



1914

c 258 Foul Brood Act

Ontario

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CHAPTER 258.

An Act for the Suppression of Foul Brood among Bees.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows—

1. This Act may be known as *The Foul Brood Act*. 2 Geo. V. c. 73, s. 1. Short title.

2.—(1) The Lieutenant-Governor in Council upon the recommendation of the Minister of Agriculture may from time to time appoint one or more Inspectors of Apiaries to enforce this Act. Appointment of inspector of apiaries.

(2) The Inspector shall, if so required, produce the certificate of his appointment on entering upon any premises in the discharge of his duties. Producing certificate.

(3) The remuneration to be paid to an Inspector under this Act shall be determined by order of the Lieutenant-Governor in Council, and shall be payable out of any sum appropriated by this Legislature for the enforcement of this Act. 2 Geo. V. c. 73, s. 2. Remuneration.

3.—(1) The Inspector shall, whenever so directed by the Minister, visit any locality in Ontario and examine any apiary to which the Minister directs him, for the purpose of ascertaining if the disease known as "Foul brood" exists in such apiary. Duties of inspectors.

(2) If the Inspector finds that foul brood exists in a virulent or malignant type, he shall order all colonies of bees so affected, together with the hives occupied by them, and the contents of such hives and all tainted appurtenances that cannot be disinfected to be immediately destroyed by fire under his personal direction and superintendence. Destruction where disease malignant.

(3) Where the Inspector, who shall be the sole judge thereof, finds that the disease exists but only in a milder type and in its incipient stage, and is being or may be treated successfully, and the Inspector has reason to believe that it may be entirely cured, then he may omit to destroy or order the destruction of such colonies and hives. 2 Geo. V. c. 73, s. 3. Treatment, where disease mild.

4. The Inspector may order the owner or possessor of any bees dwelling in box or immovable frame hives to transfer them to movable frame hives within a specified time, and in Transfer to movable hives.

default the Inspector may destroy or order the destruction of such hives and the bees dwelling therein. 2 Geo. V. c. 73, s. 4.

Penalty for disposing of infected bees or appliances.

5. Any owner or possessor of diseased colonies of bees, or of any infected appliances for bee-keeping, who knowingly sells or barter or gives away or removes from the premises such diseased colonies or infected appliances shall incur a penalty of not less than \$50 or more than \$100. or he may be imprisoned for any term not exceeding two months. 2 Geo. V. c. 73, s. 5; 3-4 Geo. V. c. 18, s. 43.

Selling infected bees after treatment or exposing appliances.

6. Any person whose bees have been destroyed or treated for foul brood who sells or offers for sale any bees, hives or appurtenances of any kind after such destruction or treatment and before being authorized by the Inspector so to do or who exposes in his bee-yard, or elsewhere any infected comb honey or other infected thing, or conceals the fact that such disease exists among his bees shall incur a penalty of not less than \$20 or more than \$50, or he may be imprisoned for a term not exceeding two months. 2 Geo. V. c. 73, s. 6.

Penalty for obstructing inspector.

7. Any owner or possessor of bees who refuses to allow the Inspector to freely examine bees or the premises in which they are kept, or who refuses to destroy the infected bees and appurtenances or to permit them to be destroyed when so directed by the Inspector, shall, on the complaint of the Inspector, incur a penalty of not less than \$25 or more than \$50 for the first offence, and not less than \$50 or more than \$100 for the second and any subsequent offence, and the convicting Justice shall by the conviction order such owner or possessor forthwith to carry out the directions of the Inspector. 2 Geo. V. c. 73, s. 7.

Employment of special constables.

8. Where such owner or possessor of bees disobeys the directions of the said Inspector, or offers resistance to or obstructs him, a Justice of the Peace may upon the complaint of the Inspector cause a sufficient number of special constables to be sworn in who shall, under the directions of the Inspector, proceed to the premises of such owner or possessor and assist the Inspector to seize all the diseased colonies and infected appurtenances and burn them forthwith, and if necessary the Inspector or constables may arrest the owner or possessor and bring him before a Justice of the Peace to be dealt with according to the provisions of the next preceding section. 2 Geo. V. c. 73, s. 8.

Informing offender of provisions of Act.

9. Before proceeding against any person before a Justice of the Peace the Inspector shall read over to such person the provisions of this Act or shall cause a copy thereof to be delivered to him. 2 Geo. V. c. 73, s. 9.

10. Every owner or possessor of bees and any other person who is aware of the existence of foul brood either in his own apiary or elsewhere shall immediately notify the Minister of the existence of such disease and in default of so doing shall incur a penalty of \$5. 2 Geo.-V. c. 73, s. 10.

Duty to
notify
Minister.

11. Each Inspector shall report to the Minister as to the inspection of any apiary in such form and manner as the Minister may direct, and all reports shall be filed in the Department of Agriculture and shall be made public as the Minister may direct or upon order of the Assembly. 2 Geo. V. c. 73, s. 11.

Inspectors
to report to
Minister.

12. *The Ontario Summary Convictions Act* shall apply to all prosecutions for offences against this Act. 2 Geo. V. c. 73, s. 12.

Prosecutions.
Rev. Stat. c. 90.