



June 11, 2015

Dear Grain Farmers of Ontario Member,

Re: Important notice to farmers who host beekeepers – protect yourself

There have been a number of inquiries from the membership about the legal risk of hosting beekeepers on their land. Concerns have varied from the following:

- Implication of the Class Action suit initiated by the Sierra Club and beekeepers;
- Report of farmers receiving registered letters threatening legal action;
- Question about whether or not to continue hosting beekeepers under new regulatory environment in Ontario that will mean increased use of foliar sprays.

In addition to these inquiries we have had resolutions come forward at the last two general meetings. At the March semi-annual meeting the following resolution was passed:

WHEREAS in the past grain growers and other farmers have had good working relationships with beekeepers based on mutual benefit and respect, and

WHEREAS the majority of beekeepers are still our rational, practical-minded partners in agriculture, and

WHEREAS it has become clear that growers must be more vigilant in ensuring that our on-farm relationships with beekeepers remain based on good science, practicality and mutual benefit.

THEREFORE BE IT RESOLVED that GFO work with our appropriate industry partners to develop a toolbox growers can use in working with our local beekeepers to ensure that those whom we welcome onto our farms and partner with are working toward mutually beneficial purposes, with that toolbox possibly including, but not limited to, criteria for selecting beekeepers, sample legal agreements, and any other necessary tools.

Grain Farmers of Ontario has consulted legal counsel on the concerns raised – see enclosure. Prior to allowing a beekeeper to house hives on your property, it is recommended that farmer-members seek legal advice and have a signed contract with the beekeeper that protects you and your farm.

To review Ontario's seed treatment regulations, effective July 1, 2015, visit:

<https://www.ontario.ca/environment-and-energy/neonicotinoid-regulations>

Sincerely,

Mark Brock
Chair, Grain Farmers of Ontario

Enclosure: Memorandum from Wilson Spurr LLC Lawyers



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MEMORANDUM

TO: Grain Farmers of Ontario
ATTN: **Barry Senft, CEO**

FROM: Rob Wilson

DATE: June 8, 2015

RE: Beekeepers/Grain Farmer Arrangements

You have advised that historically, beekeepers have placed hives on grain farmer premises on an informal basis with no written contracts.

The new *Pesticide Act* regulations, mandated by the Ontario Government, prohibiting treated seeds will leave most grain farmers with no alternative but to return to traditional spraying for pest control/crop protection.

Grain farmers and knowledgeable beekeepers have expressed concern that such applications may be more harmful to bees than the seed based treatment that has been banned.

It is important that this risk be communicated to and understood and accepted by beekeepers before they are allowed to place their hives on a grain farmer's property.

This will necessitate some form of written documentation whereby the beekeeper accepts all risks to the hive and bees placed on a grain farmer's property and releases the grain farmer from any liability. As discussed, there is no guarantee that such a release would fully protect the grain farmer, nor would it impact on any regulatory breach.

Failing such documentation, grain farmers may have to end these co-operative arrangements with beekeepers or accept the risk themselves. Legal advice should be obtained before any such decisions are made.



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