

02 NCAC 09L .1009 is amended with changes as published in 30:04 NCR 450 as follows:

**02 NCAC 09L .1009 NOTIFICATION OF APIARIES**

(a) Any person who hires the services of an aerial applicator to apply a pesticide labeled as toxic to bees, shall notify, based on available listings of registered apiaries, the owner or operator of any registered apiary located within ~~one-half one~~ mile of the target area not less than ~~twenty-four~~ forty-eight hours nor more than ten days prior to the beginning of a single application or a seasonal spray schedule, giving the approximate time of day of application and type of pesticide to be used. ~~Notification may be either oral or written.~~

(b) ~~Notification~~ "Notification" for the purposes of this Paragraph is defined as follows:

(1) written communication by:

- (a) U.S. mail,
- (b) Notification left at residence, or
- (c) Notification left at alternate address as designated on the honeybee registration list.

(2) oral communication by:

- (a) telephone,
- (b) personal communication, or
- (c) verbal communication with an alternate person as designated on the honeybee registration list.

(3) digital communication by:

- (a) electronic mail or
- (b) instant cellular text messaging messaging.

(c) The Pesticide Section ~~will~~ shall distribute new registrations of beekeepers and their alternates by U.S. mail on the first of each quarter (January 1, April 1, July 1, and October 1) to all farmers growing crops within ~~one-half one~~ mile of the apiaries that are identified on the "Apiary Registration Form" of the Plant Industry Division. The list of revised registered apiaries ~~will~~ shall become effective on the fifth day of the first month in the quarter stated in this Rule. The registration of apiaries shall be effective for the calendar year that they are registered.

*History Note: Authority G.S. 143-443(b)(4); 143-458; 143-463; 143-466;  
Eff. January 1, 1985; 1985;  
Amended Eff. January 1, 2016.*