



**Department of Agriculture
Division of Grain Inspection & Warehousing
Grain Regulatory Services
(573) 751-4112
FAX (573) 751-5516**

GENERAL INFORMATION FOR ORIGINAL APPLICATIONS

PURPOSE OF THE PROGRAM:

The Grain Regulatory Services Program of the Missouri Department of Agriculture is a regulatory program with the responsibility of administering and enforcing the Missouri Grain Warehouse Law (Chapter 411, RSMo) and the Missouri Grain Dealer Law (Sections 276.401-276.582, RSMo). By properly implementing these laws, persons storing grain in a licensed warehouse or selling grain to licensed grain dealers receive protection, and the entire grain marketing system is improved. If you are aware of persons or businesses operating as a warehouse or grain dealer without a license, please contact our office immediately. It is also our goal to be of service to the grain industry. If you have any questions regarding the implementation of the Missouri Grain Warehouse Law or the Missouri Grain Dealer Law, please contact our office.

ACTIVITIES WHICH REQUIRE A LICENSE:

Please read the enclosed definitions of public grain warehouse and grain dealer.

NOTE IF YOU FEEL YOUR OPERATION QUALIFIES FOR ANY OF THE EXEMPTIONS, PLEASE CONTACT OUR OFFICE FOR THE PROPER FORM.

PENALTIES FOR VIOLATION OF THE LAW:

The filing of an original application does not allow the applicant to conduct business as a public grain warehouseman or grain dealer in Missouri. If a warehouseman or grain dealer is found to be operating without a license, an administrative hearing may be held and the warehouseman or grain dealer may be fined up to \$500 per day, per required license, for each day of violation. You may not operate until you receive your actual license(s).

APPLICATION FORM:

The application form is available and can be filled out online: http://agriculture.mo.gov/grains/pdf/grain_dealers_app.pdf. The form should be legible and must be subscribed and sworn to under oath (certified by a Notary Public) and mailed to the Missouri Department of Agriculture at the address on the application. All items must be completed or marked not applicable (N/A). If you are applying for a license at more than one location a separate application form must be completed for each location. If a "business as" is used, it should be registered with the Secretary of State's office. If a Missouri corporation is applying, it must be in good standing with the Secretary of State. Corporations registered in other states must provide a certificate of authority to do business in Missouri.

FINANCIAL STATEMENTS and GRAIN PURCHASES:

Financial statement guidelines are available at http://agriculture.mo.gov/grains/pdf/fin_stmnt_guide.pdf. Failure to submit the required statements may result in rejection of your application. **You must provide CPA verification of the dollar amount of your Missouri grain purchases for each fiscal year.** Note that it is a Class C felony for any person to knowingly prepare or assist in the preparation of inaccurate or false financial statements submitted for licensing purposes.

LICENSING PERIOD:

Original license(s) will be issued effective on the date all required information and the license security has been received and approved by our office. The license(s) will expire five months after your fiscal year end; however, licenses cannot be issued for less than six months or for more than 18 months. The license(s) must be renewed annually. A renewal application will be sent to you.

GRAIN DEALER APPLICANTS -- ADDITIONAL INSTRUCTIONS

ITEMS REQUIRED:

1. The notarized application form.
2. The original application fee of \$25 and a licensing fee of \$40 payable to the Missouri Department of Agriculture. If you are also applying for a warehouse license, these fees are not required.
3. The financial statements required by the guidelines.
4. A copy of the partnership agreement, certificate of incorporation or certificate of authority to do business in Missouri and/or a copy of non-resident designation of resident agent form, as applicable.
5. Prior to your license being issued you will be notified of your grain dealer license security (grain dealer bond, bank letter of credit or certificate of deposit). The security must be supplied prior to the license being issued.

WE WILL NOTIFY YOU OF THE AMOUNT OF LICENSE SECURITY REQUIRED UPON OUR RECEIPT AND REVIEW OF ITEMS 1-4.

YOUR LICENSE WILL BE ISSUED UPON RECEIPT AND ACCEPTANCE OF ITEMS 1-5.

WAREHOUSE APPLICANTS -- ADDITIONAL INSTRUCTIONS

ITEMS REQUIRED:

1. The notarized application form.
2. The original filing fee of \$50 payable to the Missouri Department of Agriculture. You will be billed for annual licensing fees and examination fees when the license is issued.
3. The financial statements required by the guidelines.
4. A copy of the partnership agreement, certificate of incorporation or certificate of authority to do business in Missouri, as applicable.
5. The Schedule of Charges (Tariff).
6. The Certificate of Insurance on grain stock (http://agriculture.mo.gov/grains/pdf/grain_lic_cert_ins.pdf).
7. A copy of the scale tickets you will be using.
8. Prior to your license being issued you will be notified of your warehouse license security (warehouse bond, bank letter of credit or certificate of deposit). The security must be supplied prior to the license being issued.

WAREHOUSE EXAMINATION: Upon receipt of items 1-4, a staff field auditor will examine your facility and compute the capacity to be licensed. If you have any questions or need assistance, field staff will help you. You may need to complete an Agreement to Assume Storage Obligation Form and/or a Financial Information Release Authorization Form. The auditor will also assist you in setting up proper records and ordering warehouse receipts, if necessary.

WE WILL NOTIFY YOU OF THE AMOUNT OF WAREHOUSE LICENSE SECURITY REQUIRED UPON RECEIPT OF THE AUDITOR'S EXAMINATION REPORT.

YOUR LICENSE WILL BE ISSUED UPON RECEIPT AND ACCEPTANCE OF ITEMS 1-8.