

## Title 7

### AGRICULTURE AND ANIMALS

#### Part XXVII. Agricultural Commodity Dealer and Warehouse Law

##### Chapter 1. Louisiana Agricultural Commodities Commission

##### Subchapter A. General Provisions

###### §101. Definitions

*Adjudicatory Proceeding*—an open public hearing by the commission to determine whether violations of R.S. 3401-3425 or the regulations contained in this Part have occurred. Such proceedings are conducted in accordance with the Louisiana Administrative Procedure Act (R.S. 49:950 et seq.).

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*Scale Ticket*—the document issued to a producer when agricultural commodities are delivered to a warehouse or grain dealer.

*Security*—any financial instrument or document issued for the benefit of or given to the commission by a licensee or participant in any self-insurance fund program authorized by R.S. 3:3402, et seq., as assurance for the fulfillment of the obligations imposed on the licensee by applicable law or regulations.

*Spot or Spot Sale*—a transaction where title to agricultural commodities passes from the producer to the buyer on the day of delivery, in which transaction the producer is paid promptly at the market price established on the day of delivery.

*Storage*—the physical possession by a warehouse, in any manner and/or under any type of fee arrangement, of agricultural commodities belonging to any person other than the owner of the warehouse. The term storage does not apply to a transaction in which title passes from the seller to the buyer upon delivery.

*Temporary Storage*—storage of a commodity for a temporary period of time in a space approved by the commission which does not meet standard requirements for conventional storage.

*Warehouse*—any building, structure, or any other protected enclosure required to be licensed by the commission in which agricultural commodities or farm products are stored for the public for a fee. The term includes facilities which commingle commodities belonging to different owners and facilities which preserve the separate identities of different lots of agricultural commodities.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3402 and R.S. 3:3405.

HISTORICAL NOTE: Promulgated by the Department of Agricultural, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 9:284 (May 1983), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 12:287 (May 1986), LR 19:1300 (October 1993), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:624 (April 1998), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:494 (February 2011); LR 42:

###### §103. Administration of the Affairs of the Commission

A. The officers of the commission shall be a chairman and a vice-chairman, who shall serve for terms concurrent with the commissioner, but may be elected for an indefinite number of terms.

B. After the initial election of officers, the chairman and vice-chairman shall be elected at the commission's regular meeting during the first quarter of each year.

C. In the absence of the chairman at any meeting of the commission, the vice-chairman shall preside.

D. The commission shall hold at least one regular meeting during each quarter of the year, but may meet more frequently upon the call of the chairman.

E. Meetings of the commission shall normally be held in its domicile but may be held at other locations upon the determination of the chairman or the will of the commission.

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~~F. The quorum of the commission is five members.~~

~~G. An affirmative vote of a minimum of five members shall be required for the adoption of any motion.~~ H. There shall be no voting by proxy.

~~I. Rules and regulations of the commission, and amendments thereto, shall be noticed, adopted, and promulgated as required by the Louisiana Administrative Procedure Act.~~

J. The chairman shall designate a hearing officer, who may or may not be a member of the commission, to preside at all adjudicatory proceedings of the commission. The chairman may, if he so desires, serve as hearing officer at any adjudicatory proceeding.

K. The commission shall serve as the hearing body in all adjudicatory proceedings and shall make the final determination with regard to the disposition of all matters coming to adjudication.

L. The director shall provide clerical and other support services as may be required by the commission and shall maintain and distribute appropriate minute records of the commission.

M. No member of the commission shall participate in any discussion or vote concerning any matter before the commission in which such member has a personal or commercial interest.

N. No member of the commission or the staff shall disclose any financial information pertaining to any licensee or applicant for license.

O. The commission may, from time to time, delegate any of its responsibilities to subcommittees appointed by the chairman. Such subcommittees may perform such specific duties as may be assigned by the chairman but all actions of such subcommittees shall be subject to ratification by the full commission.

~~P. Appointed members of the commission shall be entitled to receive a per diem of \$40 and to be reimbursed for mileage expenses in accordance with the same travel regulations applying to state employees.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405.

HISTORICAL NOTE: Promulgated by the Department of Agricultural, Agricultural Commodities Commission, LR 9:287 (May 1983), amended 12:287 (May 1986), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:624 (April 1998), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:494 (February 2011).

## **Subchapter B. Application for Warehouse, Grain Dealer and Cotton Merchant Licenses**

### **§107. Application for License (Initial and Renewal); Time for Filing; Contents; Fees; Style of Document**

A. Applications for renewal of warehouse, cotton merchant and grain dealer licenses shall be received no later than April 30 of each year. Applications for initial license may be filed at any time during the year. For both initial and renewal licenses, the following information shall be furnished on the application form provided by the commission:

A.1. – A.14. ...

15. ~~bond~~ security status of the applicant:

- a. amount of ~~bond~~ security posted;
- b. name and address of issuing company providing the security;
- c. period for which ~~bond~~ the security is written;

A.16-A.24. ...

B. – C. ....

D. Each applicant shall also provide the following information, in addition to completing the required application form and providing a financial statement:

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1. evidence of ~~bond or alternate~~ security which meets the requirements set forth in §115 of this Part (warehouse license applicants), §123.G of this Part (grain dealer license applicants) or R.S. 3:3411.1 (cotton merchant license applicants);

2. evidence of provisional stock insurance which meets the requirements set forth in §117 of this Part (warehouses) or §123 of this Part (grain dealers);

3. copy of Scale Ticket. Applicants who do not use scale tickets in their business operations shall certify to that effect in lieu of filing a scale ticket;

4. applicants who apply under corporate status shall provide evidence of compliance with Louisiana's Corporation Laws.

E. ...

F. All licenses shall signify on the face the following information:

1. name and address of licensee;
2. if a cotton merchant or grain dealer, the location of the principal place of business;
3. if a warehouse, the licensed capacity of the location covered by the license;
4. amount of ~~bond~~ security;
5. term of license.

G – H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405, R.S. 3:3408, R.S. 3:3409, R.S. 3:3410, R.S. 3:3411 and R.S. 3:3411.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 9:289 (May 1983), amended LR 10:75 (February 1984), LR 11:229 (March 1985), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 12:287 (May 1986), LR 19:1300 (October 1993), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:624 (April 1998), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:497 (February 2011); LR 42:

**§109. Grounds for Refusal to Issue or Renew a Warehouse, Cotton Merchant, or Grain Dealer License**

A. The commission may refuse to issue or renew a warehouse, cotton merchant, or grain dealer license in any of the following circumstances:

1. the applicant cannot demonstrate to the satisfaction of the commission that he is competent to operate the business for which the license is sought;

2. the applicant cannot demonstrate a \$100,000 net worth;

3. the applicant has failed to provide all of the information required in the application for licensure;

4. the applicant has previously refused to permit audit of his records;

5. the applicant has not or cannot ~~secure the bond~~ provide the security required by R.S. 3:3401-3425;

6. the applicant has not or cannot secure the insurance required by R.S. 3:3401-3425;

7. if an applicant for a warehouse license: the facilities in which the business will be operated are not suitable for storage of agricultural commodities;

8. if an applicant for a grain dealer license: the applicant has failed to hedge its obligations to producers as required by R.S. 3:3401-3425 and the rules contained in this Part.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405 and R.S. 3:3412.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 9:293 (May 1983), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 12:287 (May 1986), amended by the Department of Agriculture

and Forestry, Office of the Commissioner, LR 24:625 (April 1998), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:499 (February 2011); LR 42:

## Subchapter C. Warehouse Licenses

### §111. Requirements Applicable to All Warehouses

A. – I. ...

J. The warehouse shall meet all bonding security and insurance requirements set forth in §§115 and 117 of this Part prior to issuance of the license. Failure to maintain the required bond security and insurance in full force and effect for the license period shall subject the licensee to revocation of its license.

K. – M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405, R.S. 3:3409, R.S. 3:3410 and R.S. 3:3420.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 9:294 (May 1983), amended LR 11:229 (March 1985), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 19:1301 (October 1993), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:499 (February 2011); LR 42:

### §114. Temporary Storage Facilities

A. Temporary storage facilities may be approved by the commission on a case by case basis. Temporary storage may only be operated in conjunction with an existing, licensed warehouse and the capacity to be approved shall be compatible with the warehouseman's operational and financial capabilities.

B. A warehouseman who desires to store commodities in temporary storage shall make written application to the commission for approval of temporary storage prior to placing any commodity in temporary storage. The warehouseman shall advise the commission of his intent to use temporary storage, with an application indicating location, construction, quantity to be stored and estimated time of storage.

C. Application for approval of temporary storage shall be made only after completion of the temporary storage structure. All temporary storage structures approved by the commission must comply with each of the following:

1. Rigid, self-supporting sidewalls shall be used.

2. An asphalt or concrete floor or other suitable hard surface shall be used to preserve the quality and quantity of commodities.

3. Proper covering shall be provided which shall preclude exposure of the commodities to normal exposure of all weather conditions.

4. The space shall have necessary equipment such as a leg, conveyers, portable augers, or vaculators for handling, receiving, and loading out of the commodities. All storage units shall have either empty storage space to turn and condition the commodities or be equipped with proper ventilation such as air ducts and ventilation fans to keep the commodities from going out of condition.

5. The space shall be immobile.

D. Any warehouseman approved to use temporary storage must comply with all of the following:

1. Meet inspection, security, net worth and insurance requirements required for a conventional warehouse license.

2. Maintain a separate record of total commodities stored in temporary space in addition to accounting for the commodities in the daily position record.

3. Make the space intended for use as temporary storage accessible for examination by the commission, the department, or their designees.

a. If ready access for inspection purposes is not available to the temporary structure, the warehouseman at the examiner's discretion shall remove the covering or any part of it as required by the examiner to determine quality, condition, and quantity of the commodities in storage.

b. If the warehouseman and the examiner are not in agreement as to the quality of the commodities, the examiner with the assistance of the warehouseman shall take samples of the mass, agreeable to both, and submit at the warehouseman's expense to the nearest GIPSA or GIPSA-designated or delegated office for grading.

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c. The examiner shall issue written notice to the warehouseman for any temporary storage facility which no longer meets requirements. Failure of the warehouseman to place the facility in a suitable condition within a reasonable length of time shall result in the facility being eliminated from coverage from the warehouse approval.

E. All commodities shall be removed from temporary storage by the following June 1, except as provided in this Subsection. Failure to remove commodities by June 1 shall constitute a violation of this Part unless an extension is granted as provided in this Subsection.

1. A warehouseman may continue to store commodities in temporary facilities beyond June 1, provided:

a. Application to continue use of temporary storage shall be made in writing by the warehouseman by May 1 or thirty (30) days before the expiration of any extension. The commission or its designee shall inspect the temporary storage facility prior to granting the extension.

i. Based on a visual examination of the temporary structure and observation of the commodities for quantity and quality, the examiner shall report to the commission his findings and recommendation regarding continued approval and/or detailing problems that shall be considered before an extension is granted. Adverse conditions shall be reported by telephone to the commission within 24 hours and in writing within three business days.

b. The time granted on any extension shall not exceed six (6) months.

c. Any approved extension shall be in writing, provide the date the extension shall end and be signed by the warehouseman.

2. If the warehouse chooses to continue using the temporary storage for company-owned commodities after June 1, the warehouse operator shall:

(i) Remove that quantity of the commodity from the warehouse's official records;

(ii) Not use the commodity to cover the storage or warehouse receipted obligations of the warehouse; and

(iii) Agree that the quantity will not be included in any warehouse examination conducted by CCC.

F. The licensing of a temporary storage space in no way relieves the warehouseman of any other obligations for warehousemen set forth in R.S. 3:3401, *et seq.* or LAC 7:XXVII.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405 and R.S. 3:3409.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 42:

**§115. ~~Bond~~ Security Required for Warehouse License; Provisions Relative to Licensed Capacities**

A. Each applicant shall execute and file a ~~bond~~ security, on ~~bond~~ forms provided by the commission, which ~~bond~~ security shall be issued by a company authorized to do business in Louisiana prior to issuance of the license.

B. ~~Each bond~~ The security shall be conditioned upon:

1. the faithful performance of all duties and obligations to patrons of the warehouse; and
2. compliance with all requirements of R.S. 3:3401-3425 and the regulations contained in this Part.

C. The amount of the ~~bond~~ security shall be established on the basis of the capacity of the warehouse to be licensed.

1. The commission shall establish capacity records for all licensed facilities. Whenever there is a discrepancy between the capacity claimed by the applicant and the commission's capacity figures for the applicant, the ~~bond~~ security to be required shall be determined by the commission's capacity figures. A licensee may, however, appeal the decision of the commission whenever it disagrees with the capacity figures established by the commission for its facility.

2. All facilities which commingle agricultural commodities shall secure 100 percent of their available capacity, subject to the exemptions contained in §115.C.5 and 6 of this Part.

3. Facilities which store identity-preserved commodities may, with the prior approval of the commission, ~~bond~~ secure 75 percent of their available capacity. In such event, the amount of the ~~bond~~ security shall be increased if commodities in storage exceed the licensed capacity.

4. All capacity under one roof shall be ~~bonded~~ secured.

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5. Outside tanks which are used solely for storage of company-owned commodities are not required to be ~~bonded~~ secured.

6. Buildings which are used solely for storage of company-owned commodities are not required to be ~~bonded~~ secured.

D. The amount of the ~~bond~~ security shall be as follows:

1. \$0.20 per bushel for the first million bushels of licensed capacity—up to \$200,000 for a licensed capacity of 2 million bushels;

2. plus \$0.15 per bushel for the second million bushels of licensed capacity—a total of \$350,000 for a facility with a licensed capacity of 2 million bushels;

3. plus \$0.10 per bushel for all bushels over 2 million bushels up to 3.5 million bushels of licensed capacity—a maximum of an additional \$150,000.

E. ~~The amount of security shall not be less than A minimum bond of \$25,000 is required~~ for all facilities of 125,000 bushels or less licensed capacity.

F. ~~A maximum bond~~ Maximum security of \$500,000 is required for all facilities of 3.5 million or more bushels of licensed capacity.

G. ~~Each bond~~ All security shall be written for a period of one year, beginning on July 1, or for such other period of time as the commission may require.

H. ~~Each bond~~ All security shall provide for at least 90 days written notice to the commission prior to cancellation.

I. ~~Each bond~~ All security is subject to final approval by the commission and shall be so approved prior to issuance of the license.

J. Provisions for ~~Alternate Security in Lieu of the Required Bond Security~~

1. The commission may accept ~~alternate~~ alternate security in lieu of the ~~required a bond~~ in an amount equal to 100 percent of the required ~~bond~~ security.

2. ~~Alternate~~ Security may be offered only by:

a. pledging of certificates of deposit;

b. filing of an irrevocable letter of credit, which shall be non-cancelable for a period of one year;

c. securing a first mortgage on immovable property which is located in Louisiana and which has an appraised value of at least one hundred fifty percent of the amount of the ~~bond~~ security. The appraisal shall be made by an independent appraiser jointly designated by the commission and the applicant. The applicant shall provide a title insurance policy issued by a company authorized to do business in Louisiana in the amount of the required ~~bond~~ security with the commission being an insured under the policy. The applicant shall pay all fees involved in providing such security.

d. a bond.

3. ~~Alternate~~ Security is subject to the approval of the commission. Approval is required prior to issuance of a license.

4. All ~~alternate~~ security instruments shall be assigned to the commission and maintained in the commission's office in Baton Rouge. Holders of certificates of deposit will continue to draw the interest thereon.

5. Whenever any warehouse ceases to operate as a licensed warehouse, ~~alternate~~ the security ~~filed in lieu of the required a bond~~ shall be retained by the commission:

a. until public notice, as herein required, is made; and

b. until completion of a final audit, which final audit shall be completed in not more than 120 days. Public notice of the commission's intent to release ~~alternate~~ the security shall be made by publication in a newspaper of general circulation in the area where the licensee is located, as follows:

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i. if there is a daily newspaper in the area, such notice shall be published at least three times, beginning at least 15 days prior to the date on which the commission will release the ~~alternate~~ security;

ii. if there is no daily newspaper in the area, such notice shall be published in a weekly newspaper and shall be published once each week for the three weeks preceding the date on which the commission will release the ~~alternate~~ security.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405 and 3:3410.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 9:297 (May 1983), amended LR 10:75 (February 1984), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 19:1301 (October 1993), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:500 (February 2011); LR 42:

**§119. Amendment to License Required When Change of Status Occurs**

A. – C.4. ...

D. Whenever the licensed capacity of a facility changes, the ~~bond~~ security required under §115 of this Part shall be changed within 45 days to conform to the new capacity. Failure to amend the ~~bond~~ security as required herein will subject the licensee to revocation of its license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405 and R.S. 3:3410.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 9:299 (May 1983), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 19:1301 (October 1993), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:501 (February 2011); LR 42:

**Subchapter D. Grain Dealers**

**§123. Requirements Applicable to All Grain Dealers**

A. – F. ...

G. The applicant shall execute and file a ~~bond~~ security, on forms provided by the commission, which is written by a ~~bonding~~ company authorized to do business in Louisiana. The ~~bond~~ security shall be in an amount of \$50,000 and shall provide for 90 days written notice to the commission prior to cancellation. The ~~bond~~ security shall be conditioned upon:

1. the faithful performance of all duties and obligations to producers; and

2. compliance with all requirements of R.S. 3:3401-3425 and the regulations contained in this Part. The ~~bond~~ security is subject to the approval of the commission and shall be so approved prior to issuance of the license. Failure to keep the ~~bond~~ security in full force and effect shall subject the grain dealer to suspension or revocation of its license.

H. ~~The commission may accept alternate security in an amount of \$50,000 in lieu of the required bond.~~ Security Required.

1. ~~Alternate~~ Security may be offered only by:

a. pledging of certificates of deposit or other similar negotiable instruments; or

b. filing of an irrevocable letter of credit, which shall be non-cancelable for a period of one year; or

c. securing a first mortgage on immovable property which is located in Louisiana and which has an appraised value of at least 150 percent of the amount of the bond. The appraisal shall be made by an independent appraiser jointly designated by the commission and the applicant. The applicant shall provide a title insurance policy issued by a company authorized to do business in Louisiana in the amount of the required bond with the commission being an insured under the policy. The applicant shall pay all fees involved in providing such security; or

d. a bond.

2. All ~~alternate~~ security instruments shall be assigned to the commission and will be maintained in the commission's office in Baton Rouge. Holders of certificates of deposit will continue to draw interest thereon.

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3. Whenever any grain dealer ceases to operate as a licensed grain dealer, ~~alternate security filed in lieu of the required bond~~ shall be retained by the commission:

- a. until public notice, as herein required, is made; and
- b. until completion of a final audit, which final audit shall be completed in not more than 120 days. Public notice of the commission's intent to release the alternate security shall be made by publication in a newspaper of general circulation in the area where the licensee is located as follows:
  - i. if there is a daily newspaper in the area, such notice shall be published at least three times, beginning at least 15 days prior to the date on which the commission will release the ~~alternate~~ security;
  - ii. if there is no daily newspaper in the area, such notice shall be published in a weekly newspaper and shall be published once each week for the three weeks preceding the date on which the commission will release the ~~alternate~~ security.

4. ~~Alternate Security offered in lieu of the required bond~~ is subject to the approval of the commission and shall be approved prior to issuance of the license.

I. The applicant shall demonstrate a net worth which is reasonably sufficient to assure its ability to meet its obligations to producers. The commission shall be the final judge of the sufficiency of each applicant's net worth.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405 and R.S. 3:3411.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agricultural Commodities Commission, LR 9:301 (May 1983), amended LR 10:75 (February 1984), LR 12:287 (May 1986), LR 35:2311 (November 2009), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:502 (February 2011).

**Subchapter E. Assessments and Fees**

**§128. Fees: Amount, Time of Payment**

A.- C.3. ...

4. Official Services (including sampling except as indicated)

Online D/T sampling inspection service (sampling, grading and certification), per regular hour	\$26
Overtime hourly rate, per hour	\$39
Unit Inspection Fees:	
<u>Aflatoxin Testing, per sample</u>	<u>\$30</u>
Rail Car, per car	\$20.50
Truck/Trailer, per carrier	\$10
Barge, per 1,000 bushels	\$2.60
Submitted sample inspection	\$12.30
<u>Re-inspection grain sample</u>	<u>\$15</u>
Rail Car (per sample)	\$10.30
Truck/Trailer (per sample)	\$5.30
Barge (per sample)	\$25.30
Starlink TM (if applicant supplies kit), per test	\$6
Starlink TM (if LDAF provides kit), per test	\$12
Factor only determination, per factor (not to exceed full grade fee)	\$5.20
Probe Sampling Barge (per barge)	\$100
On-Line Sampling Barge (per hour)	\$20
Vomitoxin test (applicant supplies kit)	\$25
Vomitoxin test (LDAF supplies kit)	\$35

D. – D.7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405, R.S. 3:3414.3 and R.S. 3:3422.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 12:287 (May 1986), amended LR 14:528 (August 1988), LR 19:889 (July 1993), LR 23:196 (February 1997), LR 27:815 (June 2001), amended by the Department of Agriculture and Forestry, Office of the Commissioner,

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Agricultural Commodities Commission, LR 30:197 (February 2004), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:504 (February 2011); LR 42:

## Subchapter F. Scale Tickets

### §129. Scale Tickets: Filing, Contents, Maintenance in Records

A. Immediately upon deposit with a licensed warehouse or a licensed grain dealer of any agricultural commodity or farm product regulated under R.S. 3:3401-3425, the warehouse or grain dealer shall issue a scale ticket to the depositor which conforms to the requirements of this rule. Warehouses licensed under the U.S. Warehouse Act may use scale tickets approved by the federal licensing agency.

~~B. Each scale ticket shall contain the following information:~~

- ~~1. name and location of the licensed warehouse or grain dealer;~~
- ~~2. name and other information sufficient to identify the owner of the agricultural commodities or farm products;~~
- ~~3. the type, quantity, and grade (or applicable grade factors) necessary to determine the net value of the commodity received;~~
- ~~4. date the commodity was deposited in the warehouse or grain dealer's custody;~~
- ~~5. one of the following, as appropriate:~~
  - ~~a. if the commodity is deposited on a spot basis, the words spot or spot sale, and when so marked the scale ticket shall serve as written confirmation of the sale;~~
  - ~~b. if the commodity is deposited for any type of storage, including open storage, the word storage;~~
  - ~~e. if the commodity is deposited for contract, the word contract;~~
6. such other terms as may be agreed upon between the depositor and the warehouse operator or grain dealer.

C. Scale tickets shall be sequentially pre-numbered and shall be issued to depositors in numerical order. Different scale ticket books may be used for different scales.

D. Each scale ticket shall consist of an original and at least one copy. The original or a copy of the scale ticket shall be maintained in numerical order in the licensee's records and shall be available for examination by the commission at all times.

E. Whenever a scale ticket is voided, all copies shall be so marked, dated, and signed by an authorized agent of the warehouse or grain dealer, and all copies of the voided scale ticket shall be maintained in the warehouse or grain dealer's records.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405 and R.S. 3:3415, R.S. 3:3419.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agricultural Commodities Commission, LR 9:304 (May 1983), amended by the Department of Agriculture and Forestry, Agricultural Commodities Commission, LR 37:504 (February 2011).

## Subchapter M. Schedule of Inspections; Voluntary Inspection

### §157. ~~Prompt Payment for Rice~~

~~A. Each purchaser shall take possession of the rice which is the subject of the bid contract no later than the twentieth day after the confirmation date unless the producer and the purchaser agree in writing that the purchaser shall take possession of the rice on a different date.~~

~~B. If the purchaser does not take possession of the rice on or before the delivery date, the purchaser shall pay all storage and related charges for the storage of the rice after the delivery date.~~

~~C. Each purchaser shall pay for the rice purchased from each producer under a bid contract no later than the tenth calendar day after the delivery date.~~

~~D. If the purchaser does not make payment as required in Subsection E, the purchaser shall pay the producer interest on the purchase price at the legal rate of interest as established in Civil Code Article 2924.~~

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~~E. The provisions of this Subchapter shall apply to each transaction in which a purchaser buys rice from a producer under a bid contract.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3414.2 and R.S. 3:3405.

HISTORICAL NOTE: Promulgated the Department of Agriculture, Office of Agro-Consumer Services, Agricultural Commodities Commission, LR 12:288 (May 1986); Repealed LR 42:

~~§161. Agricultural Commodities Commission; Self Insurance Fund~~

~~A. The commission has promulgated regulations governing the self insurance fund which may be found in Chapter 1.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3405.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Agriculture Commodities Commission, LR 19:1303 (October 1993); LR 42: