

CHAPTER 212

SALES OF CERTAIN COMMODITIES FROM BULK

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212.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires, “*department*” means the department of agriculture and land stewardship.

[2017 Acts, ch 159, §48](#)

Former §212.1 transferred to [§212.1A](#)

212.1A Coal, charcoal, and coke.

No person shall sell, offer or expose for sale any coal, charcoal, or coke in any other manner than by weight, or represent any of said commodities as being the product of any county, state, or territory, except that in which mined or produced, or represent that said commodities contain more British thermal units than are present therein.

[S13, §3009-1; C24, 27, 31, 35, 39, [§3245](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §212.1] C2018, §212.1A

212.2 Delivery tickets required.

A person shall not deliver any bulk commodities, other than liquids, by vehicle unless otherwise provided for, without each delivery being accompanied by two duplicate delivery tickets. Each delivery ticket shall be written in ink or other indelible substance and include all of the following:

1. The actual weight distinctly expressed in pounds or kilograms of the gross weight of the load.
2. The tare of the delivery vehicle, and the net amount in weight of the commodity or, if the commodity is weighed by hopper scale or belt conveyor, the net weight of the commodity expressed in pounds or kilograms without expression of the tare of the delivery vehicle or the gross weight of the load.
3. The names of the purchaser and the dealer from whom the commodity was purchased.
4. The date delivered and the type of commodity being delivered.

[S13, §3009-1; C24, 27, 31, 35, 39, [§3246](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §212.2]

[2017 Acts, ch 159, §49](#)

Referred to in [§212.3](#)

212.3 Disposition of delivery tickets.

One duplicate delivery ticket described in [section 212.2](#) shall be delivered to the vendee and the other duplicative delivery ticket shall be returned to the vendor or retained electronically by the vendor if approval from the department has previously been granted. Upon demand of the department the person in charge of the load shall surrender one of the duplicate delivery tickets to the person making such demand. If the duplicative delivery ticket is retained, an official weight slip shall be delivered by the department to the vendee or the vendee’s agent.

[S13, §3009-1; C24, 27, 31, 35, 39, [§3247](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §212.3]

[2017 Acts, ch 159, §50](#); [2018 Acts, ch 1026, §66](#)

212.4 Sales without delivery.

When the vendee carries away the commodity purchased, a delivery ticket, showing the actual number of pounds received by the vendee, shall be issued to the vendee by the vendor.

[S13, §3009-1; C24, 27, 31, 35, 39, [§3248](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §212.4]

212.5 Reserved.

212.6 Inspection of vehicles.

The department may stop any wagon, auto truck, or other vehicle loaded with any commodity being bought, offered or exposed for sale, or sold, and compel the person having charge of the same to bring the load to a scale designated by said department and weighed for the purpose of determining the true net weight of the commodity.

[S13, §3009-l; SS15, §3009-n; C24, 27, 31, 35, 39, §3250; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §212.6]