

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
DIVISION OF CONSUMER PROTECTION
OFFICE OF WEIGHTS AND MEASURES
102 Governor Street, Richmond, VA 23219
Phone: (804) 786-2476 Fax (804) 786-1571
www.vdacs.virginia.gov

Who needs a Commission Merchant license?

Any person who conducts or operates an auction market, or who shall receive farm products for sale on commission, or contract with the producer thereof for farm products to be sold on commission or for a fee, or accepts in trust from the producer thereof for the purpose of sale, or who shall sell or offer for sale on commission, or shall solicit consignments of any kind of farm products, or who shall in any way handle for the account of or as an agent for the producer thereof any kind of farm products; provided that any person shall be deemed to be an agent or the producer, unless a specific price has been agreed upon by both parties before shipment or delivery by the producer for resale.

Bond Required

The application for a Commission Merchant shall be accompanied by a license fee of \$10 and a good and sufficient bond in the sum of \$3,000 for all applications other than for livestock auction markets, in which case the application, together with the fee shall be accompanied by a good and sufficient bond in the sum of \$5,000 when the average daily gross commission business is \$5,000 or less, with \$1,000 added to the bond for each additional \$5,000 average daily gross commission business done for the previous year with a maximum bond of \$10,000.

A bond is not required for any person to conduct or operate any tobacco warehouse or similar place where dark or flue-cured tobacco is sold at auction by or through any duly licensed auctioneer or of any person operating a livestock auction market or stockyard which has been posted by the Secretary of Agriculture of the United States and is being operated under and pursuant to the terms and provisions of the Packers and Stockyards Act, 1921 (42 Stat. 159) www.gipsa.usda.gov and the laws amendatory thereof. (Section 3.2-4716, Code of Virginia 1950 as amended)

**VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
DIVISION OF CONSUMER PROTECTION
OFFICE OF WEIGHTS AND MEASURES
PO BOX 1163 - RICHMOND VA 23218-0526**

APPLICATION FOR COMMISSION MERCHANTS LICENSE

Application is hereby made by the undersigned for a license to do business as a Commission Merchant in farm produce as defined by Section 3.2-4709 of the Code of Virginia (1950), as amended. There is herewith tendered in the sum of \$10.00, the license fee prescribed by law. Make check payable to the Treasurer of Virginia. **Code 862-02137**

Character of Products to be handled: _____

Business Organization				
Firm or Trade Name	Address of Record		Telephone Number	
Physical Address of Business			Telephone Number	
Name of Partner(s) or Individual	Address of Record			
Name of Partner(s) or Individual	Address of Record			
Name of Partner(s) or Individual	Address of Record			
Corporation				
Firm or Trade Name	Address of Record		Telephone	
Physical Address of Business			Telephone	
Domestic or Foreign Corporation	Capital Stock Authorized \$ _____	Capital Sock Fully Paid \$ _____		
Officers Names and Addresses:				
President	Mailing Address	City	State	Zip
Vice President	Mailing Address	City	State	Zip
Secretary/Treasurer	Mailing Address	City	State	Zip
Provide the full legal name and first-class mailing address of a person(s) who are authorized to receive service of process on behalf of the organization				
Full Name	Mailing Address	City	State	Zip
Full Name	Mailing Address	City	State	Zip

YOU MUST PROVIDE THE FOLLOWING INFORMATION:

Schedule of Maximum Commissions and Charges for Service in connection with produce handled on account or as Agent of the consignor. Optional: Attach printed commission sheet.

IT IS HEREBY AGREED that the commissions and charges herein named will not be changed or varied during the term of said license, except by and through a written contract or agreement between the said commission merchant and the consignor of said farm products.

Given under _____ hand(s) and seal(s) this the ____ day of _____, 20 ____.

FIRM NAME

By _____
Title

By _____
Title

By _____
Title

COMMONWEALTH OF VIRGINIA
COUNTY OR CITY OF _____ to-wit:

This day, personally appeared before me in my county or city aforesaid, _____,
_____, and _____ the duly authorized representatives or officers, of the person,
firm or corporation of the above named applicant, and made oath in due form of law, that the matters and statements herein
contained are true to the best of their knowledge and belief and that he or they are duly authorized to execute the foregoing
instrument.

Given under my hand this ____ day of _____, 20 ____.

NOTARY PUBLIC

My Commission expires _____ Registration Number _____

NOTARY SEAL/STAMP

I. INFORMATION FOR THE PREPARATION AND EXECUTION OF THIS BOND

- A. The name of Principal on the bond should be correctly stated, and should precisely agree with the name of applicant on the application for license as Cotton Handler (Any material variation may delay issuance of license.)
- B. The name in which business is conducted should follow the name or names of the Principal where the applicant does business in a fictitious name.

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 Roe, and Mary Roe 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"

II. EXECUTION BY PRINCIPAL

- A. If the Principal of this bond is:
 - 1. An individual--this bond must be signed by the Principal.
 - 2. A partnership--this bond should be executed in the name of the partnership and signed by the partners, and must be signed by at least one of the partners.
 - 3. 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, and attested by Secretary or Assistant Secretary of the corporation.

III. EXECUTION BY SURETY: Should be by a properly authorized person, whose title should be shown with impression of the corporate seal of the surety affixed, and a copy of the Power-of-Attorney of that person attached to the bond.

IV. CONTINUATION CERTIFICATES ARE ACCEPTABLE

V. ATTACH POWER-OF- ATTORNEY

MAIL EXECUTED BOND TO:

Virginia Department of Agriculture and Consumer Services
Division of Consumer Protection
Office of Weights and Measures
102 Governor Street
Richmond, VA 23219