IOWA DEPARTMENT OF
AGRICULTURE &
LAND STEWARDSHIP

**MIKE NAIG**
SECRETARY OF AGRICULTURE

Hoover State Office Building ▪ 1305 E. Walnut Street ▪ Des Moines, IA 50319 ▪ (515) 281.5321 ▪ IowaAgriculture.gov

*Animal Welfare: (515) 281-6358* *Email: animalwelfare@IowaAgriculture.gov*

# BONDING OF SLAUGHTERHOUSE OPERATORS

☐ New Application ☐ New Registration ☐ Renewal ☐ Add Agent(s)

***No person shall operate a business in one of the below categories without authorization issued by the Iowa Department of Agriculture & Land Stewardship.*** (Section 172A, Code of Iowa) The applicant shall make request for licensing or registration in the categories checked below in which doing business. Fee's, if applicable, are for 2 (two) years per IC 172A.2.

| | | | |
|---|---|---|---|
| ☐ Dealer or Broker (nonexempt) | $100 | ☐ Agent (nonexempt) | $20 per |
| ☐ Dealer or Broker with USDA Packers & Stockyard Bond* (USDA Packers and Stockyards Act, 1921) | | No fee (Certified Copy of Packers and Stockyards Bond Required) | |

Business Name: ______________________________ DBA: ______________________

Contact Email: ___________________________ Phone Number: ____________________

Facility Address: _______________________ City/State: _________________ Zip: ________

County: ______________ USDA Packers & Stockyard Bond Number: ______________________

Mailing Address (if different from facility address): ____________________________________

Taxpayer Identification Number (EIN): ____________________________________________

***Applicant must comply with all local, state and federal laws including but not limited to zoning & maximum number of animals, etc.***

Ownership: ☐ Corporation ☐ Partnership ☐ Individual ☐ Other

_____________________________________________________________________

Name & Title Home Address, City, State & Zip

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Name & Title Home Address, City, State & Zip

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Name & Title Home Address, City, State & Zip

**Iowa Slaughter Plant Locations:** List the number of head of livestock originating in Iowa purchased for slaughter in Iowa for the past 12-month period by plant location.

| Name/Location of Plant | Head Cattle | Head Hogs | Head Sheep | Total Purchase Cost |
|---|---|---|---|---|
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**Non-Iowa Slaughter Plant Locations:** List only the number of head of livestock purchased in Iowa for slaughter outside of Iowa for the past 12-month period by plant location.

| Name/Location of Plant | Head Cattle | Head Hogs | Head Sheep | Total Purchase Cost |
|---|---|---|---|---|
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[172A.2 License required.](#)

1. A person shall not act as a dealer or broker without obtaining a license issued by the secretary. A person shall not act for any dealer or broker as an agent unless such dealer or broker is licensed, has designated such agent to act in the dealer's or broker's behalf, and has notified the secretary of the designation in the dealer's or broker's application for license or has given official notice in writing of the appointment of the agent and the secretary has issued to the agent an agent's license. A dealer or broker shall be accountable and responsible for contracts made by an agent in the course of the agent's employment. The license of an agent whose employment by the dealer or broker is terminated shall be void on the date written notice of termination is received by the secretary.
2. The license of a dealer, broker, or agent, unless revoked, shall expire on the last day of the second June following the date of issue. The fee for obtaining a license as a dealer or broker is one hundred dollars. The fee for obtaining a license as an agent is twenty dollars.
3. A person shall not be issued a license if that person previously has had a license revoked, or previously was issued a license and the secretary suspended that license, unless the order of suspension or revocation is thereafter terminated by the secretary. [C73, 75, 77, 79, 81, §172A.2] 2017 Acts, ch 159, §29

[172A.4 Proof of financial responsibility required.](#)

1. A license shall not be issued by the secretary to a dealer or broker until the applicant has furnished proof of financial responsibility as provided in this section. The proof may be in the following forms: a. (1) A bond of a surety company authorized to do business in the state of Iowa in the form prescribed by and to the satisfaction of the secretary, conditioned for the payment of a judgment against the applicant furnishing the bond because of nonpayment of obligations in connection with the purchase of animals. (a) The amount of bond for an established dealer or broker who does not maintain a business location in this state shall be not less than the nearest multiple of five thousand dollars above twice the average daily value of purchases of livestock originating in this state, handled by such applicant during the preceding twelve months or such parts thereof as the applicant was purchasing livestock. The bond of a person who does not maintain a business location in this state shall be conditioned for the payment only of those claims which arise from purchases of livestock originating in this state. (b) The amount of bond for an established dealer or broker who maintains one or more business locations in this state shall be not less than the nearest multiple of five thousand dollars above twice the average daily value of purchases of livestock originating in this state handled by the applicant during the preceding twelve months or such parts thereof as the applicant was purchasing livestock. The bond of a person who maintains one or more business locations in this state shall be conditioned for the payment only of those claims which arise from purchases of livestock originating in this state. (c) If a new dealer or broker not previously covered by this chapter applies for a license, the amount of bond shall be based on twice the estimated average daily value of purchases of livestock originating in this state. (d) For the purpose of computing average daily value, two hundred sixty is deemed the number of business days in a year. (e) Whenever a dealer or broker's weekly purchases exceed one hundred fifty percent of the dealer's or broker's average weekly volume, the department shall require additional bond in an amount determined by the department. (2) The licensee and surety of the bond shall be held and firmly bound unto the secretary as trustee for all persons who may be damaged because of nonpayment of obligations in connection with the purchase of animals originating in this state. Any person damaged because of such nonpayment may maintain suit in the person's own behalf to recover on the bond, even though not named as a party to the bond. (3) For purposes of this paragraph "a", "purchases of livestock originating in this state" shall not include purchases by dealers or brokers from their subsidiaries. b. A bond equivalent may be filed in lieu of a bond. The bond equivalent shall be in the form of a trust agreement and the fund of the trust shall be in the form of fully negotiable obligations of the United States or certificates of deposit insured by the federal deposit insurance corporation or the federal savings and loan insurance corporation. (1) The trust agreement shall be in the form prescribed by the secretary and executed to the satisfaction of the secretary. The trustee of the trust agreement shall be an institution located in this state in which the funds are invested or deposited. (2) The trust agreement shall provide as beneficiary, the secretary for the benefit of those persons damaged because of nonpayment of obligations in connection with the purchase of animals originating in this state. The fund in trust shall be an amount calculated in the exact manner as provided in paragraph "a". The fund in trust shall not be subject to attachment for any other claim, or to levy of execution upon a judgment based on any other claim. c. A person who is not a resident of this state and who either maintains no business location in this state or maintains one or more business locations in this state, and a person who is a resident of this state and who maintains more than one business location in this state, may submit a consolidated proof of financial responsibility. The consolidated proof of financial responsibility shall consist of a bond or a trust agreement meeting all of the requirements of this section,

except that the calculation of the amount of the bond or the amount of the trust fund shall be based on the average daily value of all purchases of livestock originating in this state. A person who submits consolidated proof of financial responsibility shall maintain separate records for each business location, and shall maintain such other records respecting purchases of livestock as the secretary by rule shall prescribe. 2. a. Any person damaged by nonpayment of obligations or by any misrepresentation or fraud on the part of a broker or dealer may maintain an action against the broker or dealer, and the sureties on the bonds or the trustee of a trust fund. The aggregate liability of the sureties or the trust for all such damage shall not exceed the amount of the bond or trust. In the event that the aggregate claims exceed the total amount of the bond or trust, the amount payable on account of any claim shall be in the same proportion to the amount of the bond or trust as the individual claim bears to the aggregate claims. b. Unless the person damaged files claim with the dealer or broker, and with the sureties or trustee, and with the department within ninety days after the date of the transaction on which the claim is based, the claimant shall be barred from maintaining an action on the bond or trust and from receiving any proceeds from the bond or trust. 3. Whenever the secretary determines that the business volume of the applicant or licensee is such as to render the bond or trust inadequate, the amount of the bond or trust shall be, upon notice, adjusted. 4. All bonds and trust agreements shall contain a provision requiring that at least thirty days' prior notice in writing be given to the secretary by the party terminating the bond or trust agreement as a condition precedent to termination. 5. a. Whenever a bond or a trust agreement is to be terminated by a cancellation by the surety or trustee, the secretary shall cause to be published notices of the proposed cancellation not less than ten days prior to the date the cancellation is effective. The notices shall be published as follows: (1) In the Iowa administrative code. (2) In a newspaper of general circulation in the county in which the licensee maintains a business location, or if the licensee maintains no business location in this state, then in the county where the licensee transacts a substantial part of the licensee's business. (3) By general news release to all news media. Failure by the secretary to cause the publication of notice as required by this subparagraph shall not be deemed to prevent or delay the cancellation. b. The termination of a bond or a trust agreement shall not release the parties from any liability arising out of the facts or transactions occurring prior to the termination date. c. Trust funds shall not be withdrawn from trust by a licensee until the expiration of ninety days after the date of termination of the trust, and then only if no claims secured by the agreement have been filed with the secretary. If any claims have been filed with the secretary, the withdrawal of funds by the licensee shall not be permitted until the claims have been satisfied or released and evidence of the satisfaction or release filed with the secretary. [C73, 75, 77, 79, 81, §172A.4] 2009 Acts, ch 41, §65

## 172A.5 Bonded packers registration.

A dealer or broker who has a bond required by the United States department of agriculture under the Packers and Stockyards Act of 1921 as amended, 7 U.S.C. §181 – 231, shall be exempt from the provisions of this chapter upon registration with the secretary. Registration shall be effective upon filing with the secretary a certified copy of the bond filed with the United States department of agriculture, and shall continue in effect until that bond is terminated. [C73, 75, 77, 79, 81, §172A.5] 2010 Acts, ch 1061, §38

**PACKER AGENT LICENSE**

I hereby appoint the following person(s) as agent(s) to act in my behalf in the business of buying, receiving or soliciting live animals for slaughter. I shall be accountable and responsible for contracts made by said agents(s) in the course of their employment. I request that the Iowa Department of Agriculture and Land Stewardship issue a Packer Agent License to the following.

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Agent Name Home Address, City, State, Zip

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Agent Name Home Address, City, State, Zip

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Agent Name Home Address, City, State, Zip

_______________________________________________________________________________
Agent Name Home Address, City, State, Zip

(A list containing the information requested may be attached to this application if the number of agents is greater than the space provided.)

*The Agent license will expire upon the same expiration date of the Dealer or Broker license unless revoked or written notice of termination of employment is received by the Iowa Department of Agriculture and Land Stewardship.*

**Letter of Attestation**

By signing below, I declare under penalty of perjury, under state and federal law that the statements contained herein are true and accurate to the best of my knowledge. I understand that making a material misstatement in this application is grounds for disciplinary action against my license, which may include denial of this license.

Signature: ________________________________________ Print: ______________________________________

Title: _____________________________________________ Date: ______________________________________

☐ Enclosed proof of financial responsibility OR

☐ Enclosed certified copy of USDA Packers and Stockyards Bond. I hereby certify that the copy of the bond, as required by the United States Department of Agriculture under the Packers and Stockyards Act of 1921 as amended, 7 U.S.C. 181-231 and Iowa Code Chapter 172A is true and correct.

Exempted Applicants, email application, list of agents & copy of bond to: **animalwelfare@iowaagriculture.gov**

***Applicable fees shall accompany application for nonexempt applicants.***
***Make check or money orders payable to IDALS***

**Mail to: Iowa Department of Agriculture and Land Stewardship**
**Animal Industry Division**
**Hoover State Office Bldg.**
**1305 E. Walnut St**
**Des Moines IA 50319**