

¹21—45.31(206) Application of pesticides toxic to bees. Owners of apiaries, in order to protect their hives from pesticide applications, shall register the telephone number where they can be reached and the locations of bee yards on forms, DOA #10, Apiary Registration Form provided by the department, with the state apiarist, before April 1 of each year. Within 30 days thereafter, the department shall provide each ASCS office with information of such locations indicating township, section and range of bee yards in that county, along with the telephone number of each registered owner.

Prior to application of any pesticide that indicates on its label that it is toxic to bees, the applicator shall determine if the field is within a two-mile radius of any registered bee yard by contacting the county ASCS office or by calling (515)281-3561 during hours when the ASCS office is not open.

The applicator shall give notice to the owner, the owner's agent or a member of the owner's family at least 24 hours and no more than 72 hours prior to such application. Owners of apiaries, in order to protect their hives from such pesticide applications, shall attend the telephone designated on the Apiary Registration Form; or in the event that the owner, the owner's agent or a member of the owner's family will not be available at the designated telephone number, said owner shall call (515)281-5736, provide an alternative telephone number where they can be contacted, and be available at that number.

If an applicator, after diligently attempting to do so, is unable to reach the owner or other appropriate person at either telephone number, the applicator shall call (515)281-3561. A representative of the department shall make one additional attempt to give proper notice by again calling both telephone numbers. If the applicator and the department are not successful in contacting and notifying the owner, the owner's agent or a member of the owner's family by calling both telephone numbers, the owner of the apiary shall be deemed to have been duly notified; and the applicator may apply the chemicals as requested.

Pesticides may be applied earlier than 24 hours and later than 72 hours after notification of bee owner, with consent of the bee owner.

This rule is intended to implement Iowa Code section 206.11(3)“b” and “c.”

¹ See Objection at end of chapter. Objection filed 9/12/79, IAC Supplement 10/3/79; objection readopted by the Administrative Rules Review Committee 1/8/91.