

## DEALERS IN AGRICULTURAL PRODUCTS ACT

### INFORMATION FOR FILING APPLICATION

#### PLEASE READ CAREFULLY

This application should be taken to your insurance or bond agent in making application for surety bond. **Please caution said agent that it is essential for the surety bond to be written with the name of the principal stated precisely the same as you have stated the name of the owner, partners or corporation on your application for license.** The name in which business is conducted should follow the names of the principal where the applicant does business in a fictitious name. Example:

Individual operating in owner name: "Henry Smith".

Individual owner operating in another name: "Henry Smith d/b/a City Produce".

Partners operating in another name: "John Doe, Richard Doe and Mary Doe d/b/a Acme Produce Company".

Corporation operating in own name: "Chase & Company, Inc. (a corporation)".

Corporation operating in another name: "John Doe Enterprises, Inc. d/b/a Superior Produce Company".

**The required amount of your surety bond will be as close as possible to the amount you list in ITEM 9 or 10. The bond shall be in an amount equal to the dollar value of business done during the month in which the maximum volume of agricultural products are purchased from or handled for Georgia producers.**

No license will be issued unless application is accompanied by a properly executed bond.

Georgia law requires dealers in agricultural products who buy, sell, receive, exchange, negotiate or solicit the sale, exchange or transfer of any agricultural products purchased from the producer or his agent or representative, or received on consignment from the producer or his agent or representative, or handled on a net return basis from the producer, to deliver to the Commissioner a surety bond executed by a surety corporation authorized to transact business in this state and obtain a license as a Dealer in Agricultural Products.

Any change in name or in the form of ownership, or any change in the members of a partnership, makes it necessary that a new license be obtained. License will be subject to suspension or revocation for cause. Licensee may not loan or transfer such license to any person or firm whatsoever.

Whosoever makes or subscribes an application for license knowing or having reason to know that same is false as to any material matter therein, shall be guilty of a misdemeanor, and upon conviction, shall be punished as provided by Georgia Laws, Act of 1956. It is unlawful for any Dealer in Agricultural Products to engage in business without a state license issued by the Commissioner of Agriculture, Georgia Laws, Acts of 1956.

The licensing and bonding provisions of this law apply to all Dealers in Agricultural Products in Georgia, whether or not such Dealers have an established place of business in Georgia.

STATE OF GEORGIA

DEPARTMENT OF AGRICULTURE

APPLICATION FOR LICENSE AS DEALER IN AGRICULTURAL PRODUCTS

1. APPLICANT:

\_\_\_\_\_  
(Name in which business is conducted. Same as name of Principal on bond.)

2. BUSINESS OWNED BY: One Person  Partnership  Corporation

3. Print full names, titles and home address of owner, partners or officers.

| NAME  | ADDRESS | TITLE |
|-------|---------|-------|
| _____ | _____   | _____ |
| _____ | _____   | _____ |
| _____ | _____   | _____ |

| 4. MAILING ADDRESS: | BUSINESS ADDRESS: | TELEPHONE |
|---------------------|-------------------|-----------|
| _____               | _____             | _____     |
| _____               | _____             | _____     |

5. RENEWAL \_\_\_\_\_ If licensed in prior year, state which year: \_\_\_\_\_

6. Give NAME OF TOWN, STREET & MAILING ADDRESS of each place of business in Georgia. A license is required for each location where you establish a place of business in Georgia.

| TOWN  | STREET | MAILING ADDRESS |
|-------|--------|-----------------|
| _____ | _____  | _____           |
| _____ | _____  | _____           |

7. Give name or names of your AGENTS or BUYERS authorized to represent you in Georgia, if any. \* (Attach supplementary sheet if necessary.)

| NAME  | ADDRESS |
|-------|---------|
| _____ | _____   |
| _____ | _____   |
| _____ | _____   |

\* In the event no agent is designated for service, the SECRETARY OF STATE by virtue of this application is designated the agent for service.

8. State kind or kinds of agricultural products to be handled: \_\_\_\_\_

9. If you operated this business last year, state the dollar value of business done with **GEORGIA** producers, their agents or representatives, during the month in which the **MAXIMUM** volume of agricultural products was bought or handled by you as a Dealer in Agricultural Products. \$ \_\_\_\_\_
10. If this is a **NEW** business that was not operated in Georgia last year, state the dollar value of business estimated to be done with **GEORGIA** producers, their agents or representatives, during the month in which the **MAXIMUM** volume of agricultural products is estimated to be bought or handled by you as a Dealer in Agricultural Products. \$ \_\_\_\_\_

Herewith enclosed is application \_\_\_\_\_ licenses and surety bond in the amount of  
Number

\$ \_\_\_\_\_, furnished by \_\_\_\_\_  
Name & Address of Surety Company

through \_\_\_\_\_  
Name & Address of Insurance Agent Issuing the Bond

**PLEASE READ INFORMATION FOR FILING APPLICATION ON ATTACHED SHEET.**

**PLEASE FORWARD COMPLETED BOND AND APPLICATION TO THE FOLLOWING ADDRESS:**

**GEORGIA DEPARTMENT OF AGRICULTURE  
MARKETS DIVISION  
340 AGRICULTURE BUILDING  
19 MARTIN LUTHER KING, JR. DRIVE, S.W.  
ATLANTA, GEORGIA 30334  
(404) 656-3725  
(404) 463-7398 FAX**

DATE: \_\_\_\_\_, 20 \_\_\_\_.

BY: \_\_\_\_\_  
Signature of Applicant or Individual  
Authorized to Sign for Applicant

BOND

AS DEALER IN AGRICULTURAL PRODUCTS IN STATE OF GEORGIA

STATE OF \_\_\_\_\_

BOND NUMBER \_\_\_\_\_

COUNTY OF \_\_\_\_\_

KNOWN ALL MEN BY THESE PRESENTS: That we \_\_\_\_\_

of \_\_\_\_\_ as principal and \_\_\_\_\_

of \_\_\_\_\_ as Surety, are held

and firmly bound unto Gary W.Black, Commissioner of Agriculture of the State of Georgia, and his successors in office,

for use and benefit of every person establishing legal rights hereunder, in the amount of \_\_\_\_\_

\_\_\_\_\_ DOLLARS ( \$ \_\_\_\_\_ ), we hereby bind ourselves, our heirs,

administrators, executors, successors and assigns.

WHEREAS by Georgia Law, Dealers in Agricultural Products are required to obtain a license from the Commissioner of Agriculture of the State of Georgia and to give bond in such form and amount as shall be approved by the Commissioner, conditioned upon a full compliance with the provisions of the said statutes as amended.

NOW, THEREFORE, the condition of this obligation is such that if the above named principal shall faithfully and truly account for and make payment to producers, their agents or representatives, for all agricultural products bought from, handled by, or sold by such producers, their agents or representatives, as required by Georgia Laws, 1956, p. 617, as amended, then this obligation to be void, otherwise to remain in full force and effect.

The aggregate accumulated liability under this bond shall in no event exceed the sum named herein for any and all claims which may accrue during the term hereof:

This bond is effective on and after the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

The surety may withdraw from this bond by giving 90 days notice by registered mail to the Commissioner of Agriculture, provided such withdrawal shall not release said surety from any liability existing hereunder at the time of the effective date of said withdrawal.

Signed, sealed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

In the presence of:

\_\_\_\_\_ (Seal)

Principal

By \_\_\_\_\_

\_\_\_\_\_ (Seal)

Surety

By : \_\_\_\_\_

COUNTERSIGNED BY:

Georgia Agent \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

Please attach copy of Power-of-Attorney for the person executing this bond for the Surety. This bond must be countersigned by a Georgia Agent of the Surety. When completed, this bond should be mailed to:

Commissioner of Agriculture  
340 Agriculture Building  
19 Martin Luther King, Jr. Drive, S.W.  
Atlanta, Georgia 30334