

21—66.1(163) Definitions and permits.

66.1(1) Definition. As used in this chapter, the following term is defined to have the following meaning:

“*Livestock*” means cattle, horses, sheep, goats, swine (other than feeder swine), or any other animals of the bovine, equine, ovine, caprine or porcine species. “*Livestock*” also includes all species of deer, elk, and moose raised under confinement or agricultural conditions for the production of meat, the production of other agricultural products, sport, or exhibition.

66.1(2) Livestock dealer permit required. Any person engaged in the business of buying, selling or assembling livestock by consignment for the purpose of resale, either interstate or intrastate, shall first obtain a permit from the department to conduct business. However, a person is not required to be licensed as a livestock dealer if either of the following applies:

a. The person is licensed as an agent for a packer operating under Iowa Code chapter 172A, the person only buys for the packer, and the livestock move directly to slaughter; or

b. The person is licensed as a feeder pig dealer under Iowa Code section 163.30 and does not sell livestock other than feeder pigs.

A separate permit must be obtained for each separate location even though operated under the same management or person.

66.1(3) Livestock dealer’s agent permit required. An individual working for a person holding a permit required by subrule 66.1(2) shall obtain, in lieu of a livestock dealer permit, a permit as a livestock dealer’s agent. A person shall not act as an agent for more than one dealer at the same time. A person shall not act as an agent for a dealer and also hold a livestock dealer permit in the person’s own name.

66.1(4) Permitting period. A livestock dealer permit and a livestock dealer’s agent permit shall be issued for a time period commencing on July 1 and ending June 30 of the following year.

66.1(5) Fee for permit. The following nonrefundable fee shall accompany each application for a permit or the renewal of a permit.

1. Livestock dealer permit—\$50
2. Livestock dealer’s agent permit—\$10

66.1(6) Bonding requirement. An applicant for a livestock dealer permit shall submit a bond to the department with the secretary of agriculture named as trustee. The bond shall be payable for the use and benefit of any person damaged as a result of a violation of this chapter. The amount of the bond shall be calculated in the same manner and contain the same condition clauses as required by the United States Packers and Stockyards Administration as adopted in Sections 201.30 and 201.31 of Title 9, Chapter II, of the Code of Federal Regulations, revised as of May 1, 2000. However, a person applying for a permit is exempt from providing a bond if the person can show that the person has a valid bond on file and maintained with the United States Packers and Stockyards Administration in an amount equivalent to or greater than that required by federal regulations.

66.1(7) Information required. An applicant for a livestock dealer permit or a livestock dealer’s agent permit or a renewal of a permit shall provide the department with information required on the permit application including, but not limited to, the name, address, and telephone number of the applicant; a listing of any state, country, or province in which the applicant is licensed or permitted to engage in a similar business; and any past or pending legal or administrative action or investigation conducted or ongoing regarding that license or permit.

This rule is intended to implement Iowa Code section 163.1.