

# Stahlman Beekeeping Notes for 2022

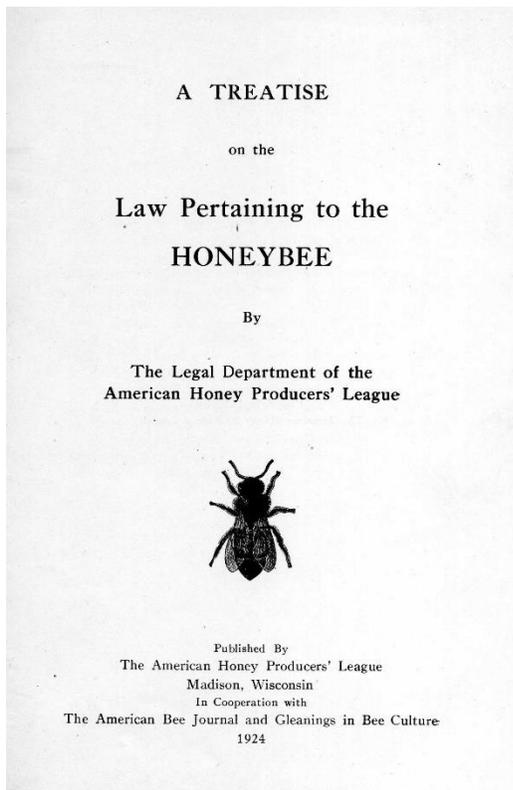
Liability – Injuries by Bees



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I just love to spent time with former beekeepers I have mentored. A lot of topics come up during these conversations. During these conversations ideas begin to form in my mind. Thus, this week's article will address several things that 2<sup>nd</sup> year beekeepers are dealing with.

As beekeepers we are happy sharing our bees with friends!



One is moving bees to a new bee yard where the person wanting bees has an orchard with a number of trees coming into bloom. Not a big orchard but the owner would like to have a few hives permanently placed and would also like to learn how to keep bees.

The bees as I understood it would be placed in a field away from the family home. A fence was built around the apiary site.

What would happen if someone gets stung by my bees?

I am not a lawyer and I am in no position to give legal advice!

I do have a copy of a book written almost 100 years ago about the Law Pertaining to the Honeybee.

In my experience I have never had an issue regarding my responsibility regarding my bees. I have had to move bees for various reasons because they were placed where someone did not want them.

I did attend a meeting of the South Carolina Beekeeper Association back in the 1990's. I am not sure of the year but one session covered legal topics by an attorney. As I recall, he talked a lot about neglect and a comment he made about bee sting therapy. He advised against beekeepers applying bee stings to help people who sought them out for treatment of diseases (reports that people with ----- could be helped by bee stings).

He said, "I would love to have someone a beekeeper treated--someone that had an allergic serious life threatening reaction to a bee sting -- become a client." He added, "I would own their home!" The reason he cited was -- they were practicing medicine without a license. I also recall a case where a coach had given pollen capsules to wrestler's he was coaching. One of the kids had a serious reaction to the pollen. As I recall, the coach was fired.

This book on bee law was written years ago but laws seldom change. I have heard it said, "Anyone choosing to be his own lawyer is a fool!"

Let's think about the question I was asked: What would happen if someone gets stung by my bees?

This is a page from the book on Liability and it discusses negligence on the part of the owner either in the location of the hives or in the manner of these manipulations.

### CHAPTER III.

#### LIABILITY FOR INJURIES BY BEES.

##### Section 19.—Basis of the Liability.

All of the authorities make it clear that the true basis of liability for injuries done by bees is negligence on the part of the owner either in the location of the hives or in the manner of their manipulation.<sup>53</sup> Attempts have been made to impose a liability on the owner at all events for injuries done by his bees, but Judge Selden, in *Earl v. Van Alstine*,<sup>54</sup> made it so clear that there could not and should not be a liability at all events, and that the liability must depend upon negligence, that the Courts have very generally followed it. The contention was made in this case that, as bees are classed as *ferae naturae* for the purpose of ownership, they should also be so classed for the imposition of liability for injuries done by them. The learned

**So what is negligence?**

**Any beekeeper keeping honey bees in an unlawful manner is negligent. That South Carolina lawyer advised some of the following:**

**If your state requires registration of hives ..... Register them as required by law.  
If you place bees on property not owned by you, get in writing permission to keep bees from the owner of the land.**

**Place warning signs that honeybees sting and avoid the area around the bee hives.**



Some kind of warning sign will provide some evidence that the beekeeper was giving individuals too close to bee hives a “fair warning.”

## Working Hives

Working bees near others may give someone a chance to claim negligence on the part of the beekeeper. It is all in the way others might interpret a beekeeper's actions if bees become aggressive.

I remember talking to Paul Jackson, the Texas state apiarist in 1995, at the EAS Meeting in Wooster, Ohio. He shared a good story with me as we talked inspecting bees.

It seems a neighbor of a beekeeper was agitated with the bees in the neighbor's yard. He reported getting stung a lot and finally Paul was called in to check to see if the beekeeper was creating a problem. Paul said the person keeping the bees was not registered as required by Texas law. He knocked on the beekeeper's door and introduced himself.

He noticed that there were hives in this guy's yard that were quite easy to see. He was not hiding them. Paul asked the guy answering the door if he owned the hives. He answered, “Sure they are my hives!”

Then he immediately said, “I know who called you!” And then he asked a question. “Is it legal to own hives if there are no bees in them?” This took Paul back a bit and he knew of no law that made it illegal to own hives without bees! Paul was invited to inspect the hives. The guy dressed up in his bee veil (oh, I need to mention that the neighbor was watching all of this), started his smoker and they headed out to the hives.

Paul didn't know what was just about to happen! The guy smoked the entrances to the four hives he had and then proceeded to open one by again smoking the lid and lifting it. They looked inside the hive. No frames – no bees!

The guy told Paul the neighbor was a pain in the A\_\_! I do this when I see him out in his yard. He yells at me, sticks his finger up at me, and calls the zoning people on me all the time. He has claimed my bee's sting him often and even threatened to file a lawsuit.

Paul did not share with me what happened following his inspection. I could only guess.

The important point is this: If your hives stand out, you will be responsible in your neighbor's mind that any bee sting came from your hives. Most people like bees but there are a few neighbors that can make life a living hell!

According to this book, "The liability of the owner must depend upon negligence and courts have generally followed it."

Thus, beekeepers are responsible to manage bees and to not cause an obvious problem to neighbors enjoying their own property. This is why many governments have restricted honey bees to a limited number on a property. Some HOA's don't allow bees at all! Still issues arise with a person keeping honey bees near hot tubs and swimming pools.

My solution has always been to move my bees before an issue becomes an issue.

I had an interesting event happen while I was working bees this week. My wife who goes to the beeyard with me has been stung a number of times. The general reaction is some swelling around the sting and some pain.

She was stung on her lip. Now I need to share being stung on a tender lip is painful as is a sting up ones nose. Stings like that are avoidable by wearing a veil. I just happen to be a beekeeper that works without my veil most of the time. My wife also walks among the bees without a veil – but a sting on the lip may change all that.

The normal reaction to a sting is swelling. A sting to any part of the face is going to affect how a person looks. A sting to a lip will affect how you can drink and eat. Fortunately swelling generally goes away in two or three days.

I always have been told to give Benadryl to help reduce swelling and pain for a bee sting.

I am now aware that might be the wrong thing to do. My wife after the second day was not in a lot of pain – still some but she started having some strange balance problems. In fact, it was so noticeable that I took her to the hospital.

Going to the emergency entrance was an experience in itself. The questions asked boiled down to a bee sting. Can you breathe? "Yes!" Do you have blurred vision? "No!" Are you in a lot of pain? "No!" Take a seat and someone will be with you shortly.

Shortly was at least 30 minutes later and an admission person took us to an examination room and more questions. The most important was "What have you taken for the bee sting?" "Benadryl" The next question, "How Many?" My wife indicated one yesterday and one about every four hours since she got up in the morning. This was mid-afternoon which meant at most four. An hour later the doctor examined her.

Looking over her vital signs – blood pressure, heart rate, temperature – nothing seemed alarming to him except the Benadryl! Her blood pressure was a little high but not dangerously so. She was very unsteady on her feet. They immediately put a yellow wrist band on her as being a fall hazard. The doctor ordered an IV and the nurse gave her a shot of something and then someone showed up with a monitor to get all vital signs registered on a roll of paper.

I was not too alarmed with the sting at the time she was stung. Swelling happens! She didn't seem to be in a lot of pain but her mouth was a bit disfigured – to the point it wouldn't be a good idea to go out in public. But this doctor indicated my wife was suffering from the side effects from the Benadryl!

I have decided to include them in this article because it might be possible that someone else might run into a similar problem. I have marked the items that my wife displayed.

## Interactions

### Warnings

- May cause drowsiness. Alcohol and marijuana may intensify this effect. Use care when operating a vehicle, vessel (e.g., boat), or machinery.
- **May cause dizziness**
- May cause blurred vision

If any of these effects persist or worsen, tell your doctor or pharmacist promptly

- **Drowsiness**
- **Dizziness**
- Constipation
- Stomach upset
- Blurred vision
- Dry mouth/nose/throat

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Tell your doctor right away if you have any serious side effects, including

- Mental/mood changes
- Difficulty urinating
- Fast/irregular heartbeat

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Get medical help right away if you have any very serious side effects, including

- **Seizures**

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A very serious allergic reaction to this drug is rare. However, get medical help right away if you notice any symptoms of a serious allergic reaction, including

- Rash
  - Itching/swelling
  - Severe dizziness
  - Trouble breathing
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**Other things to note**

- To relieve dry mouth, suck hard candy or ice chips, chew gum, drink water, or use a saliva substitute.
- If your doctor has directed you to use this medication, remember that he or she has judged that the benefit to you is greater than the risk of side effects. Many people using this medication do not have serious side effects.