

AGRICULTURE CODE

TITLE 6. PRODUCTION, PROCESSING, AND SALE OF ANIMAL PRODUCTS

SUBTITLE A. BEES AND NONLIVESTOCK ANIMAL INDUSTRY

CHAPTER 131. BEES AND HONEY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 131.001. DEFINITIONS. In this chapter:

(1) "Abandoned apiary, equipment, or bees" means an apiary, equipment, or a colony of bees that is not regularly maintained or attended in accordance with this chapter or rules or quarantines adopted under this chapter.

(2) "Apiary" means a place where colonies of bees or nuclei of bees are kept.

(3) "Beekeeper" means a person who owns, leases, possesses, controls, or manages one or more colonies of bees for any personal or commercial purpose.

(4) "Bee" means any stage of the common honeybee, *Apis mellifera* species.

(5) "Colony" means a distinguishable localized population of bees in which one or more life stages may be present.

(6) "Director" means the director of Texas A&M AgriLife Research.

(7) "Disease" means American foulbrood, European foulbrood, any other contagious or infectious disease of honeybees, or parasites or pests that affect bees or brood.

(8) "Equipment" means hives, supers, frames, veils, gloves, tools, machines, vacuums, or other devices for the handling and manipulation of bees, honey, pollen, wax, or hives, including storage or transportation containers for pollen, honey, or wax, or other apiary supplies used in the operation of an apiary or honey house.

(8-a) "Hive" means a box or other shelter containing a colony of bees.

(9) "Inspector" means the chief apiary inspector.

(10) "Label" as a noun, means written or printed material accompanying a product and furnishing identification or a

description. The term includes material attached to a product or its immediate container and material inserted in an immediate container or other packaging of a product.

(11) "Label" as a verb, means to attach or insert a label.

(12) "Nucleus" means a small mass of bees and combs of brood used in forming a new colony.

(12-a) "Package bees" means live bees in cages without combs or honey used in forming a new colony.

(13) "Pollen" means dust-like grains formed in the anthers of flowering plants in which the male elements or sperm are produced.

(14) "Pure honey" means the nectar of plants that has been transformed by, and is the natural product of, bees and that is in the comb or has been taken from the comb and is packaged in a liquid, crystallized, or granular form.

(15) "Queen apiary" means an apiary in which queen bees are reared or kept for sale, barter, or exchange.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 1, eff. September 1, 2023.

Sec. 131.002. CHIEF APIARY INSPECTOR. (a) The director shall appoint a person qualified by scientific training or personal experience as chief apiary inspector to make inspections and administer this chapter under the direction and control of the director.

(b) Repealed by Acts 1991, 72nd Leg., 1st C.S., ch. 17, Sec. 7.01(4), eff. Nov. 12, 1991.

(c) Repealed by Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(1), eff. September 1, 2023.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985; Acts 1985, 69th Leg., ch. 479, Sec. 186, eff. Sept. 1, 1985;

Acts 1991, 72nd Leg., 1st C.S., ch. 17, Sec. 7.01(4), eff. Nov. 12, 1991.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. 4538), Sec. 24(1), eff. September 1, 2023.

Sec. 131.003. CONFLICTS OF INTEREST. (a) A person may not serve as chief apiary inspector or be an assistant of the chief apiary inspector if the person is an officer, employee, or paid consultant of a trade association in the beekeeping industry.

(b) A person may not serve as chief apiary inspector or be an assistant of the chief apiary inspector of the grade 17 or over, including exempt employees, according to the position classification schedule under the General Appropriations Act, if the person cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the beekeeping industry.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. 4538), Sec. 2, eff. September 1, 2023.

Sec. 131.004. ASSISTANTS. (a) The chief apiary inspector may employ assistants and inspectors as necessary, subject to the approval of the director and governing board of the experiment station.

(b) The chief apiary inspector shall provide to the chief apiary inspector's assistants and inspectors, as often as is necessary, information regarding their qualifications under this chapter and their responsibilities under applicable laws relating to standards of conduct for state officers or employees.

(c) The inspector shall develop a system of annual performance evaluations based on measurable job tasks. All merit pay for the inspector's assistants must be based on the system established under this subsection.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. 4538), Sec. 3, eff. September 1, 2023.

Sec. 131.005. ANNUAL REPORTS. (a) The chief apiary inspector shall make an annual report to the director giving a detailed account of inspection activities, receipt and use of funds, and compliance actions brought under this chapter.

(b) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1083, Sec. 25(4), eff. June 17, 2011.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1083 (S.B. 1179), Sec. 25(4), eff. June 17, 2011.

Sec. 131.006. AUDIT. The financial transactions of the chief apiary inspector are subject to audit by the state auditor in accordance with Chapter 321, Government Code.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by Acts 1989, 71st Leg., ch. 584, Sec. 68, eff. Sept. 1989.

Sec. 131.007. PUBLISHING INFORMATION. (a) The chief apiary inspector shall publish information on methods and directions for treating, eradicating, or suppressing infectious diseases of honeybees, the rules adopted for those purposes, and other information that the inspector considers of value or necessity to the beekeeping interests of this state.

(b) The inspector shall prepare information of public interest describing the functions of the agency and describing the procedure by which complaints are filed with and resolved by the agency. The inspector shall make the information available to the general public and appropriate state agencies.

(c) The inspector shall adopt rules establishing methods by which consumers and service recipients can be notified of the name, mailing address, and telephone number of the agency for the purpose of directing complaints to the inspector. The inspector may provide for the notification by including the information:

(1) on each registration or application form submitted

by a person regulated under this chapter;

(2) on a sign which is prominently displayed in the place of business of each person regulated under this chapter; or

(3) in a bill for services or goods provided by a person regulated under this chapter.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 4, eff. September 1, 2023.

Sec. 131.008. COMPLAINTS. (a) The chief apiary inspector shall keep an information file about each complaint filed with the inspector relating to a beekeeper regulated under this chapter.

(b) If a written complaint is filed with the inspector regarding a beekeeper who is not in compliance with this chapter or rules adopted under this chapter, the inspector shall notify the parties to the complaint, at least quarterly and until final disposition of the complaint, of the status of the complaint, unless notice would jeopardize an undercover investigation.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 5, eff. September 1, 2023.

Sec. 131.009. PUBLIC TESTIMONY. The chief apiary inspector shall develop and implement policies that will provide the public with a reasonable opportunity to appear before the inspector and to speak on any issue under the jurisdiction of the inspector.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Sec. 131.010. FEES. The chief apiary inspector shall make a reasonable effort to set the fees charged under this chapter at amounts that will produce enough revenue to approximate 50 percent of the inspector's total budget. In achieving this goal, the inspector shall balance the revenue needs against the effect of the fees on the industry.

Added by Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

SUBCHAPTER B. DISEASE AND PEST CONTROL

Sec. 131.021. POWERS AND DUTIES OF CHIEF APIARY INSPECTOR.

(a) For the purpose of enforcing this chapter, the chief apiary inspector may:

(1) adopt rules and act as necessary to control, eradicate, or prevent the introduction, spread, or dissemination of contagious or infectious diseases or pests of bees;

(2) prohibit the shipment or entry into this state of bees, honey, combs, pollen, or other items capable of transmitting diseases or pests of bees from another state, territory, or foreign country except in accordance with rules adopted by the inspector; and

(3) seize and order the destruction, treatment, or sale of a colony of bees, equipment, pollen, or honey that is determined to contain pests, be diseased, infectious, or abandoned, or be in violation of this chapter or a rule or quarantine adopted under this chapter.

(b) For purposes of this section, apiaries, equipment, or bees are considered infectious if:

(1) the bees are not hived with movable frames or are not stored so as to prevent the possible spread of disease or pests; or

(2) the bees, equipment, or apiary generally comprise a hazard or threat to disease control in the beekeeping industry.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 2, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 7, eff. September 1, 2023.

Sec. 131.022. QUARANTINES. (a) If the chief apiary inspector determines that the public welfare or protection of the beekeeping industry requires the establishment of a quarantine, the inspector may:

(1) declare a protective quarantine of a district, county, precinct, or other defined area in which a disease or pest of bees is not known to exist or in which the disease or pest is being eradicated in accordance with this subchapter; or

(2) declare a restrictive quarantine of a district, county, precinct, or other defined area in which a disease or pest of bees is located.

(b) A person may not move or ship bees, equipment, pollen, or honey into or out of an area quarantined under this section, except in accordance with rules adopted by the inspector.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 2, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 8, eff. September 1, 2023.

Sec. 131.023. SALE OF QUEEN BEE AND ATTENDANTS, PACKAGE BEES, COLONIES, AND NUCLEI. A person may not sell or offer for sale a queen bee and attendant bees, package bees, colonies, nuclei, or queen cells in this state unless the bees are accompanied by:

(1) a copy of a certificate from the chief apiary inspector certifying that the apiary from which the bees were shipped has been inspected not more than 12 months before the date of shipment and found apparently free from disease; or

(2) a copy of an affidavit made by the beekeeper stating that to the beekeeper's knowledge, the bees are not diseased.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 2, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 9, eff. September 1, 2023.

Sec. 131.024. SEIZURE OF BEES, EQUIPMENT, POLLEN, OR HONEY.

(a) Bees, equipment, pollen, or honey seized by the chief apiary

inspector under Section [131.021](#) of this code shall be treated, destroyed, or sold at public auction.

(b) At least five days before an item seized under Section [131.021](#) of this code may be treated, destroyed, or sold, the inspector shall send by certified mail, return receipt requested, written notice of the proposed disposition of the item to the last known address of the beekeeper or the owner of the item. The notice must describe the item, the proposed disposition of the item, and the reason for the disposition. If the name or address of the beekeeper or owner of the item is unknown, the inspector shall:

(1) publish notice of the proposed disposition for at least five consecutive days in a newspaper of general circulation in the county where the property was seized; or

(2) post notice of the proposed disposition for at least five consecutive days in three public places, including the door of the county courthouse, in the county where the property was seized.

(c) If the inspector sells bees, equipment, pollen, or honey at a public auction under this section, the inspector shall return the proceeds of the sale to the former owner, if known, after deducting the costs of the sale.

(d) The owner of bees, equipment, pollen, or honey treated or destroyed under this section is liable for the costs of treatment or destruction, and the inspector may sue to collect those costs. The inspector shall remit money collected under this subsection to the comptroller for deposit to the credit of the general revenue fund.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 2, eff. Sept. 1, 1985; Acts 1997, 75th Leg., ch. 1423, Sec. 2.12, eff. Sept. 1, 1997.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 10, eff. September 1, 2023.

Sec. 131.025. REPORTABLE DISEASES AND PESTS. (a) The chief apiary inspector shall maintain and publish a list of



reportable diseases and pests.

(b) If a beekeeper knows that a colony of bees has a reportable disease or contains a reportable pest, the beekeeper shall immediately report to the chief apiary inspector all facts known about the affected bees.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. 4538), Sec. 11, eff. September 1, 2023.

#### SUBCHAPTER C. PERMITS AND REGISTRATION

Sec. 131.041. PERMIT FOR INTERSTATE MOVEMENT. (a) A person may not ship or cause to be shipped bees or equipment into or out of this state unless the person has a permit issued by the chief apiary inspector authorizing the shipment.

(b) A permit issued under this section applies to all shipments made by the beekeeper and expires on August 31 following the date the permit is issued. The term of a permit may not exceed one year.

(c) A person may apply for a permit under this section by filing an application with the inspector. A person may apply for a permit at any time, but a person must apply for a permit before the 10th day preceding the date of a shipment if the person does not hold a permit on the 10th day preceding the date of the shipment. An application for a permit must include all information required by the chief apiary inspector.

(d) A shipment originating outside this state requires:

(1) a certificate of inspection signed by the official apiary inspector or entomologist of the state, territory, or country from which the bees are to be shipped before the shipment may enter the state; or

(2) an inspection of the shipment by the chief apiary inspector of Texas not more than 12 months before the date of the shipment.

(e) A certificate of inspection for a permit required by Subsection (d)(1) must certify that the bees or equipment are apparently free from disease and reportable pests based on an actual inspection conducted not more than 12 months before the date of the shipment. If the bees or equipment are to be shipped into this state from a state, territory, or country that does not have an official apiary inspector or entomologist:

(1) the person shipping the bees or equipment may provide other suitable evidence that the bees and equipment are free from disease and reportable pests; or

(2) the bees may be shipped into this state under quarantine and the person receiving the shipment shall have the bees inspected not later than the 30th day after the date the bees enter this state.

(f) If a person files an application in accordance with Subsection (c) and the inspector is satisfied that the shipment or shipments to which the permit applies do not pose a threat to disease and pest control in the beekeeping industry, the inspector shall issue a permit.

(g) This section does not apply to a shipment of package bees.

(h) The inspector shall charge a fee for each permit issued under this section. The inspector shall set the fee at an amount that is reasonable in relation to the costs of administering this section.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 3, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 12, eff. September 1, 2023.

Sec. 131.044. CERTIFICATE OF INSPECTION. (a) A person who wants a certificate of inspection for bees, equipment, pollen, or honey must request the inspection from the chief apiary inspector.

(b) On receipt of a request, the inspector shall authorize the inspection of the bees, equipment, pollen, or honey for the

presence of disease or pests.

(c) If a disease or reportable pest is not found in the bees, equipment, pollen, or honey, the inspector shall certify in writing that the bees, equipment, pollen, or honey is apparently free from disease and reportable pests.

(d) The inspector shall charge fees for inspections requested under this section. The inspector shall set the fees in amounts that are reasonable in relation to the costs of administering this section.

(e) The beekeeper of bees or equipment that contain a reportable disease or reportable pest shall pay an additional fee, in a reasonable amount set by the inspector at not less than \$25, for each subsequent inspection that the inspector determines is necessary to contain, treat, or eradicate the disease or pest.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 3, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 13, eff. September 1, 2023.

Sec. 131.045. BEEKEEPER REGISTRATION. (a) Each beekeeper in this state may register on an annual basis with the chief apiary inspector. A registration under this section expires August 31 following the date the registration is issued.

(b) A registration must include:

(1) information required by the chief apiary inspector; and

(2) the county or counties in which the beekeeper operates.

(c) The inspector may require a beekeeper to submit with the registration information a map showing the exact location of each of the beekeeper's apiaries. A map submitted under this section is a trade secret under Chapter [552](#), Government Code, and may not be disclosed.

(d) The chief apiary inspector may charge a fee for each registration issued under this section. The inspector shall set

the fee at an amount that is reasonable in relation to the costs of administering this section.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 3, eff. Sept. 1, 1985; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(88), eff. Sept. 1, 1995.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 14, eff. September 1, 2023.

Sec. 131.046. DISPOSITION AND USE OF FEES. (a) Fees collected under this subchapter shall be deposited in the State Treasury.

(b) The chief apiary inspector may sue to collect a delinquent fee under this subchapter.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 3, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 15, eff. September 1, 2023.

#### SUBCHAPTER D. BRANDING AND IDENTIFICATION OF HIVES

Sec. 131.061. IDENTIFICATION REQUIRED. (a) Except as provided by Subsection (b), a person may not operate an apiary in this state unless the hives are:

(1) clearly and permanently marked with the name of the person as provided by Section [131.064](#);

(2) branded in accordance with Section [131.064](#) with a brand registered to the person by the chief apiary inspector; or

(3) identified by a weatherproof sign posted within the apiary containing the name and contact information or the brand number of the person managing the apiary, printed in lettering at least one inch high.

(b) An apiary at the principal residence of a beekeeper is exempt from the requirements of Subsection (a).

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 4, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 17, eff. September 1, 2023.

Sec. 131.062. BRAND; REGISTRATION. (a) The chief apiary inspector shall maintain a system of registration of beekeeper brands to identify equipment used by the beekeeper. The inspector shall assign a brand number to each beekeeper, if requested, when the beekeeper registers under Section [131.045](#).

(b) Each brand shall consist of seven numbers separated by hyphens, with the first number signifying that the brand is a state-registered brand, the next three numbers identifying the registrant's county of residence, and the last three numbers identifying the registrant.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 4, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 18, eff. September 1, 2023.

Sec. 131.063. REGISTRATION OF BRAND; FEE. (a) The chief apiary inspector shall register a brand for each person who applies for a brand and pays a recording fee. The inspector shall set the fee at an amount that is reasonable in relation to the costs of administering this section, but at not less than 50 cents.

(b) Repealed by Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(4), eff. September 1, 2023.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 4, eff. Sept. 1, 1985; Acts 1997, 75th Leg., ch. 1423, Sec. 2.13, eff. Sept. 1, 1997.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(4),

eff. September 1, 2023.

Sec. 131.064. MANNER OF AFFIXING NAME OR BRAND TO HIVES. A name or brand must be affixed to a hive by burning, pressing, painting, or otherwise permanently marking the name or brand, in figures at least one-half of an inch high, into the wood or other material in a manner that shows the identification of the hive. The name or brand must be affixed on one or both ends of the hive.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 19, eff. September 1, 2023.

Sec. 131.065. TRANSFER OF BRAND. (a) A brand may be transferred only if:

(1) the chief apiary inspector approves the transfer;  
and

(2) the transferor is selling all of the transferor's bees and equipment to the person to whom the brand is to be transferred.

(b) If a brand is to be transferred, the seller shall give a bill of sale for the bees and equipment that shows the seller's brand.

(c) Repealed by Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(5), eff. September 1, 2023.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 4, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(5), eff. September 1, 2023.

#### SUBCHAPTER E. LABELING AND SALE OF HONEY

Sec. 131.081. USE OF "HONEY" ON LABEL. A person may not

label, sell, or keep, offer, or expose for sale a product identified on its label as "honey," "liquid or extracted honey," "strained honey," or "pure honey" unless the product consists exclusively of pure honey.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

Sec. 131.082. USE OF BEE, HIVE, OR COMB DESIGN. A person may not label, sell, or keep, expose, or offer for sale a product that resembles honey and that has on its label a picture or drawing of a bee, hive, or comb unless the product consists exclusively of pure honey.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

Sec. 131.083. SALE OF IMITATION HONEY. A person may not label, sell, or keep, expose, or offer for sale a product that resembles honey and is identified on its label as "imitation honey."

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

Sec. 131.084. SALE OF HONEY MIXTURES. (a) A person may not label, sell, or keep, expose, or offer for sale a product that consists of honey mixed with another ingredient unless:

(1) the product bears a label with a list of ingredients; and

(2) "honey" appears in the list of ingredients in the same size type of print as the other ingredients.

(b) A person may not label, sell, or keep, expose, or offer for sale a product that contains honey mixed with another ingredient and contains in the product name "honey" in a larger size of type or print or in a more prominent position than the other words in the product name.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

## SUBCHAPTER F. ENFORCEMENT

Sec. 131.101. ENFORCEMENT AUTHORITY. The chief apiary inspector is the official responsible for enforcing Subchapters B, C, and D. The Department of State Health Services is the agency responsible for enforcing Subchapter E.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 5, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 20, eff. September 1, 2023.

Sec. 131.102. ENTRY POWER. (a) The chief apiary inspector may enter at a reasonable hour any public or private premises, including a building, depot, express office, storeroom, vehicle, or warehouse, in which bees, equipment, pollen, or honey may be located to determine whether a violation of Subchapter B, C, or D of this chapter has occurred or is occurring.

(b) The Department of State Health Services may enter at a reasonable hour any public or private premises, including a building, depot, express office, storeroom, vehicle, or warehouse, in which bees, equipment, pollen, or honey may be located to determine whether a violation of Subchapter E has occurred or is occurring.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 5, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 21, eff. September 1, 2023.

Sec. 131.103. STOP-SALE ORDER. If the official or agency responsible for enforcing a provision of this chapter or a rule or quarantine adopted under this chapter has reason to believe a colony of bees, equipment, pollen, or honey is in violation of the provision, the official or agency may issue a written order to stop



the sale of the bees, equipment, pollen, or honey. When the official or agency issues a stop-sale order, the official or agency shall deliver a copy of the order to the person who possesses the bees, equipment, pollen, or honey. On receipt of the copy of the order, a person may not sell or transport the bees, equipment, pollen, or honey until the official or agency that issued the order determines that the items are in compliance with this chapter.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

Sec. 131.104. CIVIL ACTIONS. (a) The official or agency responsible for enforcing a provision of this chapter or a rule or quarantine adopted under this chapter may sue to enjoin a violation or threatened violation of the provision and may maintain other civil actions necessary to enforce this chapter.

(b) On the request of the official or agency suing under this section, the attorney general or a county or district attorney shall represent the official or agency in the civil action.

(c) A sheriff or constable shall protect the officers or employees of the official or agency in the discharge of the duties given to the official or agency by this chapter.

(d) Repealed by Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(6), eff. September 1, 2023.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 24(6), eff. September 1, 2023.

Sec. 131.105. VENUE FOR CIVIL AND CRIMINAL ACTIONS. Venue for a civil or criminal prosecution under this chapter is in the county where the affected group of bees, equipment, pollen, or honey is located at the time the violation is discovered by or made known to the official or agency.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.

SUBCHAPTER G. PENALTIES

Sec. 131.121. DISEASE AND PEST CONTROL.

(a) A person commits an offense if the person:

(1) violates a provision of Section [131.022](#) or [131.023](#);

(2) fails to report reportable diseases or reportable pests in accordance with Section [131.025](#);

(3) ships or causes bees or equipment to be shipped into this state without the permit required by Section [131.041](#);

(4) violates a rule, order, or quarantine of the chief apiary inspector adopted under this chapter;

(5) prevents or attempts to prevent an inspection of bees, equipment, pollen, or honey under the direction of the inspector under this chapter;

(6) prevents or attempts to prevent the discovery or treatment of bees with reportable diseases or reportable pests;

(7) interferes with or attempts to interfere with the inspector in the discharge of the duties under this chapter;

(8) as the owner or keeper of a colony of bees that has a reportable disease or contains a reportable pest, barter, gives away, sells, ships, or moves the bees, equipment, pollen, or honey or exposes other bees to the reportable disease or reportable pest; or

(9) exposes honey, pollen, hives, frames, combs, bees, or appliances from a colony of bees known to have a reportable disease or contain a reportable pest in a manner that provides access to other bees.

(b) An offense under this section is a Class C misdemeanor.

(c) All fines collected under this section shall be deposited in the state treasury.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 6, eff. Sept. 1, 1985.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. [4538](#)), Sec. 22, eff. September 1, 2023.

Acts 2023, 88th Leg., R.S., Ch. 882 (H.B. 4538), Sec. 23, eff. September 1, 2023.

Sec. 131.122. APIARY EQUIPMENT BRANDS. (a) A person commits an offense if the person:

(1) violates Section 131.061 of this code; or  
(2) alters or attempts to alter a registered apiary equipment brand without authorization from the chief apiary inspector.

(b) An offense under this section is a Class C misdemeanor.

(c) Each of the following is prima facie evidence of an offense under this section:

(1) unauthorized possession of equipment on which the brand has been altered;

(2) possession of branded equipment without a bill of sale or written proof of ownership; or

(3) use of a registered brand that is not registered to the person using the brand.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 418, Sec. 7, eff. Sept. 1, 1985.

Sec. 131.123. LABELING OR SALE OF HONEY. (a) A person commits an offense if the person violates a provision of Subchapter E of this chapter.

(b) An offense under this section is a Class B misdemeanor.

Amended by Acts 1983, 68th Leg., p. 1884, ch. 350, Sec. 1, eff. Sept. 1, 1983.