



Bees and the Law

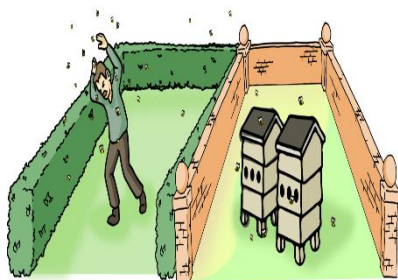
Advisory Leaflet No: 2

Honey bees have been creating challenges to the Law since pre-Roman days! This is largely because on one hand they are uncontrollable wild creatures allowed to fly free and on the other they are managed by beekeepers who can, to a degree, influence their behaviour.

More recently they have been included in a range of legislation because they produce a food stuff - honey!

These notes are intended to provide beekeepers with an introduction to those areas of Law which could impact on their beekeeping activities. Should you need further information, you are strongly advised to seek professional advice as quickly as possible.

Bees and Neighbours



There is a fundamental principle that every landowner can have reasonable use and enjoyment of his/her property subject to any specific restrictions such as a tenancy agreement or planning conditions **but** a landowner cannot exercise this right if to do so would unreasonably restrict his/her neighbour's enjoyment of his/her property.

The Environment Act 1990 states that a statutory nuisance may include "any animal kept in such a place or manner as to be prejudicial to health or a nuisance". Actual nuisance does not have to be shown. It will suffice if the activity complained of interferes with personal comfort. Any person may complain to a local authority or apply to a Magistrate's Court. Both have the authority to issue an abatement order.

Ownership of Swarms

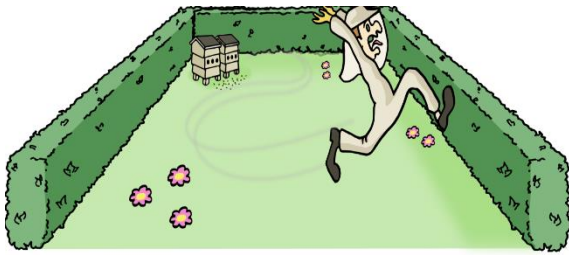


If your bees swarm and settle on someone else's land, ownership of the swarm passes to the land owner.

You have no legal right to enter someone else's land to collect a swarm, even if the swarm originated from your hive.

If the landowner gives you permission to enter his/her land and collect a swarm, ownership passes to you.

Bee Diseases and Pest Control



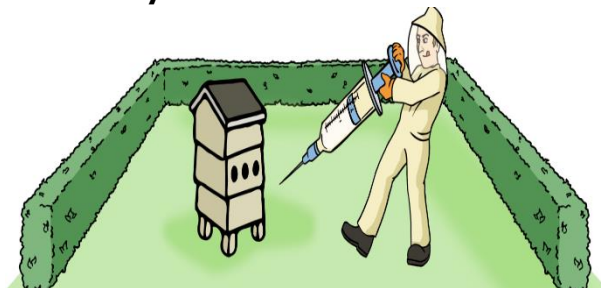
An owner or person in charge of a hive who knows or suspects that any bees are infected with a notifiable disease or notifiable pest, and any other person who has or discovers a bee pest that might be injurious to bees, must inform the Secretary of State.

In practice, informing the local bee inspector satisfies this obligation.

Currently, the notifiable bee diseases are American Foul brood and European Foul brood.

There are two notifiable bee pests, Small Hive Beetle and the Trophilaelaps Mite, although neither pest has yet been found in the UK.

Veterinary Medicine



The Veterinary Medicines Regulations 2013 clearly state that it is unlawful to treat honey bees with any form of medication which is not specifically approved by the regulations. The list of approved treatments is quite small and changes from time to time. Beekeepers

are strongly advised to check the most up to date schedule of approved treatments before using anything.

Beekeepers must keep documentation containing details of veterinary medicinal products administered in colonies for at least five years, irrespective of whether or not the colony concerned is no longer in that keeper's possession or has died during that period.

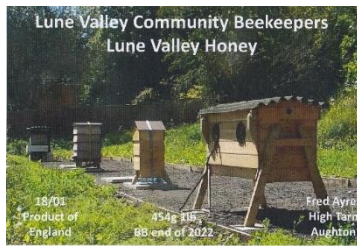
When a veterinary medicinal product is bought beekeepers must, at the time, record:

- (a) The name of the product and the batch number;
- (b) The date of acquisition;
- (c) The quantity acquired; and
- (d) The name and address of the supplier.

When administering the medicine, beekeepers must record on a medicine record card:

- (a) The name of the product;
- (b) The date of administration;
- (c) The quantity administered;
- (d) The withdrawal period; and
- (e) The identification of the animals treated.

Honey labels



The Honey (England) Regulations 2015 are quite complicated! To avoid any possible infringement, if you intend to sell your honey you should label it with a label that includes the following requirements.

- a description of the product which includes the word "honey". If you use something like "clover honey" you must be able to substantiate that over 90% of the nectar collected by the bees came from clover.
- a batch number to identify which production batch the jar came from
- the source of origin, such as "Product of England" or "Product of Lancashire"
- the weight of the contents in grams. Including the weight in an imperial measure is permitted as well, as long as the size of the print is not larger than the metric weight.
- a best before date. As honey tends to keep for extremely long periods, this can be one or two years
- some means of identifying who bottled the honey.

Insurance



There is currently no requirement for Beekeepers to have any form of insurance. **However, it is strongly recommended that every beekeeper takes out Public Liability Insurance.**

Public Liability Insurance

This provides cover for any liabilities you may have arising from your beekeeping activities. Most Clubs either have their own group policy or are part of a larger group policy. However, you should make sure you understand the extent of the cover provided and are aware of any exclusion clauses.

Product Liability Insurance

This insurance provides cover for any claims by consumers of your hive products such as honey, pollen pellets, propolis, royal jelly etc. Product Liability cover may, or may not, be included within your Public Liability insurance.

Professional Indemnity Insurance

Any person who holds themselves as an expert and is aware that the person advised may rely on their advice may incur liability if that advice is wrong. Beekeepers have been sued for giving the wrong advice!

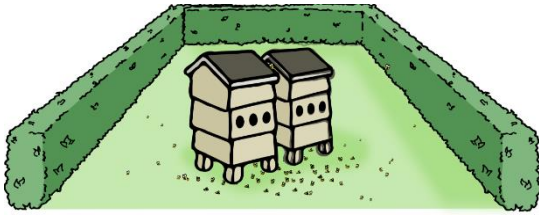
Equipment Insurance

With the growing number of thefts of both bees and equipment, this is well worth considering. Some Household Insurance Policies may cover equipment but many will not include bees.

Bee Disease Insurance

This provides cover should your bees or equipment have to be destroyed by an authorised National Bee Unit inspector because of any of the notifiable diseases. Cover is available from the specialist company Bee Disease Insurance Ltd.

Poisoning



There is currently no specific legislation requiring farmers or their contractors to notify beekeepers in advance of any intended use of poisonous sprays and other substances, although voluntary schemes operate in some parts of the country. However, if spray damage is suspected, beekeepers should take a sample of at least 200 dead bees and send it to the National Bee Unit for diagnosis as to the source of the problem.

www.lunevalleybeekeepers.co.uk