



**South Carolina Department of
Agriculture
P.O. Box 11280
Columbia, South Carolina 29211**

Hugh E. Weathers, Commissioner

**APPLICATION FOR SOUTH CAROLINA DEALER AND HANDLER LICENSE
***PRINCIPAL LOCATION-\$50.00 ADDITIONAL LOCATIONS \$10.00**

Pursuant to the provisions of Section 46-41-10 ET SEQ., of the South Carolina Code of Laws (1976), the undersigned, hereby makes the following statements for the purpose of obtaining a license to conduct business as a dealer in agricultural products for a period of one year from the effective date of the surety bond posted with the Commissioner of Agriculture.

1. Applicant

(Name must be the same as name of principal on Bond.)

2. Business Owned by: ___ One Person ___ Partnership ___ Corporation
3. Please print full names, titles, and home address of owner, partners, or officers.

_____ Name	_____ Address	_____ Title
_____ Name	_____ Address	_____ Title

4. Mailing address Telephone number _____

(Street No., City and State)

Business Location

(Street No., City and State)

5. Address of each additional place of business in South Carolina to be licensed.

6. Local agents of the applicant to be issued a buyers ID Card

_____ (Name)	_____ (Address)
_____ (Name)	_____ (Address)
_____ (Name)	_____ (Address)
_____ (Name)	_____ (Address)

7. Kinds of agricultural products to be handled.

8. Maximum or estimated maximum dollar value of agricultural products handled by your business in the largest volume month. \$_____.

9. Enclosed is a surety bond in the amount of \$_____with

(Surety Bond Company Name and Address)

Obtained through _____
(Name of Insurance Company) (Phone Insurance Co.)

(Address of Insurance Company)

AFFIDAVIT-

10. I hereby make application to obtain a Dealer and Handler License. I understand that by signing my application and making remittance that I affirm that I have read and understand the laws, rules and regulations and agree to comply with the same. By making this application for said license, I agree to allow the inspection of all written and financial records, including inventory, related to business, so long as I am a licensed dealer and handler.

_____ Applicant signature	_____ Title
_____ Applicant signature	_____ Title

11. Before me the undersigned this date personally appeared

12. _____ who states that (s)he has signed the above affidavit and that all information provided is true and correct.

Sworn and subscribed to before me this _____ day of _____, 20_____.

(SEAL)

FOR OFFICE USE ONLY	
Receipt No. _____	
Check Name: _____	
Check No. _____	
Check Amt: _____	
Fund No. _____	2837.D

Instructions for License Application

1) **Whosoever makes or subscribes for 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 law. It is unlawful for any dealer in agricultural products to engage in business without a Dealer and Handler license issued by the Commissioner of Agriculture.**

2) If you buy agricultural products from South Carolina producers, their agents or representatives and pay for the products with your check or handle their products on consignment, open account, or any other deferred payment plan, it is necessary under the law that you furnish the required surety bond and obtain the proper license or licenses.

3) Agricultural products shall mean and include the natural products of the farm, orchard, vineyard, garden and apiary, raw and manufactured; livestock and poultry products but shall not include tobacco, cotton, dairy products and timber products.

4) Please purchase from your insurance or bond agent authorized to transact business in the State of South Carolina a surety bond in the exact name of the owner, partners or corporation on your license. The required amount of your surety bond is twenty-five thousand dollars or an amount equal to the maximum amount of business done or estimated to be done in any month by the applicant, whichever is less. The bond must be on the enclosed form approved by the Commissioner of Agriculture and shall be conditioned to secure the faithful accounting for any payment to producers, their agents or representatives, of the proceeds of all agricultural products handled or sold by such dealer. If you wish to substitute a Letter of Credit in lieu of a bond, contact the Department of Agriculture at (803) 737-9696.

5) No license will be issued unless the application is accompanied by a properly executed surety bond and remittance for license fees in the full amount. Annual fee for the principal place of business is fifty dollars. For each additional place of business there is an additional ten dollar annual fee.

6) Should any dealer in agricultural products fail, or neglect to apply and qualify for the renewal of a license, on or before the date of expiration, a fine of one hundred dollars shall apply and be added to the original fee and shall be paid by the dealer before the renewal may be issued. An additional fine of one hundred dollars shall be applied for each month or part of a month beyond the first month after expiration.

7) If any change in the name or in the form of ownership occurs, a new license must be obtained. All licenses will be subject to suspension or revocation for cause. The licensee may not loan or transfer such license to any person or firm whatsoever.

- 8) If the applicant is:
An Individual: this application must be subscribed and sworn to by the applicant before a Notary Public.
A partnership: this application is to be executed in the name of the partnership and signed by the partners, and must be subscribed and sworn to before a Notary Public.
A Corporation: this application must be executed in the name of the corporation and must be subscribed and sworn to by the president before a Notary Public.

Please provide your executed surety bond and enclose payment with your license application.

Principal place of business \$50.00

Additional locations \$10.00 each _____

Total amount enclosed _____

BOND

DEALERS AND HANDLERS OF AGRICULTURAL PRODUCTS IN SOUTH CAROLINA

STATE OF _____ BOND NO. _____

COUNTY OF: _____

KNOW ALL MEN BY THESE PRESENTS: That we _____

_____ of _____ as principal

and _____ of _____
(Name of Surety Company)

_____, as Surety, are held and firmly bound unto
(Home Office Address)

THE COMMISSIONER OF AGRICULTURE OF THE STATE OF SOUTH CAROLINA, and his successors in office, for the use and benefit of every person establishing legal rights hereunder, in the full and just sum of _____ Dollars, (\$ _____), to the payment of which well and truly to be made, we hereby bind ourselves, our heirs, administrators, executors, successors and assigns, firmly by these presents.

Whereas by provisions of SECTION 46-41-10 ET SEQ., of the Code of Laws of South Carolina, dealers and handlers of agricultural products are required to obtain a license from the Commissioner of Agriculture of the State of South Carolina 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 and/or amendments thereto.

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 or handled or sold for such producers, their agents or representatives, as required by the aforesaid law, 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 penal sum named herein, for any and all claims which may accrue during the term hereof.

The inception of this bond begins with _____ 20_____, and this bond continues in effect for one year.

The surety may withdraw from this bond by giving 30 days written 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 _____.

Principal (Seal)

In the presence of:

By: _____

Witness to Principal

Witness to Surety _____ (Seal)

Witness to Surety

Surety

By: _____

(Please attach a copy of Power of Attorney for the person executing this bond for the surety.)

Information for the Preparation and Execution of this Surety Bond

- A. The name of principal on the bond should be correctly stated, and should precisely agree with name of applicant for license as dealer in agricultural products. The name in which business is conducted should follow the name or names of the principal where the applicant does business.
Examples:
 - Individual operating in own 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"
 - Corporation operating in own name: "Chase & Company (a corporation)"
 - Corporation operating in another name: "John Doe Enterprises, Inc. d/b/a Superior Produce"
- B. Before any license shall be issued the applicant shall make and deliver to the Commissioner a surety bond in the amount of twenty-five thousand dollars or an amount equal to the maximum amount of business done or estimated to be done in any month by the applicant, whichever is less, executed by a surety corporation authorized to transact business in the state. Such bond shall be upon a form prescribed or approved by the Commissioner and shall be conditioned to secure the faithful accounting for any payment to producers, their agents or representatives, of the proceeds of all agricultural products handled or sold by such dealer.
- C. If the principal of this bond is:
An Individual: this bond must be signed by the individual.
A partnership: this bond must be executed in the name of the partnership and signed by the partners.
A Corporation: this bond must be executed in the name of the corporation, by its President or Vice President with impression of corporate seal affixed.
- D. Execution by Surety.
 - Must be a properly authorized person whose title must be shown with impression of corporate seal of the surety affixed.
 - Copy of the Power of Attorney of that person must be attached to the bond.