

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 Cotton Handlers license?

Any person/facility acting in the following manner:

Cotton gin - Any facility where cotton seed and cotton lint are produced from raw cotton

Cotton handler - Any person or facility doing business as a cotton gin, cotton merchant or cotton warehouse

Cotton merchant - Any person who buys cotton from a producer for the purpose of resale or acts as a broker or agent for a producer in arranging the sale of cotton. This does not include a person that buys cotton for his own use.

Cotton warehouse - Any enclosure in which producer-owned cotton is stored or held for longer than forty-eight hours.

Bond Required

The application for a Cotton Handlers License shall be accompanied by a license fee of \$50, proof of insurance with a company licensed to do business in the Commonwealth in an amount equal to the fair market value of the maximum amount of cotton that can be stored in the warehouse, and a bond in the amount of \$500,000 in accordance with Section 3.2-4767, Code of Virginia (1950), as amended.

If a company furnishes proof of a valid license issued pursuant to the United States Warehouse Act (USWA), the insurance and bond is not required under the Virginia Cotton Handlers Law. A cotton handler governed by this shall notify the Commissioner of the Virginia Department of Agriculture and Consumer Services of any change in the status of its USWA license within 24 hours after being notified by the United States Department of Agriculture.

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

APPLICATION FOR COTTON HANDLERS LICENSE

Application is hereby made by the undersigned for a license to do business as a cotton handler as defined by Section 3.2-4764 of the Code of Virginia (1950), as amended. There is herewith tendered in the sum of \$50.00, the license fee prescribed by law. Make check payable to the Treasurer of Virginia. Code 888-02106

Application is made for _____ Cotton Marketing Cooperative
(check all that apply) _____ Cotton Gin
_____ Cotton Merchant
_____ Cotton Warehouse

Address at which applicant will receive correspondence by first-class mail:

Company/Corporation/Person

PO Box/Street Address City State Zip

Every address at which the records of the cotton handler will be kept:

Street Address Building No. City, State, Zip

Street Address Building No. City, State, Zip

If applicant is a cotton gin, where will the cotton be ginned:

Street Address Building No. City, State, Zip

If applicant is a cotton warehouse, where will the cotton be warehoused:

Street Address Building No. City, State, Zip

The full name and first-class mailing address of a person who is authorized to receive service of process on behalf of the cotton handler:

Full Name of Person PO Box/Street Address City, State, Zip

Business Organization

INDIVIDUAL OR PARTNERSHIP

Firm or Trade Name

Address of Record Telephone Number

Physical Address of Business Telephone Number

Name and complete mailing address of partner(s) or individual

Name and complete mailing address of partner(s) or individual

Name and complete mailing address of partner(s) or individual

CORPORATION

Firm or Trade Name

Address of Record Telephone Number

Physical Address of Business Telephone Number

Domestic or Foreign Corporation

Officers Names and Addresses:

President	P O Box/Street Address	City	State	Zip
-----------	------------------------	------	-------	-----

Vice President	PO Box/Street Address	City	State	Zip
----------------	-----------------------	------	-------	-----

Secretary/Treasurer	PO Box/Street Address	City	State	Zip
---------------------	-----------------------	------	-------	-----

LIMITED LIABILITY or FOREIGN LIABILITY COMPANY

Name of Company and Name Doing Business As

Address of Record Telephone Number

Physical Address of Business Telephone Number

Full Name of Manager of Company:

If No Manager:

Full Names of Members of Company

Full Names of Members of Company

PROOF OF INSURANCE

Cotton Gin and/or Cotton Merchant:

Proof of bond in the amount of \$_____(\$50,000 required), issued contemporaneously with this application by an insurance company duly licensed to do business in the Commonwealth of Virginia.

ATTACH BOND TO THIS APPLICATION

Cotton Warehouse:

Proof of insurance in the amount of \$_____ (Maximum amount of cotton that can be stored in the warehouse) and Bond in the amount of \$_____ (\$500,000 required), issued contemporaneously with this application by an insurance company duly licensed to do business in the Commonwealth of Virginia. **ATTACH PROOF OF INSURANCE AND BOND TO THIS APPLICATION.**

() Check here if claiming exemption as stated in Section 3.2-4765 (F) Code of Virginia (1950) as amended **ATTACH PROOF OF VALID USWA LICENSE TO THIS APPLICATION**

COTTON GINS TO PROVIDE ADDITIONAL INFORMATION

DO NOT FAIL TO GIVE THIS INFORMATION

Last Bale Tag Number used in previous year _____

First Bale Tag Number to be used in current year _____

IT IS HEREBY AGREED that all information herein stated will not be changed or varied during the term of said license, except by and through the written notification to the Commissioner of the Virginia Department of Agriculture and Consumer Services.

Given under _____ hand(s) and seal(s) this ____ 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

**BOND
AS COTTON HANDLER IN VIRGINIA**

STATE OF _____

BOND NO. _____

COUNTY OF _____

KNOW ALL MEN BY THESE PRESENTS: That we _____
See instructions on back page

as Principal and _____,
Name of Surety Company

as Surety, are held and firmly bound unto the COMMISSIONER OF THE VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES of the COMMONWEALTH OF VIRGINIA 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 *Section 3.2-4765, Code of Virginia (1950) as amended*, Dealers in Cotton Handlers are required to obtain a license from the Commissioner of the Virginia Department of Agriculture and Consumer Services 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 Code, 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 cotton products ginned, warehoused, bought from or handled or sold for such producers, their agents or representatives, as required by Section 3.2-4767, Code of Virginia (1950) 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 penal sum named herein, for any and all claims which may accrue during the term hereof.

The inception of this Bond begins _____, 20____, and continues in effect through June 30, 20____. (Must run concurrently with Cotton Handlers License)

The Surety may withdraw from this bond by giving 30 days written notice, by registered mail to the Commissioner of the Virginia Department of Agriculture and Consumer Services, 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_____.

_____(SEAL)
Principal

_____(SEAL)
Surety

By _____

By _____

Attach copy of Power-of-Attorney for the person executing this bond for the surety.

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