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Requirements for Grain Dealers

State of Delaware

Penalties

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Requirements for Grain Dealers

STATE OF DELAWARE

Current through 79 Laws 2014, ch. 443.

3 Del.C. § 2510

§ 2510. Refusal or revocation of license; hearing

(a) The Department may refuse to grant a license or may revoke any license already granted, as the case may be, when it is satisfied of the existence of any of the following causes:

- (1) The dealer has suffered a money judgment to be entered against the dealer upon which execution has been returned unsatisfied;
- (2) The dealer has failed promptly and properly to account and to pay for agricultural products;
- (3) The dealer has made a false or misleading statement as to market conditions or the service rendered, if any, with the intent to defraud;
- (4) The dealer has perpetrated a fraud or engaged in deceit in procuring the license;
- (5) The dealer has engaged in any fraudulent or deceitful practices in dealings with producers.

(b) Before any license is refused or revoked, the Department or its authorized agents shall give the applicant or licensee at least 20 days' notice of the time and place of hearing on refusal or revocation of a license. At the time and place of hearing, the Department or its authorized agents shall receive evidence, administer oaths, examine witnesses and hear testimony and shall file an order either dismissing the proceeding or refusing or revoking the license.

3 Del.C. § 2511

§ 2511. Penalty

(a) The Secretary shall have the power to issue an order to any person violating any provision of this chapter to cease and desist from such violation; provided, that any cease and desist order issued pursuant to this section shall expire (1) after 90 days of its issuance, or (2) upon withdrawal of said order by the Secretary, or (3) when the order is suspended by an injunction, whichever should first occur.

(b) Whoever violates this chapter, or an order of the Secretary, shall be punishable as follows:

- (1) For the 1st offense, be fined not less than \$500 nor more than \$1,000, or be confined in jail for a period not exceeding 6 months, or both;
- (2) Upon conviction of a 2nd offense shall be fined not less than \$2,000 nor more than \$5,000, or be confined in jail for a period not exceeding 1 year, or both, in the discretion of the court.