

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
ANIMAL INDUSTRY
ADMINISTRATIVE CODE

CHAPTER 80-3-13
OPERATING LIVESTOCK MARKETS

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80-3-13-.01 Insurance Requirements For Livestock Markets.

(1) Livestock markets shall carry fire and windstorm insurance on the livestock accepted for sale while such livestock are kept at the livestock market, and such insurance must be carried with an insurance company qualified to do business in the State of Alabama.

(2) Livestock markets shall furnish the Department of Agriculture and Industries with a copy of the insurance policy required under paragraph (1) above.

(3) Livestock markets shall, within ten (10) days, notify the Department of Agriculture and Industries of any change, modifications or cancellation of the insurance policy required under the provisions of paragraph (1).

(4) Fire and windstorm insurance coverage required to be carried by livestock markets on livestock accepted for sale shall not be cancelled unless written notice of such cancellation is given to the Department of Agriculture and Industries by the insurance company not less than ten (10) days prior to the effective date of such cancellation, and the insurance policy shall contain a provision or endorsement that any cancellation of the policy shall not become effective unless the Department of Agriculture and Industries is given written notice thereof not less than ten (10) days prior to the effective date of such cancellation.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-67.

History: Filed April 19, 1982.

80-3-13-.02 Bonding Requirements For Livestock Markets.

(1) The bond required of livestock markets shall not be cancelled or terminated until the Commissioner of Agriculture and Industries has been notified at least fifteen (15) days before such cancellation.

(2) Livestock markets are required to notify the Commissioner of Agriculture and Industries of all suits at law or other claims filed against the principal and surety of the bond furnished by the livestock market within fifteen (15) days after a claim is filed against the principal and surety, or within fifteen (15) days after notice of any pending suit is received by the livestock market operator.

(3) Livestock markets licensed under the provisions of the Federal Packers and Stockyards Act of 1921, as amended, may file a copy of the bond made under the provisions of such Act, and such bond will be accepted in lieu of the bond required under Code of Ala. 1975, §2-15-63, provided the amount of such bond equals or is greater than the amount required under the provisions of §2-15-63.

(4) The Chief of the Stockyards and Brands Section of the Department of Agriculture and Industries is authorized to be designated and to act as Trustee in any bond furnished by livestock markets under the requirements of the Federal Packers and Stockyards Act of 1921, as amended.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-68.

History: Filed April 19, 1982.

80-3-13.-03 Reporting Requirements For Livestock Markets.

(1) Code of Ala. 1975, § 2-15-82, requires every livestock market to report to the Commissioner the identity of every livestock dealer who does not pay for livestock purchased by him by the close of the next business day following the date of the purchase.

(2) Since there is no statutory provision requiring when this reporting must be done to the Commissioner, it is determined that the livestock market must report within a reasonable time.

(3) For purposes of reporting as required under §2-15-82, a reasonable time is hereby interpreted to mean two (2) weeks from the time the purchase money for the livestock is due.

(4) Henceforth, all livestock markets shall report to the Commissioner the failure of a livestock dealer to pay for livestock purchased by the close of the next business day, within, or by, the expiration of two (2) weeks from the time the purchase money was due.

(5) Failure of a livestock market to comply with this requirement will subject the market to the provisions of Code of Ala. 1975, §2-15-85.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-84.

History: Filed August 16, 1989.