

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
NCDA FOOD AND DRUG PROTECTION DIVISION  
AND THE  
NCDA PLANT INDUSTRY DIVISION

This Memorandum of Understanding (MOU) establishes an agreement between the Food and Drug Protection Division and the Plant Industry Division of the North Carolina Department of Agriculture with regard to performing sanitary inspections of Beekeepers/Honey Processors. The MOU will eliminate the need for duplicate inspections of an industry by two divisions of the North Carolina Department of Agriculture and will enable the Plant Industry Division to more fully utilize the expertise of the apiary inspectors.

The Plant Industry Division has the North Carolina Bee and Honey Act of 1977 and specific regulations (Title 2, NCAC Chapter 10B) which pertain to the Beekeeping Industry. Additionally, Plant Industry apiary inspectors work directly and frequently with the Beekeepers/Honey Processors. Plant Industry apiary inspectors presently perform inspections to ensure that bee colonies are healthy and free of disease(s) which could be harmful to bee colonies and undermine the bee industry. Although apiary inspectors have not been performing sanitary inspections of processing areas, they have been encouraging good "honey house" sanitation. Good sanitation practices have been encouraged and for the most part followed because they reduce the incidence of bee disease and make for healthier bee colonies.

To assist the apiary inspectors in performing sanitary inspections and to ensure uniformity this MOU contains inspectional guidelines which conform to the laws and regulations (N. C. Food, Drug and Cosmetic Act and Title 2 NCAC Chapter 9) which govern the actions of the Food and Drug Protection Division.

Specifically, the North Carolina Food, Drug and Cosmetic Act is a regulatory law designed to ensure public protection. It provides rules of conduct for the manufacture, production, processing, packaging, and storing of food, drugs and cosmetics. The Act is broad and gauges the levels of practical, reasonable compliance not by a set of sharply precise "Do's" and "Don'ts", but by a concept of what is or is not "good commercial practice".

Inspections of Beekeepers/Honey Processors shall be made to ascertain that:

1. The surroundings around the honey processing and packaging area are sanitary (free of standing water, waste, refuse, uncut weeds, etc.);
2. There is a safe and ample water supply;
3. Toilet facilities are available, adequate and clean;
4. Equipment is suitable for intended use, properly maintained, clean and sanitary;
5. Processing methods are sufficient to prevent adulteration;
6. The facility is free of rodents, insects and birds;
7. Products are stored under correct conditions; and
8. Products comply with packaging and labeling requirements.

Apiary inspectors should inspect to ensure that honey is not being adulterated with other sugars. Products which are sold or represented to be honey must be labeled as follows:

- (1) The common or usual name "honey" must appear on the label. A floral source such as sourwood, clover, etc., may be a part of the name provided the product contains a significant quantity of pollen from that flower.

- (2) The name, address and zip code of the manufacturer, packer, or distributor must also appear on the label.
- (3) A declaration of net contents must appear in the lower 30 percent of the label panel expressed as weight such as "Net wt. 30 oz. (1 lb. 14 oz.)".

Since honey is a product made by bees with no added ingredients, an ingredient list is not required. Honey that contains other sugars must be labeled "Table Syrup" and an ingredient listing is required.

So long as this MOU is in effect, the Food and Drug Protection Division will abstain from performing independent inspections of Beekeepers/ Honey Processors. The Food and Drug Protection Division will assist the Plant Industry Division as needed to ensure:

1. That honey is processed under sanitary conditions;
2. That honey is free of adulterants; and
3. That honey is properly labeled.

When situations occur where reasonable compliance based on good commercial practice by apiary inspectors is not being obtained, this information will be reported to supervisory personnel in the Plant Industry Division. This information will be conveyed to the Food and Drug Protection Division, and a joint inspection will be arranged for the appropriate Food and Drug inspector and apiary inspector. Any enforcement action as may be necessary will be carried out by Food and Drug Protection Division personnel.

This Memorandum of Understanding shall continue in effect unless modified by mutual consent of both parties or termination by either

party upon thirty (30) days written notice to the other.

Effective Date of MOU August 10, 1984.

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