

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
GINS AND WAREHOUSES
ADMINISTRATIVE CODE

CHAPTER 80-6-1
COTTON GINS

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80-6-1-.01	<u>Gins Must Be Proven Satisfactory Before Operating.</u>

(1) No gin plant shall be operated by any proprietor, lessee or manager until a satisfactory showing shall have been made to the Commissioner that the corporation, firm or individual is a competent and desirable corporation, firm or individual to operate a gin, and that reasonable ginning facilities, conveniences and services are provided and will be maintained.

(2) All applicants for a permit to do business as a cotton ginner shall fill out and execute in full the application forms furnished by the Commissioner.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.02 Bagging And Tie Requirements For Cotton Bales.

(1) Every proprietor, lessee or manager of every cotton gin shall place on every bale of cotton ginned not less than eighteen (18) pounds of bagging and ties, or more than twenty-one (21) pounds of bagging and ties.

(2) Every proprietor, lessee or manager of every cotton gin shall place on every bale of cotton ginned six ties known as standard forty-five pounds to the bundle of thirty ties, and not less than six yards of sound bagging, new or second hand (the minimum tensile strength to be determined by the State Board of Agriculture), which said bagging shall be free of all sample holes, rents or cuts, shall be lapped sufficiently to cover the ends of the bales and shall be securely tucked under the ties or sewed. No ties shall be used that are so badly rusted as to be likely to break or pull apart before the bale has been compressed. No ties shall be used that have been spliced, leaving sharp or projecting edges at the place of splice lap. All ties must be securely fastened on the bale before it is allowed to leave the gin yard.

(3) Every cotton gin is required to adequately cover each bale of cotton with sound bagging sufficiently strong to protect the cotton and the heads of bales must be completely covered with such bagging.

NOTE: Paragraph (3) of Rule No. 80-6-1-.02 above was certified into Legislature Reference Service in 1983 as Chapter 80-6-2. This Chapter has now been downgraded into a subrule as evidenced above.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.03 Record-Keeping Requirements.

(1) Every proprietor, lessee or manager of a public gin shall keep and use a book of register as required by Section 367 of the Agricultural Code of Alabama, which said section reads as follows: Every person, firm or corporation who gins cotton for hire or toll shall keep a book in which they shall register all cotton received at their gins to be ginned in the name of the owner thereof if known; and if not known, then the ginner shall make due and diligent inquiry of the person who delivers said cotton to be ginned, and record in his book the name of the owner as given, and the name of the person from whom the cotton may be received, which book shall also show the date of ginning and the

gin number of each bale, which gin number shall continue consecutively for each bale ginned by any particular gin, to the close of the season; such register shall be kept open for the inspection of the public.

(2) The amount of seed cotton ginned, if determined prior to the ginning of a bale, shall also be recorded in the book of register. If the weight of a bale and/or seed be recorded, the weight shall be correctly determined by the use of accurate, standard scales.

NOTE: Section 367 of the Agricultural Code of Alabama set out above has been codified into Code of Ala. 1975, §2-19-15.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.04 **Labeling Requirements For Bales Of Cotton.** Every cotton ginner shall permanently make, stamp or otherwise label every bale of cotton ginned by means of a tag securely attached to the bale, so as to show legibly thereon the Department of Agriculture and Industries PERMIT NUMBER of the cotton ginner preceded by the letter "P", or the ginner's federal gin code number, and the CONSECUTIVE GIN NUMBER of the bale as recorded in the book of register by the ginner. In addition to this requirement, a ginner may add to the said tag any other printing or marks of identification.

Authors: Marise Mims Sandidge, Reginald L. Sorrells

Statutory Authority: Code of Ala. 1975, §2-19-16.

History: This rule was originally adopted February 12, 1964. In 1983 it was certified to Legislative Reference Service as Chapter 80-6-3. It was later amended to be Rule No. 80-6-1-.04. This rule was amended on July 13, 1993, to eliminate the need for the use of metal tags. **Amended:** Filed July 21, 1993; effective August 25, 1993. **Amended:** November 27, 2001; effective January 1, 2002.

80-6-1-.05 **Penalty For Removing Tags On Bales Of Cotton.**

Anyone removing the tag or marks described in Rule 80-6-1-.04 from a bale of cotton shall be guilty of violating the rules and regulations of the State Board of Agriculture and shall be subject to the penalties therefor.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.06 Gin Operation Requirements.

(1) All parts of the gin machinery shall run true, and all belts shall be kept in condition to pull at all times the maximum capacity.

(2) The saws and ribs shall be kept in perfect alignment and in good condition, the saws being centrally placed between the ribs.

(3) Gins shall not be run at a greater speed than that recommended by the manufacturer of the gin in use, nor than that which will produce the best quality of lint for the particular cotton being ginned. The gin roll shall not be run tight enough to cause injury to the fiber.

(4) Air blasts shall have sufficient pressure at the end of the nozzle and so directed against the saw teeth as will ensure the removal of the lint from the saws in the proper manner. Where brushes are used the bristles shall be of sufficient length as to take all the lint from the saws.

(5) Cotton in process of ginning shall be kept from contact with oil, grease, dirt, motes and trash.

(6) In changing from a trashy, low grade bale to good cotton, for the purpose of giving the same good sample on both sides of the succeeding bale, the breast of the gin shall be left down on every bale until the roll ceases to turn, for the purpose of giving the same sample on both sides of the bale, before beginning on the next bale.

(7) All persons engaged in the business of ginning cotton in the State of Alabama shall properly equip their gins and hold themselves in readiness to perform such duties as the Commissioner may require, unless from good cause the duty cannot be performed.

(8) The Commissioner shall make recommendation to the operator of any gin plant of any change or improvement to said plant that is required or that would be to the advantage of the operator or customer, or both. It shall be the duty of the operator to notify the Commissioner when such changes have been made.

(9) Notice of the discontinuance of use of any gin equipment, of record in the office of the Commissioner, shall be

made to the Commissioner at the time of or before the discontinuance of use.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.07 **Notification Of Change Of Ownership.** The proprietor, lessee or manager of any cotton gin shall notify the Commissioner of the change of ownership or management of the gin.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.08 **Requirements After A Fire.**

(1) Whenever a fire is known to have occurred in the process of ginning a bale of cotton, the proprietor, lessee or manager of a cotton gin in which such fire shall have occurred shall attach to the bale of cotton in the gin press at the time the fire was discovered a red tag giving the date of ginning and the words in conspicuous type, **DANGER OF FIRE.**

(2) The failure of any proprietor, lessee or manager of any cotton gin to mark the bale of cotton in the gin at the time the fire occurs as prescribed in paragraph (1) above shall subject the proprietor, lessee or manager to the revocation of his permit.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.09 **Reporting Requirements.** Such reports, relating to operations, gin equipment and ginning, shall be made on specified dates each year by every proprietor, lessee or manager, to whom a ginner's permit has been issued, as the Commissioner or his agent may request.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.10 **Requirements For Permits.**

(1) The proprietor, lessee or manager of any cotton gin shall procure on or before July 1 of each year from the commissioner a permit to do business as a cotton ginner, the application for which shall be made upon forms to be furnished by the commissioner. The fee for the annual permit shall be \$75.00, payable to the Commissioner of Agriculture and Industries for deposit to the credit of the Agricultural Fund, which shall accompany the application for the permit. If such permit fee is not paid within 45 days from the due date, a delinquent penalty of 15 percent shall be added.

(2) Any person engaged in business as a cotton buyer as defined in §2-19-100 of the Code of Ala. 1975, as amended, shall, in addition to satisfactorily complying with the requirements of the Alabama Code, submit an application fee of \$100 with each application.

(3) The **Ginner's Permit** shall be posted in a conspicuous place in the gin house for which such permit has been issued.

(4) Upon the sale, lease or change in ownership and a change of the proprietor, lessee or manager of any cotton gin, the permit automatically cancels and a new application for a permit shall be made in due form as for a new gin.

NOTE: The **Ginners Permit** set out above is required by Code of Ala. 1975, §2-19-61.

Authors: Charles H. Barnes, John P. Hagood

Statutory Authority: Code of Ala. 1975, §§2-19-61, 2-19-102.

History: Filed April 19, 1982. **Amended:** Filed August 16, 2004; effective September 20, 2004.

80-6-1-.11 **Requirements For Handling Dirt And Foreign Matter In Cotton.** No dirt or other foreign material removed from seed cotton during the process of ginning shall be returned to the seed. The return of sand and other foreign matter to cotton seed after the same has been removed from seed cotton, or the adding of dirt or other foreign material to cotton seed is held to be an adulteration of the seed in violation of the United States Food and Drug Act of 1906 as subsequently amended. In like manner, the same practice in Alabama would be an adulteration in violation of the Alabama Food and Drug Act of 1927, and would, therefore, subject persons engaged in such practice to prosecution under the said laws. Because of objections under the Food and Drug Laws and of the economic waste in the practice of adulterating cotton seed with dirt and other foreign material, no

proprietor, lessee or manager of any cotton gin outfit that is constructed so as to clean seed cotton and separate the foreign material from same shall allow the foreign material to be returned to the seed.

NOTE: The Alabama Food and Drug Act of 1927 mentioned in the above rule is codified in Code of Ala. 1975, §§20-1-20 et seq.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.

80-6-1-.12 **Recommendations.** We the State Board of Agriculture, hereby recommend for consideration, the following:

(a) That whereas the ginning of wet cotton greatly reduces the market value of cotton, injures the gin machinery and unduly reduces the progress of ginning, it is better for all parties concerned that a ginner refuse to gin wet cotton.

(b) That all ginners, wherever practical, should provide sheds without cost for the storage and protection, until ginned, of such cotton as is delivered by customers to be ginned.

(c) That all gins have fire protection consisting of one approved fire extinguisher for each gin stand, and in addition thereto, one water barrel for each gin stand, filled with salt water and two buckets for each barrel. Provided that where steam power is used a steam jet for use in the lint flue in case of fire, be provided. The barrels should be kept full at all times and the buckets should be used only in case of fire.

(d) That all cotton, after being ginned, be removed from the gin house and kept at a safe distance of fifty feet from the gin.

NOTE: The above Rule apparently only recommends the above ginning practices. Violation of this rule would probably not be considered a violation of a rule or regulation.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-19-62.

History: Filed April 19, 1982.