



## **PLEASE NOTE**

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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## CHAPTER A-11.1

### ANIMAL HEALTH AND PROTECTION ACT

#### BEE HEALTH REGULATIONS

Pursuant to section 4 of the *Animal Health and Protection Act* R.S.P.E.I. 1988, Cap. A-11.1 Council made the following regulations:

1. (1) In these regulations
- |  | Definitions         |
|--|---------------------|
| (a) “bee” means honey bee, <i>Apis mellifera L.</i> , and includes mature bees, queens and brood and brood, but does not include genetic material;   | bee                 |
| (b) “bee equipment” means a manufactured enclosure or part thereof in which a colony of bees lives or would normally be expected to live, but does not include new bee equipment that has never been in contact with bees; | bee equipment       |
| (c) “beekeeper” means a person who owns, manages or otherwise keeps bees for any purpose;  | beekeeper           |
| (d) “Class A disease” means a bee disease that is exotic to the province to which disease prevention measures apply, as listed in Schedule A;  | Class A disease     |
| (e) “Class B disease” means a bee disease that is present in the province to which disease control measures apply, as listed in Schedule A;  | Class B disease     |
| (f) “Department” means the Department of Agriculture and Forestry;   | Department          |
| (f.1) “genetic material” means an egg or sperm produced by a honey bee;  | genetic material    |
| (g) “provincial apiarist” means a person appointed by the Minister to perform the functions of a provincial apiarist under the Act;  | provincial apiarist |
| (h) “quarantine area” means a location in the province that is the subject of a quarantine order;  | quarantine area     |
| (i) “quarantine order” means an order issued pursuant to section 8;  | quarantine order    |
| (j) “vehicle” means a vehicle that transports bees or bee equipment and includes anything in or attached to a vehicle.   | vehicle             |
- (2) Bees are designated as an animal for the purposes of clause 1(a) of the Act. (EC271/01; 240/04) Bees are animals

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| Purpose                         | <b>2.</b> The purpose of these regulations is to prevent the introduction into the province of Class A diseases and to provide measures to control Class B diseases in the province. (EC271/01)   |
| Provincial apiarist             | <b>3.</b> (1) The Minister shall appoint as an officer under subsection 2(3) of the Act, a provincial apiarist to administer and enforce these regulations.   |
| Inspectors                      | (2) The Minister may appoint inspectors under subsection 2(3) of the Act to enforce these regulations.  |
| <i>Ex officio</i> inspector     | (3) The provincial apiarist is <i>ex officio</i> an inspector.  |
| Provincial veterinarian         | (4) Where the provincial apiarist is not available within a reasonable time to perform the duties required, the provincial veterinarian shall have the authority to act as and exercise the powers of the provincial apiarist. (EC271/01)   |
| Inspector                       | <b>4.</b> (1) Where there are reasonable and probable grounds to suspect that a Class A disease may be present in bees or bee equipment, an inspector has the power to enter into and inspect vehicles <ul style="list-style-type: none"> <li>(a) to determine if bees or bee equipment are present in the vehicle; and</li> <li>(b) to take samples of bees or materials produced by bees to determine if Class A diseases are present.</li> </ul> |
| Samples                         | (2) For the purpose of ascertaining the presence of Class A or Class B diseases in the province, an inspector may inspect bees and bee equipment and take samples of bees and materials produced by bees.   |
| Assistance to inspectors        | (3) Beekeepers shall give an inspector all reasonable assistance and access to bees and bee equipment to enable the inspector to carry out inspection duties under these regulations.   |
| Appointment                     | (4) An inspector shall produce a certificate of appointment under the Act when performing inspection duties under the Act. (EC271/01)   |
| Disease-free zone               | <b>5.</b> (1) Prince Edward Island is designated as a disease-free zone respecting Class A diseases.  |
| Transport from designated areas | (2) No person may transport bees into the province unless the bees come from an area that is designated under subsection (3) as being free of Class A diseases.   |
| Designated areas                | (3) The following are designated as areas that are free of Class A diseases: <ul style="list-style-type: none"> <li>(a) the province of Nova Scotia;</li> <li>(b) the state of Hawaii, U.S.A.;</li> <li>(c) the countries of Australia and New Zealand.</li> </ul>  |

- (4) A person transporting bees through an area not listed in subsection (3) and into the province shall ensure that the bees coming into the province do not come into contact with other bees during transport. (EC271/01; 300/02) No contact with other bees
- 6.** (1) No person shall transport bees into the province without obtaining a bee health certificate issued pursuant to subsection (2). Bee health certificate mandatory
- (2) The provincial apiarist may issue a bee health certificate Bee health certificate
- (a) where an import certificate has been issued by the Canadian Food Inspection Agency pursuant to the *Health of Animals Act* (Canada); or
- (b) where the bees have been held within Canada
- (i) in an area free of Class A diseases for at least 12 months prior to the entry of the bees into the province, and
- (ii) the provincial apiarist or inspector, or authorized inspector from the place of origin, issues a health certificate dated not more than 60 days prior to the date of entry, certifying that the bees have been tested in a laboratory acceptable to the provincial apiarist and are free of symptoms of all Class A diseases.
- (3) Where bee equipment or packing containers containing bees from Nova Scotia are brought into the province, the bee equipment or packing containers Requirements to enter the province
- (a) shall be marked with the province or country of origin; and
- (b) shall be marked with the laboratory sample number and date the bees were sampled.
- (4) No person may transport bee equipment into the province unless Bee equipment
- (a) an inspector is satisfied that no bees are present on or in the bee equipment; or
- (b) where bees are present, the person has a bee health certificate issued pursuant to subsection (2). (EC271/01)
- 6.1** (1) No person shall transport genetic material into the province unless Genetic material — restriction
- (a) the person holds a genetic material health certificate issued pursuant to subsection (2);
- (b) the genetic material originated in Canada; and
- (c) the genetic material is transported into the province in the manner specified on the genetic material health certificate.
- (2) The provincial apiarist may issue a genetic material health certificate for the transportation of genetic material. Genetic material health certificate
- (3) On issuing a genetic material health certificate under subsection (2), the provincial apiarist shall specify on the certificate the manner in Method of transportation

which the genetic material is to be transported into the province.  
(EC240/04)

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| Weigh stations                  | <b>7.</b> (1) The Minister may appoint as officers under subsection 2(3) of the Act, employees of the Department of Transportation and Public Works at the weigh stations located at Borden-Carleton and Wood Islands.   |
| Stop for inspection             | (2) Every person transporting bees or bee equipment into the province shall stop at a weigh station at Borden-Carleton or Wood Islands.  |
| Bees not present                | (3) Where a vehicle transporting bee equipment not containing bees stops at a weigh station,<br>(a) the officer at the weigh station shall be satisfied that the driver has demonstrated compliance with subsection 6(4); or<br>(b) where not satisfied under clause (a), the officer at the weigh station shall<br>(i) require the driver to arrange for the bee equipment to leave the province immediately; or<br>(ii) detain the bee equipment until otherwise directed by an inspector. |
| Bee health certificate required | (4) The driver of a vehicle transporting bees or bee equipment containing bees into the province shall provide to an officer at a weigh station the bee health certificate required by section 6.  |
| Bees or equipment to leave      | (5) Where the driver of a vehicle transporting bees or bee equipment containing bees fails to meet the requirements of subsections (4) and 6(3), the officer at the weigh station shall<br>(a) require the driver to arrange for the bees and the bee equipment to leave the province immediately; or<br>(b) detain the bees and bee equipment until otherwise directed by an inspector. (EC271/01)  |
| Quarantine area                 | <b>8.</b> (1) Where an inspector has reasonable grounds to believe that<br>(a) a person has transported bees or bee equipment into the province contrary to these regulations; or<br>(b) bees or bee equipment may be infected with a Class A disease,<br>the inspector may establish a quarantine area and issue a quarantine order.  |
| Quarantine order                | (2) Where an inspector issues a quarantine order pursuant to subsection (1), the order shall include the following:<br>(a) a description of the quarantine area;<br>(b) restrictions on the movement, sale or disposal of bees and bee equipment in the quarantine area;<br>(c) the duration for which the bees and bee equipment in the quarantine area are required to be held; and  |

(d) testing and disposal procedures to be followed.

(3) Notwithstanding subsection (2), where a quarantine order is issued by an inspector who is not the provincial apiarist, the order shall be an interim order and it shall be forwarded to the provincial apiarist within one working day of being issued.

(4) The provincial apiarist shall review an interim quarantine order within 48 hours of receiving it and may confirm, vary or rescind it.

(5) The provincial apiarist or inspector shall, as soon as possible after a quarantine order has been issued, provide a copy of the order to the beekeeper and person under whose control the bees or bee equipment are at the time the quarantine area is established, and the order may be sent to the beekeeper or person by registered mail.

(6) The beekeeper shall be responsible for all reasonable costs incurred in testing the bees or bee equipment to determine the presence or absence of a Class A disease. (EC271/01)

**9.** Where the provincial apiarist has found bees or bee equipment in the province to be infected with a Class A disease, the provincial apiarist may order the bees or bee equipment to be destroyed under the direction of the provincial apiarist or an inspector, and the beekeeper shall be responsible for costs associated with the destruction of bees and bee equipment. (EC271/01)

**9.1** Where a person ceases to use bee equipment that was used to keep bees, the person shall

- (a) destroy the bee equipment in such a manner as to prevent the spread of brood diseases; or
- (b) store the bee equipment in such a manner that is not accessible to bees. (EC240/04)

**10.** The Minister may approve signs to be placed in the province respecting restrictions on the entry of bees or bee equipment into the province. (EC271/01)

**SCHEDULE A – BEE DISEASES**

1. Class A Diseases are diseases exotic to the province, including
  - (a) honey bee tracheal mite; and
  - (b) small hive beetle.
2. Class B Diseases are diseases present in the province, including
  - (a) Varroa mite; and
  - (b) American foul brood.

(EC271/01)