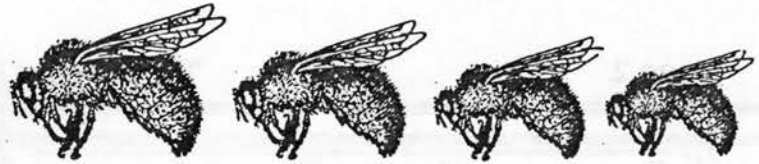


# The Bee Line

The Newsletter of the Oregon State Beekeepers Association



Volume 22, Number 2

March 1998

## OSBA Web Page Up and Running!

The OSBA WWW HomePage and link to beekeeping on the Internet is up and available from any Internet server.

Our address is: <http://members.aol.com.osbeea>

## Bee Bop OSBA Spring Field Day

The Oregon State Beekeepers Association and RUHL Bee Supply have announced the details for the 3rd Annual Spring Field Day to be held this April 26th, 10:00AM - 3:00PM, rain or shine, at Foothills Honey in Colton.

This very popular day-long event is limited to 150 people and is cosponsored by the OSBA, RUHL Bee Supply, Willamette Valley Beekeepers, Portland Beekeepers, and the Tualatin Valley Beekeepers Associations. Workshops (which are repeated so that you will be able to participate in all of them) will include:

**Hive Grading** with Dr. Michael Burgett of OSU, evaluating food and pollen stores, brood and grading your bees for gentleness.

**Fall Management** with Bill Ruhl of Ruhl Bee Supply, and long-time Northwest expert beekeeper and teacher will be going over medications, queens and feeding strategies.

**Spring Management** with George Hansen of Foothills Honey and OSBA president, will cover swarm control, honey flow and supering.

### Equipment Use

workshop will discuss proper equipment use, tools and different ways you can use the tools at hand.

**Splitting Hives** with Torey Johnson of Ruhl Bee Supply and expert beekeepers, covering full box splits, 4-frame splits, and adding bees to your hives.

And, if weather permits (the last two events have been on the finest day in all of Spring), **Practicing on Nucs** - finding queens, brood identification, smoking a hive and tool usage.

Added attractions will be a tour of the Foothills Honey commercial honey house and the Second Annual Tree Sale which was a highlight of last year and a very good reason to get to the event early!

Attendance will be limited to 150 people and pre-registration is suggested. **Call Ruhl Bee Supply at 503-256-4231 and ask for Torey to register.** The event is no charge to any member in good standing of

a sponsoring group, and membership application for all of the groups will be available on site for non-members.

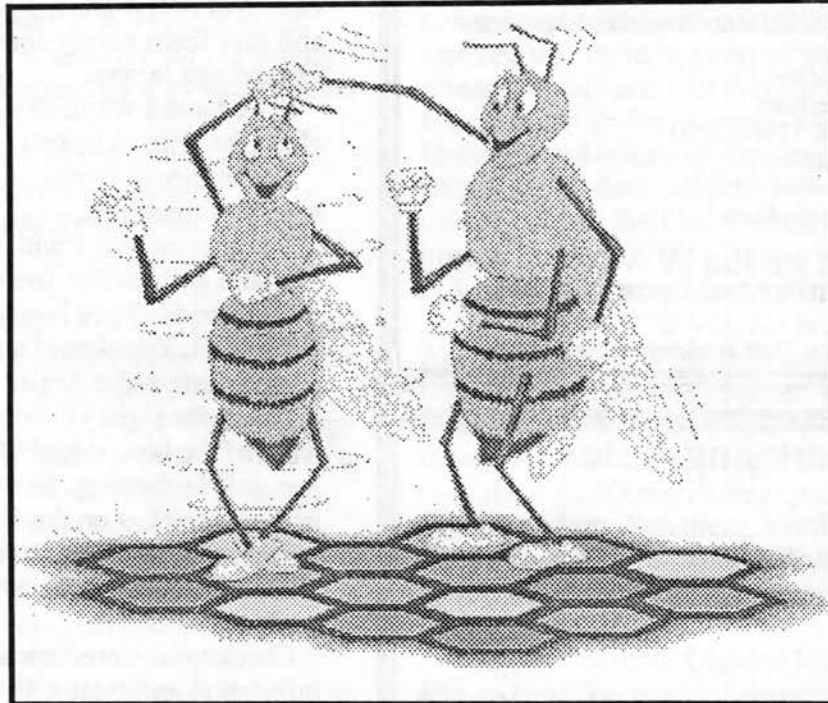
This year, the popular smoker contest will be for higher stakes with the winner taking home a **hive of bees** donated by Ruhl Bee Supply. The entry fee will be \$5.00.

Foothills Honey is at 30576 Oswalt Road. From Oregon City, take Hwy 13 through Mulino to Union Mills Road. Turn left approx. 8 miles to Oswalt.

Take a right ¼ miles

and follow signs. Bring a veil, bee suit, smoker, hive tool, gloves, a bag lunch, and maybe a sample of your honey to share.

Mark your calendars, call Torey - plan to be there!



## Oregon State Beekeepers Association 1997 Officers

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The Bee Line is the official publication of the Oregon State Beekeepers Association and is published 10 times a year. Subscriptions are included with OSBA membership.

To join the OSBA, complete the membership application in this issue and send with payment to:  
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## Advertising Rates

Business ads, per issue:

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Full Page	100.00

Copy, art, and payment must be submitted by the 15th of the month prior to publication. Contact the editor for any special requirements and mechanical information.

Classified ads, 30 words, per issue:

OSBA members	\$ 2.00
Non-members	3.00

## Basics in Northwest Beekeeping

by Ron Bennett

In March, we need to look at our colonies and make sure they are ready to start building their population. Watch their stores and don't let colony stores get below 15 lbs. (3 full frames of honey). If they are low, feed the light colonies sugar syrup (1:1).

Now is the time for the colonies to start building population and bees need two things to make new bees, honey and pollen. Some of the pollen sources are already in bloom (Scotch Broom, Pussy-willows), but poor weather can keep the bees from these sources, so you may need to feed a pollen substitute if a colony has no access to pollen.

To keep Foulbrood under control, dust all colonies 3 times in ten day intervals with a 3/4 oz. portion of terramycin in powered sugar, concentration TM-3.

It is a little early to get good queens, so you should unite queenless colonies to those needing bees. A weak hive will grow slowly and not produce a good honey crop, but by combining it with another colony, you will build a strong colony right away.

To balance out colonies with low stores, rob combs of honey from colonies with excessive stores and give them empty comb next to brood nest to expand egg laying.

If we have a warm day, now is a good time to clean the bottom boards.

Remember to remove the Apistan strips after five weeks of treatment.

Look for colonies with nosema, usually hives are streaked with brown feces on the front, and treat with Fumidil-B per instructions supplied with the Fumidil-B. You should also fumigate the comb from nosema infested colonies with 80% acetic acid.

Watch for signs of skunks. They scratch at the front of the hive at night to draw out the bees and just gobble them up. Skunks make dirty paw marks and/or scratches on the fronts of the hive and will quickly destroy even your strongest hives. A roll of chicken wire or carpet tack strips will keep them away.

Check your stored comb for possible wax moth infestation and treat with mothballs or expose the combs to sunlight for a few days.

Remember, now is when your colonies will be raising the bees that will start your honey crop and building up and maintaining their population will ensure you receive a good honey crop this year.



# American Beekeeping Federation Convention Report

by Troy Fore

The American Beekeeping Federation held its annual convention January 15-18 in Norfolk, VA. Here follow some of the highlights of the convention and the working of the various beekeeping groups in attendance.

## ABF Re-Elects Merritt; Affirms Support for NHB Expansion

The American Beekeeping Federation reselected its incumbent officers during the ABF annual convention, and expressed support for the expansion of the National Honey Board activities to include mandated pre-harvest honeybee research and a honey quality assurance program. About 600 persons attended the convention.

Re-elected for the customary second year were President Bill Merritt of Sopchoppy, FL., and Vice President David Hackenberg of Lewisburg, PA. Elected to the ABF Executive Committee was Pat Heitkam, a queen breeder and pollinator from Orland, CA. He replaces Judy Gulleon of Britton, SD, who had served the maximum of two two-year terms. The Executive Committee retained Troy Fore of Jesup, GA, as Executive Director, a new title for the secretary-treasurer position authorized by a by-laws amendment.

An ABF resolution supported the changes in the Honey Research, Promotion and Consumer Information Act as developed by the Reno Summit Committee, despite an effort to expand the mandated bee research allocation to 20%, up from the Committee-proposed 8% allocation of NHB revenues. Also defeated was a proposal to increase the producer seats on the Honey Board to 8, up from the current 7.

The ABF membership also supported the antidumping suspension agreement on honey from China being enforced by the Department of Commerce and urged all beekeepers and beekeeper associations to contribute toward the expense of monitoring the suspension agreement. A pledge list circulated at the ABF business meeting collected pledges and/or checks for \$17,250 toward suspension agreement expenses—including \$3,750 contributed by Sandoz Agro; \$3,000 by Minnesota Honey Producers Association; \$1,000 by Texas Beekeepers Association, and \$500 by the ABF Ladies Auxiliary.

Responding to outside criticism of ABF leadership's administration and management of the antidumping activities and funds, the membership endorsed the

manner in which the ABF Executive Committee has handled the situation. The resolution recognized that the suspension agreement and its interpretation and monitoring consume time and resources of the ABF staff as well as outside services and expertise and that the costs of those services and others associated are proper expenses of the antidumping program. In a post-convention meeting, the ABF Executive Committee determined that \$5,000 of antidumping revenues would be allocated to cover the costs of administering those activities in the ABF Office, with the allocation to be reviewed toward the end of the fiscal year. For the period from the inception of the antidumping effort through the end of the last fiscal year on Sept. 30, \$25,000 had been allocated for this expense.

In a first for the newly-organized ABF Special Interest Groups (SIG), the membership adopted a resolution brought forward by the Package Bees and Queen Breeders SIG. The breeders asked that a Bee Breeders Research Fund be established to accept and hold assessments paid in voluntarily by the breeders and that the funds be disbursed at the discretion of a committee made up of contributors. The breeders recognized that there is an on-going need for bee research funds and that they, as a group, will not contribute much to the proposed allocation of National Honey Board honey assessments for bee research since the breeders sell little honey. They voted to voluntarily assess their sales of queens, packages and nucs at the rate of 1% of gross sales.

Among other resolution were:

- THANKING the Virginia beekeepers, the Eastern Apiculture Society, the convention speakers, guide-book advertisers, break sponsors, Trade Show exhibitors, and Honey Show sponsors and entrants for their participation and support.

- THANKING the Honey Queen Committee, Chairman Patty Sundberg, 1996 American Honey Queen Jona Hoover, and 1996 American Honey Princess Louann Hausner for the outstanding results of the program.

- COMMENDING General Mills, manufacturers of Honey Nut Cheerios and sponsors of the "Help Save the Honeybee" campaign, for its interest in the welfare of the U.S. beekeeping industry.

- THANKING the Bermuda Beekeepers Association and Cora Gail and Randolph Furbert, the leaders of the host group, for hosting the Beekeepers Study Tour in Bermuda prior to the ABF

Cont. on Page 4

Norfolk Convention.

-DETERMINING that, following the 1998 convention, the ABF conventions be scheduled so that the annual business meeting is held no later than January 15, to accommodate the increasing number of ABF members who are becoming involved in pollinating California almonds.

-URGING the American Farm Bureau Federation to reactivate its Honey Bee Advisory Committee.

-URGING the Office of Management and Budget to renew the data collection form for the National Agricultural Statistics Service's annual honey production survey and urging NASS to continue to collect the data and publish the annual report.

-ADOPTING a program for recognizing at each annual convention one person as the recipient of the ABF Outstanding Member Award.

-EXPRESSING appreciation to the Agricultural Research Service Administrator for allocating \$100,000 especially for bee mite research from Administrative Contingency Funds.

-EXPRESSING appreciation to ARS for holding the Industry Review of ARS bee research programs; and urging ARS to expedite research projects at its labs in accordance with the newly established priorities.

-REQUESTING that ARS include technology transfer activities in the duties of USDA-ARS bee research laboratories and scientists, since the National Extension Apiculturist position has been eliminated by the Extension Service.

-URGING EPA to adopt the following language as a standard bee hazard warning on labels of pesticides which are hazardous to bees: *"This product is highly toxic to pollinating insects. DO NOT use this product in such a way as to cause bee kills. DO NOT apply this product to or allow it to drift upon beehives or to plants upon which bees are foraging or where they will contact a toxic residue when foraging. State agencies for the regulation of pesticides may have regulations specific to your state or tribe for the protection of bees. Your county cooperative*

*extension office may also have recommendations for the protection of pollinating insects."*

-REQUESTING EPA to ask the manufacturers of ethylene oxide (ETO) to amend their labels to include beekeeping equipment as an item that can be fumigated, or to allow the continuation of 24c labels for states that currently have 24c labels and to approve new 24c labels for those states that can no longer fumigate under a Section 3 label.

-ENCOURAGING ABF members to participate and attend local, state and regional horticultural and orchardist organization meetings to make growers and the public aware of the problems with pesticide and herbicide uses and applications such as Sevin and PennCap-M.

-URGING the National Honey Board to pursue doing a thorough study of the economic impact of adulterated honey on the American beekeeping industry.

-URGING the FDA to codify the honey definition of the National Honey Board as a standard of identity for honey and encouraging the National Honey Packers and Dealers Association to also urge FDA to adopt the National Honey standards of the identity of honey.

-JOINING the National Honey Packers and Dealers Association in considering honey as adulterated if the honey's SIRA and ISIRA values differ by more than 1.0 and recommending that FDA do likewise.

-URGING the U.S. Secretary of Agriculture not to allow the importation of honey bees into the United States from other countries.

-OPPOSING North Carolina's fee on out-of-state breeders who wish to sell queens and package bees in North Carolina and asking for repeal of the law.

-REQUESTING the Agricultural Marketing Service to reduce its charges to the NHB, which include the cost of the 1996 referendum, to an amount commensurate with the original 1996.

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**ABF STATEMENT OF CONTINUING OBJECTIVES**

The ABF re-adopted its 7-point Statement of Continuing Objectives during its Norfolk convention. The Objectives express the general policies of the organization:

1. The ABF will work diligently through the self-policing program funded by the Honey Defense Fund to stop adulteration of honey and urges all its members to help in the fight against adulteration.

2. The members of the ABF shall foster the best possible relations with the general public and conduct their beekeeping operations to minimize the unnecessary exposure of the public to honey bees.

3. The members of the ABF shall maintain the highest standards in their honey production and handling facilities and shall use only approved compounds, as labeled, to avoid the introduction of contaminants into honey in the hive or during collection, processing and packaging.

4. The ABF will cooperate with any other organizations when it is deemed that such cooperation will further the goals of the ABF.

5. The ABF, supports the adoption of policies by

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the U.S. Department of Agriculture, state agriculture departments, counties and weed control districts to encourage planting of legumes on set aside and marginal farm lands, lands subject to erosion, and lands for wildlife habitat.

6. The ABF will work to maintain and expand its honey promotion efforts through its support of the American Honey Queen Program and the National Honey Board.

7. The ABF urges its membership to support legislative efforts by providing financial assistance, whenever possible, to the Legislative Fund and by


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keeping their Congressional representatives apprised of the legislative issues of the beekeeping industry.

### ABF ADOPTS MISSION AND VALUES STATEMENT

Following the lead of other associations and organizations, the ABF has developed mission and values statements to more clearly identify and direct its activities. The following were adopted at the ABF Norfolk convention:

#### Mission

The ABF will act on behalf of the beekeeping industry on issues affecting the interests and the economic viability of the various sectors of the industry.

#### Values

1. The resolutions supported and passed by the membership will serve as policy for the official actions of the ABF.
2. The ABF will maintain an organization that is normally proactive rather than reactive in handling industry issues.
3. The resolutions and decisions of the ABF will be based upon the best facts and information available.
4. The issues outcome will be directed toward maintaining an industry that is self-supporting with a minimum of government involvement.
5. The deliberations of an official body of the ABF will recognize and consider the impact of its decisions on the industry as a whole.
6. The ABF will serve as an information source to its members on those issues affecting the industry.

### Pennsylvania Beekeeper Crowned 1997 American Honey Queen;

### Missouri Beef Ambassador Named 1997 American Honey Princess

Emily Anderson, 19, of Red Lion, PA, was crowned as the 1997 American Honey Queen, Jan. 18, during the American Beekeeping Federation's annual convention in Norfolk, VA. She is joined by the new American Honey Princess, 20-year-old Gwendelyn (Wendy) Guthals of Cower, MO. They will serve for the year as honey promoters for the ABF's 1,500 members.

Emily is an active beekeeper; in her acceptance speech she spoke of the thrill of harvesting her own honey from her beehives. She has been promoting



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Pennsylvania honey for the past year. The daughter of Stephen and Brenda Anderson, she is a sophomore at the University of Maryland, majoring in animal science.

Wendy has been promoting beef and honey in her separate roles as Missouri Honey Queen and a member of the Beef Ambassador Program. She is majoring in ag economics at the University of Missouri and has future plans to enter law school. She is the daughter of Doug and Linda Guthals.

The American Honey Queen and American Honey Princess are available to assist in honey promotions in any area of the country. For scheduling information, contact Patty Sundberg, chairman of the American Honey Queen Program, P.O. Box 1126, Columbus, MT 59019, ph. 406-322-5780.

The American Honey Queen Program is a program of the American Beekeeping Federation.

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## News from the National Honey Board

### HONEY BOARD TO UPDATE SUPPLIERS GUIDE

**W**OULDNT IT BE GREAT TO GET INFORMATION ABOUT YOUR COMPANY and its products/services into the hands of food manufacturers, food service industry distributors and international traders? Wouldn't it be even better if this goal could be realized with very little effort and no expense on your part? This will soon be a reality for those who opt for listing in the National Honey Board's 1997 update to its Honey Suppliers Directory.

THE 5½ X 8½-INCH DIRECTORY will have an attractive full color cover. The bulk of the book will be company listings giving considerable detail about the products (different types, sizes and forms of honey) and services (will export) available to potential buyers. Listings in the book will be alphabetical by company name; it also will include a state-by-state index listing company names and page number location. General/introductory information will be included: a description of the Honey Board, the Honey Hotline number, descriptions of the different forms of honey and conversion factors.

THE HONEY SUPPLIERS DIRECTORY WILL BE DISTRIBUTED at both domestic and international trade shows in which the Honey Board participates as well as in fulfillment of requests the Honey Board receives weekly via phone calls, faxes and letters.

LISTING IN THE HONEY SUPPLIERS DIRECTORY IS LIMITED to honey handlers (producer-packers, packers and importers) who have reported to the National Honey Board their honey purchasing or packing activity for 1996. Handlers who wish to be listed in the directory should be capable of fulfilling high-volume orders.

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QUALIFIED HONEY HANDLERS ARE INVITED to complete an application and return it to the Honey Board by mail or fax by April 4, 1997. Please feel free to call Gretchen Lichtenwalner at 800-553-7162 if you have any questions, but be sure not to miss this opportunity!

## Mann Lake & Rutgers University Apply for Formic Acid Approval from the EPA

**M**ann Lake and Rutgers University have applied to the EPA for approval to amend the EPA listing on formic acid to allow its use on honeybees to control tracheal mites. There have been a number of studies using formic acid to control tracheal mites which have had very promising results. Here follows the boiler plate listing and information on how to respond on this issue. Please pardon the small type, but Federal "legal-speak" is a bit wordy and we have a lot to fit in this issue.

[Federal Register: February 5, 1997 (Volume 62, Number 24)]

[Proposed Rules]

[Page 5370-5373]

>From the Federal Register Online via GPO Access [wais.access.gpo.gov]

ENVIRONMENTAL PROTECTION AGENCY 40 CFR Part 180

[OPP-300451; FRL-5584-6]

Formic Acid; Proposed Tolerance Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish exemptions from the requirement of a tolerance for residues of the biochemical pesticide formic acid in or on honey and beeswax when used to control tracheal mites in bee colonies and applied in accordance with accepted apian practices.

DATES: Comments, identified by the docket control number [OPP-300451], must be received on or before March 7, 1997.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public record by EPA without prior notice. The public record is available for public inspection in Rm. 1132 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppdocket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket control number, [OPP-300451]. No CBI should be submitted through e-mail. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in unit IV. of this preamble.

FOR FURTHER INFORMATION CONTACT: By mail: Diana M. Horne, c/o

Product Manager (PM) 90, Biopesticides and Pollution Prevention Division (7501W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 5-W57, CSI, 2800 Crystal Drive, Arlington, VA, (703) 308-8367; e-mail: home.diana@epa-mail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of August 6, 1996 (61 FR 40841), EPA issued a notice (FRL-5389-1) that IR-4, Cook College, P.O. Box 231, Rutgers, The State University of New Jersey, New Brunswick, NJ 08903-0231, on behalf of Mann Lake, Ltd., County Road 40 and First St., Hackensack, MN, 56452, had submitted pesticide petition (PP) 6E4700 under section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA) 21 U.S.C. 346a, proposing to amend 40 CFR part 180 by exempting tolerances for residues of the biochemical pesticide formic acid in or on honey and beeswax. This document represents an EPA proposal to establish exemptions from the requirement of a tolerance for residues of the biochemical pesticide formic acid in or on honey and beeswax, when applied as a honeybee miticide in accordance with accepted apian practices. EPA is proposing this regulation pursuant to section 408(e)(1)(B) of FFDCA.

#### I. Background and Statutory Authority

The Food Quality Protection Act of 1996 (FQPA) (Pub. L. 104-170, 110 Stat. 1489) was signed into law August 3, 1996. FQPA amends both the FFDCA, 21 U.S.C. 301 et seq., and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 et seq. The FQPA amendments went into effect immediately. Among other things, FQPA amends FFDCA to bring all EPA pesticide tolerance-setting activities under a new section 408 with a new safety standard and new procedures.

New section 408(c)(2)(A)(i) allows EPA to establish an exemption from the requirement of a tolerance only if EPA determines that the exemption is "safe." Section 408(c)(2)(A)(ii) defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water, but does not include occupational exposure. Section 408(c)(2)(B) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing an exemption and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue..." and specifies factors EPA is to consider in establishing an exemption. Section 408(c)(3)(B) provides for circumstances where no need exists for a practical method for detecting and measuring levels of pesticide chemical residue in or on food.

In light of FQPA, EPA is engaged in an intensive process, including consultation with registrants, States, and other interested stakeholders, to make decisions on the new policies and procedures that will be appropriate as a result of enactment of FQPA. This process will generally delay the review of food use applications, particularly those involving exposure to children. EPA will publish a notice in the Federal Register soon summarizing the requirements of FQPA, indicating how EPA intends to meet those requirements, and describing actions necessary to assure that EPA complies with the law. However, EPA also intends to continue to issue tolerances and exemptions in the interim pending publication of that notice. EPA also intends to issue interim guidance to States and others on how EPA will implement section 408 in the near future.

In deciding to issue tolerances and exemptions early in the process of FQPA implementation, EPA recognizes that it will be necessary to make decisions about the new FFDCA section 408, including the new safety standard. In establishing tolerances and exemptions during this interim period before EPA makes its broad policy decisions concerning the interpretation and implementation of the new section 408, EPA does not intend to set precedents for the application of section 408 and the new safety standard to other tolerances and exemptions. Rather, these early tolerance and exemption decisions will be made on a case-by-case basis and will not bind EPA as it proceeds with further rulemaking and policy development. EPA intends to act on tolerances and exemptions that clearly qualify under the law.

#### II. Risk Assessment and Statutory Findings

Consistent with section 408(c)(2)(B), EPA has reviewed the available scientific data and other relevant information in support of this action. Formic acid occurs naturally in honey at levels up to 138 parts per million (ppm), with natural concentrations found most often in the 9 to 100 ppm range, depending upon the source of the nectar. It is also a natural component of cheeses (9 to 28 ppm), peaches (6.5 ppm), and other foods. In addition, the product label requires that formic acid treatment be discontinued at least 4 weeks before the beginning of surplus honey flow. This will effectively discontinue formic acid use 6 weeks before honey harvest. Residue studies suggest that this interval is sufficient to preclude residues of formic acid above background levels naturally found in honey. The U.S. Food and Drug Administration (FDA) permits formic acid to be used as a synthetic flavoring agent in foods (21 CFR 172.515), and has included ethyl formate in its listing of substances (21 CFR 184.1295) added directly to human food, which have been found to be Generally Recognized as Safe (GRAS).

EPA has reviewed the toxicology data base for formic acid and has sufficient data to assess the hazards and to make a determination on aggregate exposure, consistent with section 408(c)(2), for the exemption from the requirement of a tolerance. EPA's assessment of the exposure, including dietary exposure, and risks associated with establishing this exemption follows.

#### A. Toxicological Profile

The mammalian toxicological data considered in support of the exemption from the requirement of a tolerance for formic acid include the following studies available in the published literature: Acute oral LD<sub>50</sub> studies in rats, mice, and dogs; acute inhalation studies in rats and mice, eye and skin irritation studies in rabbits, subchronic inhalation studies in rats and mice, and an Ames/Salmonella mutagenicity assay with and without rat liver S9 activation.

The results of these studies indicate that formic acid has very low toxicity by the oral route. Formic acid has an acute oral LD<sub>50</sub> of 1,100 mg/kg in rats; 700 mg/kg in mice; and 4,000 mg/kg in dogs. However, formic acid is a severe eye irritant, and corrosive to the skin. The inhalation LC<sub>50</sub> is 15 gm/m<sup>3</sup>-SUP>3 in rats and 6,200 mg/m<sup>3</sup>-SUP>3 in mice. At 100 ppm the vapors are "immediately dangerous to life and health" for humans, causing respiratory irritation, tearing, coughing and headache followed in 6 to 8 hours by pulmonary edema, dizziness, frothy expectoration, and cyanosis (bluish skin discoloration due to lack of oxygen in the blood). Breathing lower concentrations over time can lead to erosion of the teeth, local tissue death in the jaw, bronchial irritation with chronic cough, frequent attacks of bronchial pneumonia, and gastrointestinal disturbances. The OSHA standard for occupational exposure is 5 ppm. Formic acid was not mutagenic in the Ames/Salmonella assay.

#### B. Aggregate Exposure

The potential dietary exposure of the general public to formic acid residues resulting from its use in bee hives for the control of tracheal mites is not expected to raise background levels naturally found in honey and beeswax. In general, other potential sources of exposure to pesticide residues are those found in drinking water and exposure from residential uses of pesticides. Since this use of formic acid is not expected to result in environmental residues of any kind, and since there are no other registered pesticidal uses of formic acid, either residential or otherwise, exposure from these additional sources is not expected. The public is exposed to formic acid through its use as a direct food additive and because, as mentioned, it is a naturally occurring substance in honey (and other foods).

Because of the very low oral toxicity of formic acid and because of the fact that its presence in the diet is, for the most part, as a naturally-occurring food ingredient, EPA does not believe that there is any reason to be concerned about the potential for cumulative effects of formic acid and other substances that have a common mechanism of toxicity.

#### C. Safety Determinations

1. U.S. population in general. Formic acid occurs naturally in honey at varying levels depending upon the nectar source available to the bees. Data from oral studies shows formic acid to be of very low toxicity. The FDA allows the use of formic acid as a synthetic flavoring agent in foods, and has listed ethyl formate as GRAS. This use of formic acid is permitted only if the level in food of the added formic acid is far below the natural background levels of formic acid in honey. Use of formic acid against bee mites according to label directions is not expected

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to raise residues above background levels naturally occurring in honey and beeswax, or result in environmental residues of any kind. In addition, there currently exist no other registered pesticidal uses of formic acid.

Because there are essentially no residues resulting from the proposed pesticidal use, EPA believes there are no dietary risk concerns with such use. Further, even taking into account natural sources of formic acid in the diet and formic acid's use as a food additive, EPA has concluded that aggregate exposure to residues of formic acid in food over a lifetime will not pose appreciable risks to human health. Thus, EPA finds that there is a reasonable certainty that no harm will result from aggregate exposure to formic acid residues. Accordingly, EPA determines that exempting formic acid from the requirement for a tolerance is safe. However, given the corrosive nature of formic acid, as it is applied in the beehive, potential acute effects resulting from occupational exposure are of concern to the Agency and will be addressed by precautionary labeling required for registration.

2. Infants and children. EPA has determined that the toxicity and exposure data are sufficiently complete to adequately address the potential for additional sensitivity of infants and children to residues of formic acid. For the reasons given above, EPA concludes that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to formic acid residues.

D. Other Considerations

The Agency proposes to establish exemptions from the requirement of a tolerance without any numerical limitation; therefore, the Agency has concluded that analytical methods are not required for enforcement purposes for formic acid.

E. Response to Comments

Four comments were received in response to the notice of the petition. Three of the commenters urged the Agency to proceed with registration and to grant the tolerance exemption for formic acid. The emergency situation which exists among apianists nation-wide due to the impacts of tracheal mites on bee survival and honey production was cited in support of the registration and tolerance exemption. In addition, it was noted that formic acid is currently used in parts of Europe and in Canada, and that tons of European honey are imported into the United States annually. Finally, it was noted that formic acid is naturally occurring in honey to a variable degree, depending upon the source of the nectar. One commenter expressed concern regarding impacts of formic acid on bee egg hatchability, larval survivability, and bee behavior, noting a lack of studies designed to assess these potential impacts. Although these last comments relate primarily to whether the pesticide should be registered under FIFRA, EPA will explain here its response. The Agency is aware of formic acid use experience in Canada, where dehydrated eggs, dead young larvae, and dead queens were observed, when 85 percent formic acid was applied, or when application occurred at extremely high temperatures. However, minimal negative impact was noted when 65 percent formic acid was applied. Proposed label statements warn of potential queen rejection and a possible slight increase in bee mortality if formic acid is applied at temperatures above 90 deg. F. Finally, section 6(a)(2) of FIFRA requires the registrant to submit to the Agency any factual information regarding unreasonable adverse effects on the environment that might be caused by a registered pesticide.

F. Conclusion

Based on the information and data considered, EPA proposes that the exemptions from the requirement of a tolerance be established as set forth below.

III. Public Comments

Under FFDCA, section 408(e)(2), EPA must provide for a public comment period before issuing a final tolerance or tolerance exemption under 408(e)(1). The public comment period is to be for 60 days unless the Administrator for good cause finds that it is in the public interest to reduce that comment period. Based on several factors, EPA believes there is good cause for reducing the comment period on these exemptions. First, notice was already provided, in accordance with the FFDCA prior to its recent amendment, for the exemption for formic acid. The Agency believes that the comments received in response to that notice have been adequately addressed. In addition, residues resulting from this use of formic acid are not expected to exceed background levels naturally found in honey and beeswax. Given the emergency situation that currently exists among

beekeepers regarding bee mortality resulting from tracheal mite infestations, the Agency is allowing a 30-day instead of a 60-day public comment period for these proposed tolerance exemptions.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the docket control number, [OPP-300451]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch at the address given above from 8:30 a.m. to 4 p.m., Monday through Friday, except legal holidays.

IV. Public Docket

A record has been established for this rulemaking under docket control number [OPP-300451] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA 22202. Electronic comments can be sent directly to EPA at: opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

V. Regulatory Assessment Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and, since this action does not impose any information collection requirements as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., it is not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement explaining the factual basis for this determination was published in the Federal Register of May 4, 1981 (46 FR 24950).

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 28, 1997. Janet L. Anderson, Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR Chapter I be amended as follows:

PART 180-- [AMENDED]

1. The authority citation for part 180 is revised to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By adding new Sec. 180.1178 to read as follows:

Sec. 180.1178 Formic acid; exemption from the requirement of a tolerance.

The biochemical pesticide formic acid is exempted from the requirement of a tolerance in or on honey and beeswax when used to control tracheal mites in bee colonies, and applied in accordance with accepted apian practices.

[FR Doc. 97-2712 Filed 2-4-97; 8:45 am] BILLING CODE 6560-50-F

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## Calendar of Events

March	3	Southern Oregon Beekeepers
	6	Tillamook Beekeepers
	8	Lane County Bee School, Lane Fairgrounds, Eugene
	11	Lane County Beekeepers
	12	Tualatin Beekeepers
	13	Portland Beekeepers
	17	WVBA BEE SCHOOL, Part 1
	21	Coos County Beekeepers
	24	WVBA BEE SCHOOL, Part 2
	31	WVBA BEE SCHOOL, Part 3 & Meeting
April	3	Tillamook Beekeepers
	7	Southern Oregon Beekeepers
	8	Lane County Beekeepers
	9	Tualatin Beekeepers
	10	Portland Beekeepers
	18	Coos County Beekeepers
	26	OSBA/Portland Field Day Bee School
	28	Willamette Valley Beekeepers
August	9	OSBA Summer Picnic Salem
Oct. 30- Nov. 1		OSBA Fall Conference



# FLOODS WASH OUT WASHINGTON BEES

YAKIMA, Wash — The wall of water that gushed into California's Tuolumne River Valley last month devastated Washington beekeepers whose honeybees were pollinating the almond crop there.

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*(Statesman Journal, Feb 25, 1997)*

Anyone with information on this or on other reports of flooding problems in California, please contact Ron Bennett at The BeeLine.

## OREGON STATE BEEKEEPERS ASSOCIATION

Financial Summary 1996

REVENUE		DISBURSEMENTS	
Dues	2195.34	BeeLine	3193.70
Ads (BeeLine)	1151.00	Magazines	690.50
Magazines	715.05	*Donations	1062.00
Donations	45.00	4-H premiums	360.00
Fall Conference	5906.50	State Fair	236.54
ABF	600.00	Fall Conference	3015.29
Spring meeting	122.67	ABF meeting costs	117.00
Misc.	13.25	Summer meeting	175.00
	10748.91	Insurance	199.00
		Misc.	80.47
			<u>9129.50</u>

Checking acc't balance 1/1/96	4904.03
Income	10748.91
interest	81.26
Disbursements	<u>9129.50</u>
CASH ON HAND - 12/31/96	6604.70

- \* \$250 - annual donation to OSU honeybee lab
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