upon request by the Department.
- D. The Department may inspect any bees or vehicles transporting bees entering the state at any time.

§2-3-121. Violations.

It shall be unlawful and a violation of the Oklahoma Apiary Act for any person:

1. To refuse to permit an inspection provided for by the Oklahoma Apiary Act, or to hinder or interfere with, in any way, the inspection or the person authorized to make the inspection;
2. To rent a colony of bees to another and misrepresent the strength of a colony;
3. To fail to pay any fee, fine, or penalty as required and established by the Oklahoma Apiary Act or promulgated rules;
4. To retain Africanized honeybees except for approved research purposes pursuant to this act;

5. To knowingly expose comb, honey, frames, empty hives, cover, bottom boards or tools, or other appliances to any material from a diseased colony or apiary or infested with a bee pest;
6. To fail to comply with any State Board of Agriculture order; or
7. To violate any provision of the Oklahoma Apiary Act and the rules promulgated by the Board.

§2-3-122. Hearing for Alleged Violator- Emergency – Orders - Appeals.

- A. Whenever the Oklahoma Department of Agriculture, Food, and Forestry determines there are reasonable grounds to believe that there has been a violation of any of the provisions of the Oklahoma Apiary Act, any rule, or any order of the State Board of Agriculture, the alleged violator shall be given the opportunity for a fair hearing in accordance with the provisions of Article II of the Administrative Procedures Act.
- B.
 1. Whenever the Board finds that an emergency exists requiring immediate action to protect the public health or welfare or to protect bees from any bee disease or pest, it may without notice or hearing issue an order reciting the existence of an emergency and requiring that immediate action be taken to meet the emergency.
 2. The order shall be effective upon issuance, but any person to whom an order is directed shall comply immediately but may request within fifteen (15) days after the order is served an administrative enforcement hearing.
 3. The hearing shall be held by the Department within ten (10) days after receipt of the request.
 4. On the basis of the hearing record, the Board shall affirm, revoke, or modify the order.
 5. Any person aggrieved by the final order may appeal to the district court of the area affected within thirty (30) days.
 6. The appeal when docketed shall have priority over all cases pending on the docket, except criminal.

§2-3-123 - Africanized Honeybees - Illegality - Destruction or Confiscation

- A. It shall be illegal to retain Africanized honeybees except for specifically approved research purposes as determined by rules promulgated by the State Board of Agriculture.
- B. All abandoned apiaries observed or captured in counties where Africanized honeybees have been detected shall be destroyed.
- C. If a feral colony of Africanized honeybees is found in the state, the Oklahoma Department of Agriculture, Food, and Forestry shall take immediate actions to protect the public safety and welfare. The Department may confiscate or destroy the feral Africanized honeybee colony.

§2-3-124 - Certified Beekeeper Program - European Honeybee Certification Program

- A. The State Board of Agriculture may promulgate rules to establish a Certified Beekeeper Program.
- B. The Board may promulgate rules to establish and administer a voluntary European Honeybee Certification Program.

§2-3-125 - Local Government Regulations and Ordinances Regarding Honeybees and Hives

No county, municipal corporation, consolidated government, or other political subdivision of this state shall adopt or continue in effect any ordinance, rule, regulation, or resolution prohibiting, impeding, or restricting the establishment or maintenance of honeybees in hives. This provision shall not be construed to restrict the zoning authority of a county or municipal government to establish appropriate locations for apiaries.

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 30. PLANT INDUSTRY AND CONSUMER SERVICES
SUBCHAPTER 38. APIARIES

35:30-38-1. Definitions

In addition to the terms defined in the Oklahoma Apiary Act, the following words, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Certificate of inspection" means a document issued based on an inspection by the Department or other state or province stating that the apiary, bees, and apiary equipment appear free of bee diseases and pests, and may include a label, rubber stamp imprint, tag permit, written statement, or any other form of certification that accompanies the movement of bees or apiary equipment.

"Swarm" means a population of bees that is not permanently established in an apiary.

35:30-38-2. Receipt and resolution of complaints

- (a) Upon receipt of any complaint, the Department shall notify the person filing the complaint and the person whom the complaint is filed against, if known, in writing of its receipt and status within five (5) working days.
- (b) Notification that a complaint was filed may also be given to the landowner or operator.
- (c) The resolution of the complaint is the completion of the appropriate administrative, jurisdictional, or legal remedies to the extent necessary by the Department.
- (d) The complainant shall be notified in writing within seven (7) working days after resolution of the complaint.
- (e) The Department shall investigate any complaint regarding the following:
 - (1) Proximity of bee hives;
 - (2) Africanized honeybees; or
 - (3) Any violation of the Oklahoma Apiary Act or rules promulgated pursuant to the act.

35:30-38-3. Voluntary registration requirements

- (a) Any person may register by completing a form and submitting the appropriate registration fee by January 31 of each year.
- (b) Upon registration, the person shall be issued a certificate of registration containing a registration number that shall be clearly displayed at each apiary location on a permanent sign with a minimum of one and one half-inch (1 1/2") high contrasting letters or numbers.

35:30-38-4. Unregistered apiaries

Any person owning an apiary who does not register with the Department shall clearly post and display their name, address and telephone number on a permanent sign with a minimum of one and one half inch (1 1/2") high contrasting lettering at or near the apiary.

35:30-38-5. Certificate of inspection

- (a) The Department may conduct inspections of apiary or hive locations as deemed necessary to determine the presence of bee diseases or pests.
- (b) Any person may request an apiary inspection from the Department.
 - (1) The request for inspection shall be written and include the name, address, and telephone number of the owner, the number of colonies to be inspected, and the destination state, if applicable.
 - (2) The owner shall pay an inspection fee based on the total number of hives listed on the certificate of inspection.
- (c) Inspection procedures.
 - (1) Inspections shall be performed using a random number table.
 - (2) A minimum of fifteen (15) hives shall be inspected. If there are less than fifteen (15) hives, all of the hives shall be inspected.
 - (3) A minimum of fifteen percent (15%) of the total number of hives to be certified will be opened and inspected for bee diseases or pests.
 - (4) Bees shall only be maintained in a removable frame hive that permits the thorough examination of every comb.
 - (A) If the removable frame requirement is not met, the Department shall notify the owner in writing.
 - (B) Any person may make a written request for an exemption to this requirement that shall include justification for the request.
 - (5) Upon completion of the inspection a certificate of inspection shall be issued to the owner of the bees stating that the apiary is either:
 - (A) Apparently free of bee diseases or pests; or
 - (B) Not free of a bee diseases or pests and listing all bee diseases and pests found during the inspection.
 - (6) Standard precautions for the prevention of transmission of bee diseases or pests to humans, animals, and bees during inspections shall include, but not be limited to, the following:

- (A) All necessary precautions shall be taken to properly disinfect all tools and any other thing that may have come into contact with bees or equipment that may have bee diseases or pests.
- (B) Prior to entering or exiting any premise, all appropriate measures shall be taken to prevent the spread of any bee disease or pest by ensuring infested material is not adhered to any person, clothing, or tools or appliances.

35:30-38-6. Quarantines

- (a) Upon the discovery of any bee disease or pest, a premise shall be quarantined by the Department.
- (b) The quarantine order shall indicate the following:
 - (1) The location of the quarantined premise.
 - (2) The portion of the premise that is quarantined.
 - (3) The control measures to be implemented by the owner of the apiary.
 - (4) If the quarantine can be confined to a portion of the premise, the order shall indicate that portion of the premise subject to the quarantine and shall indicate the release of the remainder of the premise from the quarantine.
- (c) Any person receiving a quarantine order shall immediately initiate any and all control measures specified in the quarantine.
- (d) The presence of a bee disease or pest shall be confirmed using industry acceptable bee inspection procedures or by sample analysis at a USDA bee lab or Oklahoma State University Insect and Plant Disease Diagnostic Lab.
- (e) Quarantined bee colonies shall be marked with waterproof marking indicating the existence of and the reason for the quarantine.
- (f) Upon laboratory confirmation of the existence of bee diseases or pests, the beekeeper shall be notified of the results in writing.
- (g) Any quarantine shall remain in effect until the Department officially removes the quarantine and issues a Certificate of Inspection.
- (h) A reinspection shall be made within six (6) months of any issued quarantine.
- (i) When there are no effective control measures available, or the person fails to initiate control measures, a Board order to destroy the bees and apiary equipment infected or infested with the bee disease or pest may be issued to prevent the spread of the bee disease or pest.

35:30-38-7. American foulbrood quarantine

- (a) Any apiary, appliances, structures, buildings or bees quarantined due to the presence of American foulbrood shall implement one of the following control measures:
 - (1) State-approved chemotherapy treatment, including the feeding of antibiotics, if the bee disease has not spread to the point of weakening the colony beyond the possibility of control with chemotherapy treatments;

- (2) Burning the entire hive and contents, or, upon approval of the Department, the contents of the diseased hives, including bees, combs and associated frames;
 - (A) Burning shall occur in an open pit;
 - (B) Ashes shall be buried no less than eighteen inches (18") below the surface of the soil;
 - (C) Disinfection by scorching the hive bodies, covers, bottom boards, supers and appliances associated with them.
 - (D) Frames may be boiled in one pound of lye per ten (10) gallons water for not less than twenty (20) minutes.
- (3) Any other method approved by the Department.
- (b) The owner shall notify the Department of any corrective measures to be taken so Department personnel may be present during the measure.
- (c) If no corrective action is taken within thirty (30) days, the infected or infested colonies shall be destroyed.

35:30-38-8. Africanized honeybees (*Apis mellifera scutellata*)

- (a) Infestations of African honeybees shall be identified by a method prescribed by the Department, including but not limited to Mitochondrial DNA, DALY'S Morphometric Analysis, or FABIS I or II (Fast Africanized Bee Identification System).
- (b) Colonies of honeybees with a high probability of being Africanized based on the above tests or any feral swarm of bees found in counties with Africanized honeybees shall be:
 - (1) Destroyed; or
 - (2) Quarantined and requeened with marked Certified European queens.
 - (A) The colony shall be resampled after the first generation of European offspring has emerged.
 - (B) If the subsequent sampling reveals bees with a high probability of being "European," the quarantine shall be lifted.
 - (C) If subsequent sampling reveals bees with a high probability of being Africanized, the colony shall be destroyed.
- (c) Colonies of bees identified as Africanized that exhibit extreme aggressive behavior shall be destroyed if the requeening process fails or the public is at risk.

35:30-38-9. Abandoned apiaries

- (a) Any abandoned apiary may be confiscated by the Department.
- (b) Prior to confiscation of the abandoned apiary, the Department shall take reasonable steps to locate the owner.
 - (1) The owner, lessee, or renter of the land where the apiary is discovered shall be notified.

- (2) The local beekeeping organization shall be notified and given sixty (60) days to locate the owner.
 - (3) A notice of confiscation shall be placed at the apiary one hundred and eighty (180) days prior to confiscation.
- (c) If the Department is unable to locate the owner upon completion of the above steps, it shall destroy the apiary or donate the apiary to an appropriate research facility.

35:30-38-10. Entry permits for migratory beekeepers

- (a) Any migratory beekeeper who brings bees into the state shall obtain an entry permit from the Department.
- (b) The application for the permit shall include:
 - (1) the name and addresses of the person owning the bees;
 - (2) the name and address of the person shipping the bees if different from the owner;
 - (3) a complete description of the shipment;
 - (4) the destination of the shipment;
 - (5) the nearest town and county where the bees shall be located;
 - (6) the legal description where the bees shall be located;
 - (7) the name and address of the person or land owner receiving the bees;
 - (8) the approximate date of the shipment; and
 - (9) A certificate of inspection signed by the official apiary inspector or entomologist of the state, territory, or country from which the bees are shipped. The certificate shall state that the bees are apparently free of diseases and pests and shall be based on an actual inspection performed not more than three (3) months prior to the date of shipment.

35:30-38-11. Entry permits for other than migratory beekeepers [REESERVED]

35:30-38-12. Pollination

- (a) Any beekeeper who provides colonies of bees for pollination purposes or honey production pursuant to an oral or written contract shall be subject to inspection by the Department for the strength of colonies and the presence of bee diseases and pests.
- (b) Copies of the written contract shall be furnished to the Department upon request.
- (c) Each hive shall be a minimum equivalent of five (5) deep frames of nine and one-eighth inches (9 1/8") of bees with brood of a standard Langstrof of nine and five-eighths inches (9 5/8") deep hive body.

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 2. FEES

35:2-3-26. Apiary program fees

- (a) The fee for any person registering pursuant to the Oklahoma Apiary Act shall be Ten Dollars (\$10.00).
- (b) An entry permit fee of One Hundred Dollars (\$100.00) shall be charged for migratory beekeepers moving colonies of bees into this state.
- (c) Any person requesting inspection of an apiary shall pay a fee based on the total number of hives listed on the certificate of inspection. The following inspection fees shall be charged at the time of inspection:
 - (1) One to 25 hives: \$10.00.
 - (2) 26 to 50 hives: \$25.00.
 - (3) 51 to 100 hives: \$50.00.
 - (4) 101 to 250 hives: \$75.00.
 - (5) 251 to 500 hives: \$100.00.
 - (6) 501 to 1,000 hives: \$200.00.
 - (7) More than 1,000 hives: \$250.00.
- (d) Any person requesting the Department to take samples and perform laboratory diagnosis shall be charged Twenty-five Dollars (\$25.00) for each sample. This charge shall not include the actual cost of diagnosis charged by the laboratory.
- (e) All fees are due within thirty (30) days after samples are processed or the inspection is completed. Late payment of fees are subject to a penalty of ten percent (10%) of the amount due or Ten Dollars (\$10.00), whichever is greater.