



STAHLMAN

BEEKEEPING NOTES FOR

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Published free as a public service to anyone interested in honeybees. Email me to be added to my mailing list.

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Bee Stings and Liability

As beekeepers we are happy sharing bees with our friends and neighbors! But on occasion neighbors can be hard to get along with. State Law in North Carolina allows beekeepers to keep bees on their property. However, there are limits. I might also add that registration is not required unless a person is selling bees. This varies from state to state.

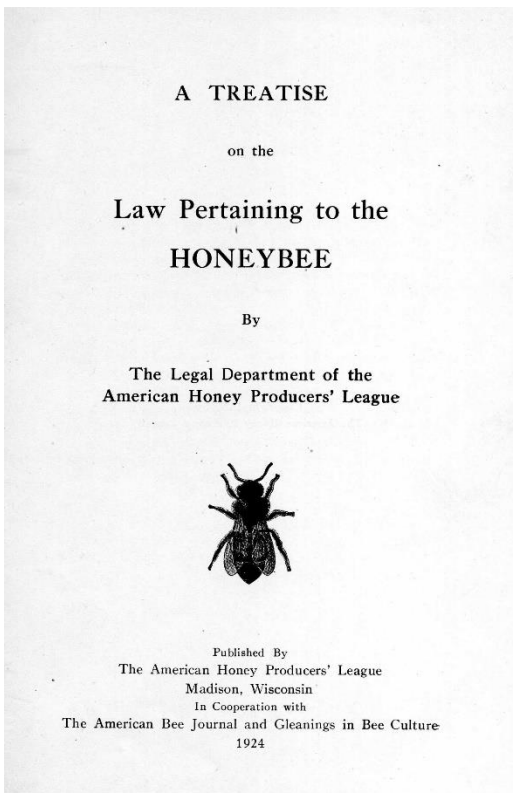
What would happen if someone gets stung by my bees?

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 with my responsibility regarding my bees. I have had to move bees for various reasons because they were placed where someone did not want them. To avoid the hassle with someone who objected to my bees, I moved them – always.

I attended 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 beekeepers against applying bee stings to help people who sought them out for treatment. Many beekeepers give medical advice claiming the good that pollen, or bee stings provide individuals. He said, "I would love to have a case against someone that treated--someone that had an allergic serious life threatening reaction to a bee sting." 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 wrestlers he was coaching. One of the kids had a serious reaction to the pollen. As I recall, the coach was fired.



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 manipulations (working with bees).

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.⁵³ 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*,⁵⁴ 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.

What is negligence?

Anyone 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 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 action if bees become aggressive. Take for example a neighbor having an outdoor gathering in the yard next door. Placing hives on the lot line expose people close to the hives to being stung. Is that Negligence? Juries would make the decision if the case ever got to court. If the beekeeper put up a barrier such as a wall type fence and someone on the other side was stung, would that make a difference in the outcome of a lawsuit? I would even ask the beekeeper this question, have you checked zoning codes and HOA rules when you bought bees and put them in your back yard?

I remember talking to Paul Jackson, the Texas state apiarist in 1995. He shared a good story with me as we talked about inspecting bees. By the way, I was a county bee inspector in Ohio for three years. Some beekeepers do not react kindly when a dispute arises because of bee hives in their back yard.

It seems a neighbor of a beekeeper was agitated with the bees in the neighbor's yard. The neighbor 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.

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 the law 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.



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 was stung a few years ago, but 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 when 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! Not the bee sting!

I have decided to include some of the issues with Benadryl in this article because it might be possible that someone else might run into a similar problem.

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
-

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

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

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

- Seizures
-

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

These are issues some people may experience with a bee sting and they should not be dismissed as unimportant. But this is reported as being a side effect of using **Benadryl** as well.

- **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.**

Think about a neighbor living near your bees who must go to the hospital because they show these allergic reactions. Was it the bee sting or was it the medicine taken to relieve the pain of the sting? Either way, bee stings should be taken seriously. You many find a number of way to help relieve pain from a bee sting but I like to use ice. We all react to pain in different ways. But the greatest mistake is do nothing.

Rash, itching, swelling, pain, and trouble breathing require a beekeeper to act if you are present when a person is stung by your bees. In a Texas case, a beekeeper was held responsible (in a civil court case) for a person's death when he did nothing for the person stung by his bees while he was present and he did nothing (stood around and watched) until it was too late.

I am not a doctor or a lawyer. I cannot legally give advice to anyone, thus the above information is my opinion and of no value in a court of law.