

# WHERE ARE WE GOING?

## And what's with this handbasket?

Jim Fischer

### The law that allows bees in, keeps Inspectors out!

Remember the poem *The Rime of the Ancient Mariner* from school? Reading it again may prove instructive in light of recent changes to U.S. bee regulations. If poetry is not your thing, the band *Iron Maiden* did a musical version in the 1980s, a better summary of the story than most textbook attempts.

If you're wondering what classical literature or an aging heavy-metal rock group have to do with beekeeping, recall that the poem is a saga about unintended consequences. Killing an albatross initially appears to save a ship lost in snow and fog, but ultimately results in disaster for the ship and crew.

In the situation at hand, the unintended consequences are more an onerous burden than a disaster. But, like the mariner in the poem, we will be forced to wear an albatross around our necks.

#### Clauses and Effects

U.S. membership in the World Trade Organization (WTO) obligates the U.S. to accept imported "goods," subject to only a very limited set of negotiated controls. In return, U.S. export goods get similar treatment. This sounds reasonable until one realizes that live bees are considered "goods," entitled to no special consideration.

If you're thinking, "Booooring." or "Where's the consequences?" then you haven't thought it through slowly enough. Let's hear what Dr. Wayne Wehling of the USDA Animal and Plant Health Inspection Service (APHIS) says about the impact of the new WTO-compliant bee import rules:

*The new Federal Bee regulations preempt state laws on restricting imports of bees.*

Did that catch your attention?

While all state apiary laws are not instantly preempted, we will be forced to choose over time to either eliminate most of our current beekeeping regulations, or standardize on strict nationwide rules. In the interim, we must decide which of us will be treated unfairly.

The immediate impact is that while state apiarists are required to regulate domestic queen and package shipments, they will have no such control over imports from other countries. Moreover, the new standards "are no less rigorous than any international standards," which means standards are much more lax than existing state rules.

This isn't a dilemma; it's a TRI-lemma, with three ways to lose:

1) U.S. bee producers must comply with existing state requirements, but must now compete with foreign producers who can ignore state apiarists and ship bees earlier in the season than anyone except Hawaiian bee producers.

2) State apiarists must now blindly trust inspections done on the other side of the planet, or scrape up funding to inspect these shipments after they arrive in their states. Recall, these bees will be "certified" by inspectors who were unable to detect *Varroa* (in New Zealand) and Small Hive Beetle (in Australia).

3) Anyone who purchases imported bees is stuck if the bees turn out to be diseased or infested.

Given budget crunches in almost every state, "user fees" may be required for on-site inspections, and who pays for the cost of controlling any outbreaks caused by the imports? This brings new meaning to the old phrase "buyer beware."

#### Why Not "Just Say No?"

Well, because we must admit that a few among us may want to "give the bees a try," even if Canadians were so dissatisfied with bees from New Zealand and Australia that they lobbied their government to resume admitting bees from the U.S. We cannot dismiss the imports as "insignificant," even if the number of shipments is tiny.

Recall that African bees spread from a single researcher's apiary in Brazil.

Connect the dots.

#### Over The Long Haul

The basic problem is that WTO rules do not recognize individual state-level efforts as valid. We must have a "national surveillance program" to be able to make any statements about which diseases and pests are present in the U.S., and which are not, let alone declare any area free of a pest or disease.

If you read *Honey Bee Pests, Predators, and Diseases*, an A.I. Root book that gets depressingly thicker with each new edition, you can make a very short list of what problems are found in the U.S., and a very long list of the problems found elsewhere on the planet.

While most known pests and diseases are not found in the U.S., we have no current proof sufficient to satisfy the WTO that this is the case. To make matters worse, the President and Senate approve treaties, while Congress approves spending, so we can't even tell Congress "you broke it, so you fix it."

We have to go hat in hand and beg for money to protect vague concepts like "biosecurity" and "the future of beekeeping." APHIS representatives say that they warned both national beekeeping organizations in clear terms about this at their annual meetings in 2000 and 2001, but perhaps everyone was too preoccupied with the future of the Honey Board to pay attention to minor details like the future of U.S. beekeeping itself.

#### Why Not Simply Trust Exporters?

Apiary regulations in the U.S. are designed to be independent of trust. This is a good thing, as you

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# "How much would you have done to keep *Varroa* out of the U.S. if you had the chance? How much must you now do because of *Varroa*?"

don't have to trust me to be a good beekeeper, or to be honest. You don't even have to know me. If I want to ship or bring bees to your state, I have to be inspected by impartial inspectors who have no interest in my agenda, and their decisions are final.

Meanwhile, NZ Trade Negotiations Minister Jim Sutton was quoted by the Australian Broadcasting Corporation on November 8th as saying:

*"...the [U.S.] Agriculture Department... has decided New Zealand bees pose no threat,"*

But what was really said was that WTO membership forces the U.S. to allow the shipments *regardless* of the threats posed. But the bees may be shipped if, and only if, the bees and apiaries from which they come pass specific inspections and tests *within 10 days* of shipment to meet WTO "SPS guidelines," and thus reduce the threat.

## Adapt Or Die

If we can agree that some level of regulation is for the good of beekeepers everywhere, there is something that can be done. We need a "national veterinary authority" to satisfy WTO requirements, as our current state-level scheme is "incomplete," an accurate assessment given the budget cutbacks that have decimated many state inspection programs. To accomplish this, we need to:

- 1) Convince Congress to fund federal tracking of the incidence of bee diseases and pests so we can at least firmly state which pests and diseases are not here.

- 2) Modify current state-imposed quarantines to make them national quarantines, so we can at least refuse imports harboring pests that some areas may already have, but no one anywhere wants more of – like Small Hive Beetle and African bees.

## Truce Or Consequences

Item "(3)" in the list is the most difficult. Learn how to form consensus and compromise. This means first admitting that no single organization represents more than their own voting members, and that only a unified coalition of groups can claim to represent "U.S. beekeepers."

While we need ongoing APHIS involvement, we need to keep them on a short leash. Recall the "Citrus Canker" program in Florida to see how "disease control" can become draconian. There, even healthy citrus trees on private property were destroyed without either notice or right of appeal just because they might be diseased.

The risk inherent in inaction should become more clear when you realize that Argentina is trying to pull the same trick as New Zealand and Australia, demanding "market access" for their bees. They are leveraging the U.S. preoccupation with bigger trade issues to force the U.S. to allow imports without even identifying any actual beekeepers who want to buy their bees. Since the U.S. doesn't have a national quarantine we cannot refuse shipments of African bees from Argentina.

## Profit Only?

Profit seems the only motivation to air freight live bees from the other side of the planet. The U.S. is not without leverage, however. Right now, U.S. bee researchers feel that it is their obligation to provide genetics, breeder queens, and technical assistance at no cost to researchers in all other countries. Perhaps we shouldn't give away valuable technology to countries who put profit before Common sense. There can be significant leverage inherent in "agricultural technology." Cargill and ADM learned it long ago, which is why they have corporate jets, and

we don't.

Am I overreacting? How much would you have done to keep *Varroa* out of the U.S. if you had the chance? How much must you now do because of *Varroa*? What are you willing to do to keep the next problem out of the western hemisphere? Sometimes, one is forced to compel cooperation and understanding by being just as uncooperative as the other fellow just to catch his attention.

## We Hafta Think About NAFTA

"NAFTA" is a trade agreement between Canada, the U.S., and Mexico. Its rules are even more lax than WTO rules. It is only a matter of time until someone overwinters bees in Mexico, pollinates almonds in California and moves to the fertile valleys of British Columbia for honey. Currently, Canada isn't going to allow "bees on comb" from the U.S. any more than the U.S. will allow them from Mexico, but NAFTA is all about "enhancing trade," no matter the collateral damage.

## Thinking Outside The 16-1/4 x 19-7/8 x 9-5/8 Inch Box

We'll probably not ever be able to justify the cost of national surveys, but we may find a cheaper solution in Europe's approach. The EU inspects the actual imports themselves, removing and analyzing queen cage attendants. This has to be cheaper than trying to find these problems after-the-fact in hives in the field. It certainly seems more cost-effective, as it is unlikely that such bee shipments will become very common. We gather samples from each package that enters, too, and run them through some lab tests. This would not restrict trade and may not even allow us to "refuse imports," but it *would* allow specific problem shipments to be detected and destroyed, and apiaries receiving the problems to be identified and decontaminated.

But we can't continue to ignore this in hopes that it will all go away or somehow fix itself. We never get what we deserve, we only get what we negotiate. **BC**

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*James Fischer keeps bees in Virginia, and reads trade agreements to cure his insomnia.*