

**Title 7**  
**AGRICULTURE AND ANIMALS**  
**Part VII. Dealers in Farm Products**

**Chapter 1. Milk Buyers**

**§101. Authority**

A. In accordance with the provisions of Section 641 et seq., of Chapter 6, Title 3 of the Louisiana Revised Statutes of 1950 as amended by Act 128 of 1954, the following regulation is promulgated governing the posting of bonds or other security required of milk buyers.

AUTHORITY NOTE: Adopted in accordance with R.S. 3:642.

HISTORICAL NOTE: Adopted by the Department of Agriculture, October 1964.

**§103. Bonds and Other Securities**

A. Any person, firm or corporation, who shall engage in the business of purchasing milk from producers or cooperative associations for the purpose of manufacturing, pasteurizing or distributing milk or milk products shall post, with the commissioner, a surety bond signed by a surety company authorized to do business in Louisiana, or other security, in a form and substance acceptable to and approved by the commissioner. Said other security may include, but not limited to, the following:

1. a certified check; or
2. negotiable bonds or securities; or
3. a first mortgage on real estate and/or plant equipment; or
4. irrevocable letter of credit; or
5. certificate of deposit.

B. The amount of such bond or other security shall be computed by adding the total payments made to producers and cooperative associations for milk during the preceding six months, dividing by the number of days in the period and then multiplying the results by twice the number of days in the normal or customary day period. The bond or other securities shall be sufficient to cover a minimum of seven days' purchases from producers and cooperative associations and the maximum amount required shall not be more than an amount sufficient to cover 25 days' purchases from producers and cooperative associations. The correct amount of bond or other security shall be computed semi-annually or annually, at the discretion of the commissioner, and the amount shall be adjusted accordingly.

AUTHORITY NOTE: Adopted in accordance with R.S. 3:641 and R.S. 3:642.

HISTORICAL NOTE: Adopted by the Department of Agriculture, August 1967, amended by the Department of Agriculture and Forestry, Dairy Division, LR 13:739 (December 1987).

**§107. Injunctive Procedures**

A. Upon the failure of any person, firm or corporation, engaged in the business of purchasing milk from producers and cooperative associations for the purpose of manufacturing, pasteurizing or distributing milk or milk products, to post the bond as required herein, the commissioner of agriculture may file injunctive proceedings in any court of competent jurisdiction to restrain and enjoin such person, firm or corporation from purchasing milk from producers and cooperative associations until such time as the bond required herein is posted. The injunctive relief as provided for herein shall be in addition to the penalty provided by R.S. 3:643.

AUTHORITY NOTE: Adopted in accordance with R.S. 3:642 and R.S. 3:643.

HISTORICAL NOTE: Adopted by the Department of Agriculture, August 1967.

**§109. Authority to Promulgate Regulations and Effective Date**

A. The above regulation is hereby promulgated by the commissioner of agriculture under authority of R.S. 3:641 et seq., and shall be effective on and after October 1, 1964.

AUTHORITY NOTE: Adopted in accordance with R.S. 3:642.

HISTORICAL NOTE: Adopted by the Department of Agriculture, August 1967.