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Requirements for Grain Dealers

State of Missouri

Licensing

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Requirements for Warehouses

STATE OF MISSOURI

Current with legislation from the 2014 Reg.Sess.

V.A.M.S. 276.406

276.406. Director's powers and duties--promulgation of rules and regulations, authority, effective date--subpoenas--administrative hearings on liability of sureties

1. The director shall:

- (1) Be responsible for the efficient administration of the supervisory and regulatory powers authorized by sections 276.401 to 276.581 and the regulations promulgated hereunder;
- (2) Issue a license, in accordance with the provisions of sections 276.401 to 276.581, to any qualified applicant wishing to conduct business as a licensed grain dealer;
- (3) Provide for the filing and approval of the surety bonds required by sections 276.401 to 276.581.

2. The director may:

- (1) Promulgate and adopt such rules, regulations and standards in accordance with the provisions of chapter 536 as may be necessary for the efficient and effective enforcement of sections 276.401 to 276.581;
- (2) Appoint one or more designated representatives to act for the director in any manner required to aid in the efficient administration of sections 276.401 to 276.581 and the regulations promulgated hereunder;
- (3) Require records or reports pertaining to grain purchases or grain sales that the director deems necessary to ensure compliance with the provisions of sections 276.401 to 276.581 and the regulations promulgated hereunder;
- (4) Prescribe procedures for hearings to be held in accordance with the provisions of sections 276.401 to 276.581 and the regulations promulgated hereunder;
- (5) Issue subpoenas and bring before the department any person and take testimony either orally, by deposition, or by exhibit in the same manner as prescribed by law in judicial proceedings and civil cases in the circuit courts of this state;
- (6) Issue subpoenas duces tecum on any records relating to a grain dealer's business;
- (7) Bring actions, in the name of the state of Missouri in the circuit court of any county wherein a grain dealer resides or is found in order to enforce compliance with sections 276.401 to 276.581 and the regulations promulgated hereunder by restraining order or injunction, either temporary or permanent;
- (8) Conduct, or appoint a designated representative to conduct, administrative hearings pursuant to the provisions of sections 276.401 to 276.581, and chapter 536. Hearings may be conducted for the purpose of determining the liability of sureties which have filed bonds with the department on behalf of grain dealers licensed, or required to be licensed, under said sections. Hearings may be conducted for the purpose of determining the validity of grain-related claims filed with the department against such grain dealers and sureties, as well as the

subsequent disbursement of all available funds, pro rata or otherwise, to satisfy claims determined to be valid. An order issued by the director, or his designated representative, as a result of such hearings shall be final and legally binding on all parties unless appealed as provided in chapter 536.

3. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024

V.A.M.S. 276.411

276.411. License required--administrative hearing for violation, penalty--license application forms, renewal applications--license fees, late fees

1. No person shall engage in business as a grain dealer in the state of Missouri without having obtained a license therefor issued by the director pursuant to sections 276.401 to 276.582. Following an administrative hearing, the director may require the dealer to pay a penalty of not more than five hundred dollars for each day the dealer is found to be operating without a license or bond. In determining whether to assess the penalty, the director shall ascertain whether the dealer has continued to operate without a license or bond after being informed by the department in writing by certified mail of the need for licensing or bonding. Any penalties collected by the director under this section shall be deposited in the general revenue fund to the credit of the grain regulatory services program. In the event that a person penalized under this section fails to pay the penalty, the director may apply to the circuit court of Cole County for, and the court is authorized to enter, an order enforcing the assessed penalty.

2. Each application for a license to engage in business as a grain dealer shall be filed with the director and shall be in a form prescribed by the director.

3. The application for an initial license may be filed at any time prior to beginning business as a grain dealer; however, such license shall terminate on the last day of the fifth month after the close of the grain dealer's fiscal year, except that the initial licensing period shall be for at least six months but not longer than eighteen months. The grain dealer shall set forth on the original application the closing date for his fiscal year.

4. At least sixty days prior to the expiration of each license issued by the director under this chapter, the director shall notify the dealer of the date of expiration and furnish the dealer with the renewal application. The dealer shall submit the renewal application to the director at least thirty days prior to the date of expiration of the license. The dealer shall be penalized ten dollars per day for each day the renewal application is submitted after the date the application for a renewal license is due. The date of submission of the renewal application shall be the date postmarked. Any person licensed under both the provisions of sections 276.401 to 276.582 and sections 411.010 to 411.800 who submits a combination warehouse-grain dealer renewal application shall not be assessed a penalty for late renewal in excess of ten dollars per day.

5. The original application shall be accompanied by a filing fee pursuant to section 276.506.

V.A.M.S. 276.421

276.421. Financial statement to accompany application, how prepared--false statement, penalty--minimum net worth required--maintaining of current assets

<Text of section eff. until Jan. 1, 2017. See, also, section eff. Jan. 1, 2017.>

1. All applications shall be accompanied by a true and accurate financial statement of the applicant, prepared within six months of the date of application, setting forth all the assets, liabilities and net

worth of the applicant. In the event that the applicant has been engaged in business as a grain dealer for at least one year, the financial statement shall set forth the aggregate dollar amount paid for grain purchased in Missouri and those states with whom Missouri has entered into contracts or agreements as authorized by section 276.566 during the last completed fiscal period of the applicant. In the event the applicant has been engaged in business for less than one year or has not previously engaged in business as a grain dealer, the financial statement shall set forth the estimated aggregate dollar amount to be paid for grain purchased in Missouri and those states with whom Missouri has entered into contracts or agreements as authorized by section 276.566 during the applicant's initial fiscal period. All applications shall also be accompanied by a true and accurate statement of income and expenses for the applicant's most recently completed fiscal year. The financial statements required by this chapter shall be prepared in conformity with generally accepted accounting principles; except that the director may promulgate rules allowing for the valuation of assets by competent appraisal.

2. The financial statement required by subsection 1 of this section shall be audited or reviewed by a certified public accountant. The financial statement may not be audited or reviewed by the applicant, or an employee of the applicant, if an individual, or, if the applicant is a corporation or partnership, by an officer, shareholder, partner, or a direct employee of the applicant.

3. The director may require any additional information or verification with respect to the financial resources of the applicant as he deems necessary for the effective administration of this chapter. The director may promulgate rules setting forth minimum standards of acceptance for the various types of financial statements filed in accordance with the provisions of this chapter. The director may promulgate rules requiring a statement of retained earnings, a statement of changes in financial position, and notes and disclosures to the financial statements for all licensed grain dealers or all grain dealers required to be licensed. The additional information or verification referred to herein may include, but is not limited to, requiring that the financial statement information be reviewed or audited in accordance with standards established by the American Institute of Certified Public Accountants.

4. All grain dealers shall provide the director with a copy of all financial statements and updates to financial statements utilized to secure the bonds required by sections 276.401 to 276.582.

5. All financial statements submitted to the director for the purposes of this chapter shall be accompanied by a certification by the applicant or the chief executive officer of the applicant, subject to the penalty provision set forth in subsection 4 of section 276.536, that to the best of his knowledge and belief the financial statement accurately reflects the financial condition of the applicant for the fiscal period covered in the statement.

6. Any person who knowingly prepares or assists in the preparation of an inaccurate or false financial statement which is submitted to the director for the purposes of this chapter, or who during the course of providing bookkeeping services or in reviewing or auditing a financial statement which is submitted to the director for the purposes of this chapter, becomes aware of false information in the financial statement and does not disclose in notes accompanying the financial statements that such false information exists, or does not disassociate himself from the financial statements prior to submission, is guilty of a class C felony. Additionally, such persons are liable for any damages incurred by sellers of grain selling to a grain dealer who is licensed or allowed to maintain his license based upon inaccuracies or falsifications contained in the financial statement.

7. Any licensed grain dealer or applicant for a grain dealer's license shall maintain a minimum net worth equal to five percent of annual grain purchases as set forth in the financial statements required by this chapter. If the dealer or applicant is deficient in meeting this net worth requirement, he must post additional bond as required in section 276.436.

8.

(1) Any licensed grain dealer or applicant for a grain dealer's license shall have and maintain

current assets at least equal to one hundred percent of current liabilities. The financial statement required by this chapter shall set forth positive working capital in the form of a current ratio of the total adjusted current assets to the total adjusted current liabilities of at least one to one.

(2) The director may allow applicants to offset negative working capital by increasing the grain dealer surety bond required by section 276.426 up to the total amount of negative working capital at the discretion of the director.

(3) Adjusted current assets shall be calculated by deducting from the stated current assets shown on the financial statement submitted by the applicant any current asset resulting from notes receivable from related persons, accounts receivable from related persons, stock subscriptions receivable, and any other related person receivables.

(4) A disallowed current asset shall be netted against any related liability and the net result, if an asset, shall be subtracted from the current assets.

V.A.M.S. 276.423

276.423. Examination by department, when, fee--discrepancy reports, contents--revocation or suspension of license, when--subpoenas

1. The department shall make at least one complete examination of each state licensed class I, class II and class III grain dealer each year and may examine class IV, class V and class VI state licensed grain dealers. The annual grain dealer examination for grain dealers holding a federal warehouse license under the United States Warehouse Act may be waived if the director is satisfied as to the quality of the audit performed under the United States Warehouse Act and receives a full copy of such audit.

2. Any additional examinations deemed necessary by the department during any year shall be at the expense of the department. If upon any examination a discrepancy is found to exist, the director may collect a fee for that examination and for any subsequent examination deemed necessary to insure that the discrepancy is corrected. The fee for each such examination shall be computed in accordance with rates established by the director by rule. This subsection applies equally to all classes of grain dealers which may be examined by the department.

3. Any dealer may request additional examinations at the expense of the dealer. The director may collect a fee for each special or requested examination or for extra work beyond regular examination procedures in connection with regularly scheduled examinations, computed in accordance with the rates established in section 276.506.

4. Upon completion of any examination which reveals a failure to comply with the provisions of sections 276.401 to 276.582, and the regulations promulgated hereunder, the director or any department auditor, within a reasonable time, shall present a written discrepancy report to the dealer, his employee or agent. The report shall specify the areas of noncompliance and shall give a specific period of time, reasonable and practical under the circumstances, within which corrective action is to be taken. A report of that corrective action shall be sent to the director. If, after further examination, the discrepancy still exists, the director may modify, suspend or revoke the dealer's license, or the director may take whatever other action he deems necessary consistent with the provisions of sections 276.401 to 276.582 until the dealer has corrected the discrepancy.

5. The director is hereby authorized to issue subpoena duces tecum to any financial institutions, or to any other type of business entity, causing them to deliver any and all records of a licensee, or any and all records kept pertaining to a licensee or any person who in the opinion of the director may need to be licensed. Such financial institutions, or other business entities, are hereby authorized and required to deliver any and all such records to the director notwithstanding any law to the contrary. This section applies to persons or individual accounts or transactions as well as to corporate records where the licensee, or person, who in the opinion of the director, needs to be licensed, is conducting business in corporate form.

V.A.M.S. 276.451

276.451. Examination of application, duties of director--issuance and renewal of licenses--nontransferable--separate license for each location--suspension or revocation, grounds, duties of director, appeal, bond

1. Upon receiving a dealer's original application for licensure, the director may make such examination and inquiries into the applicant's business, past business history, business reputation and may view all information available to the extent he deems necessary to determine that:

- (1) The application is sufficient;
- (2) The bond filed by the applicant is sufficient;
- (3) The applicant is capable of performing the services proposed;
- (4) The applicant has sufficient financial resources to guarantee payment for grain purchased;
- (5) The applicant is willing and able to comply with the provisions of sections 276.401 to 276.581 and regulations promulgated hereunder;
- (6) The applicant, or, if the applicant is a corporation or partnership, officer, majority shareholder, board member, or partner has not been involved in improper or illegal manipulation of grain inventories and grain purchases which involved or resulted in any losses to grain sellers within the ten-year period of time immediately preceding the date the director received the application.

2. If the director is not satisfied with the applicant's qualifications as stated in this section, the application may be denied. If the application is denied, notice shall be mailed to the applicant setting forth the reasons for the denial of the license. Within fifteen days of receipt of a notice of denial for license, the applicant may file a written application with the director for a hearing on the denial. The hearing shall be carried out in accordance with the provisions of this chapter, regulations promulgated hereunder, and chapter 536.

3. Licenses shall be renewed annually on the last day of the fifth month after the close of the dealer's fiscal year.

4. A dealer making original application for license, and fulfilling all requirements for licensing as stated in sections 276.401 to 276.581, shall be issued a license effective from the date of application and terminating on the last day of the fifth month after the close of the dealer's fiscal year.

5. A dealer's license may be renewed annually by the filing of an application on a form prescribed by the director and accompanied by a true and accurate financial statement prepared in accordance with the requirements for financial statements set forth in section 276.421.

6. A separate license shall be required for each location in which the records are normally kept and from which grain payments are made for transactions of the dealer.

7. A dealer's license is not transferable or assignable to any person, including successors in interest to the licensee.

8. The director shall not issue a license, renew a license, or allow a license to remain in effect if the dealer or applicant fails to:

- (1) Comply with sections 276.401 to 276.581 and the regulations promulgated pursuant to sections 276.401 to 276.581; or
- (2) Pay all required fees and assessed penalties.

9. If the holder of any grain dealer's license is convicted of any violation of sections 276.401 to 276.581, or if the director determines that any holder of such license has violated any of the provisions of such sections, or any of the rules and regulations adopted by the director under the provisions of such sections, the director may at his discretion modify, suspend, cancel, revoke, or refuse to renew the license of the holder.

10. Whenever the director shall modify, suspend, cancel, revoke or refuse to issue any license he shall prepare an order so providing which shall be signed by the director or some person designated by him, and the order shall state the reason or reasons for the modification, suspension, cancellation, revocation or refusal to issue the license. The order shall be sent by certified mail to the licensee or applicant at the address of the dealer licensed or applying for a license. Within thirty days after the mailing of the order, the licensee, if aggrieved by the order of the director, may appeal as provided in chapter 536. At the time of the filing of the appeal, the party appealing shall give a bond for costs conditioned on his prosecuting the appeal without delay and paying all costs assessed against him. In addition, the licensee shall post a bond which shall remain in effect pending final disposition of all appeals, including review by the Missouri court of appeals or Missouri supreme court, or federal review, in an amount sufficient to cover all grain purchases and grain purchase obligations of the licensee as identified by the director. The posting of such bond is jurisdictional to the circuit court's authority to entertain the appeal.

V.A.M.S. 276.456

276.456. License to be displayed

1. Each dealer shall have and conspicuously display in each of his business locations, within full and unobstructed sight of the public:

- (1) Either the original or a certified copy of the dealer license as issued by the director;
- (2) Such other materials or information as may be required by the director.

2. Upon written request of a licensee and the payment of the proper fees the director shall issue to the licensee a certificate that a license has been issued or renewed as required by sections 276.401 to 276.582. The number of such certificates shall be based upon the dealer's request and need as shown by his application.

3. A certificate of license issued or renewed shall be posted in each location listed on a licensee's application where he engages in the business of a grain dealer but does not keep records pertaining to his business or transactions as a grain dealer. In the case of a licensee operating various grain transporting vehicles, the licensee is required to have a certificate that the license is in effect carried in each grain transporting vehicle used in connection with the purchase and transporting of grain.

4. The certificate of license shall be displayed upon demand and shall contain information as deemed necessary by the director.

5. All licenses, including, without limitation, certificates of license, shall be and remain the property of the director and shall be subject to revocation, cancellation or repossession, as provided by sections 276.401 to 276.582.

V.A.M.S. 276.491

276.491. Suspension or revocation of license--licensee to be notified of complaints--emergency temporary suspensions, length--hearing required--appeal procedure--time for filing claims, effect of failure to act within time

1. The director may, after a hearing or upon verified complaint filed by any person, modify, suspend or revoke the license of any person licensed under sections 276.401 to 276.582 for the violation of or failure to comply with the provisions of sections 276.401 to 276.582 or regulations promulgated pursuant to sections 276.401 to 276.582.
2. Any information of a verified complaint stating the grounds for modification, suspension or revocation shall be filed with the director. The director shall notify the licensee of the complaint and furnish him with a copy of the information or the complaint and a copy of the order of the director fixing the time for a hearing, which time shall be at least five days but not more than thirty days from the date of notification. Such written notification may be served by personal service on the licensee or by mailing the same by registered or certified mail to the place of business specified by the licensee in the last application or notification to the director.
3. If at any time the director determines that the public good requires immediate action, and that there is reasonable cause to believe that there exists a violation of sections 276.401 to 276.582 or regulations promulgated pursuant hereunder, and that the nature of the violation is such that there exists an immediate danger of loss to any claimant, the director may, upon the filing of the information or the complaint with the licensee, without hearing, temporarily suspend a license pending the determination of the complaint. Such temporary suspension shall be for not longer than ninety days. When a license is suspended without hearing, however, the director shall grant a hearing to be held in accordance with the provisions of sections 276.401 to 276.582 as soon thereafter as is possible, but not later than five days after such temporary suspension.
4. At the time and place fixed in the notice, the director shall proceed to hear the matter and any charges made, and both the licensee and complainant shall be accorded ample opportunity to present in person or by counsel such statement, testimony, evidence, and arguments as may be pertinent to the matter or charges or to any defense thereto. The director may continue such hearing from time to time.
5. Any person aggrieved by the decision of the director may appeal the decision as provided in chapter 536.
6. Upon revocation of a license, any claim shall be filed against the former licensee and the surety company within one hundred twenty days after the date of revocation. Failure to timely file such claim shall defeat the claim for the purposes of recovery under the grain dealer's bond.

V.A.M.S. 276.496

276.496. Dealer to terminate all agreements upon expiration or revocation of license--notices--director to prescribe procedure--business may operate during periods of suspension--dealer to pay costs

1. When a license is revoked or expires without having been renewed, the dealer shall terminate, in the manner prescribed by the director, all arrangements covering the purchase, holding or sale of grains held or controlled by the dealer. In terminating such arrangements, the dealer shall prepare a notice in a form approved by the director for all creditors, sellers, and purchasers, which notice shall set forth the fact of termination and indicate the method of resolving open engagements.

2. During the period of suspension of a license, including a temporary suspension, the dealer may, with the approval and under the supervision of the director or an auditor, continue to operate his dealer business. All necessary expenses incurred by the director or his designated agents in administering the provisions of this section may be recovered from the dealer in a separate civil action brought by the director in the circuit court. The director or his designated agents shall be entitled to a fee, computed in accordance with the provisions of subdivision (4) of subsection 1 of section 276.506, for each day or fraction thereof that he or his agents are required to perform services in discharging the duties imposed by this section. The cost of liability insurance necessary to protect the director and others engaged in carrying out the provisions of this section may also be assessed against the dealer by the court in said suit.

V.A.M.S. 276.506 **276.506. Fees**

1. The director shall collect fees as follows:

- (1) A filing fee of twenty-five dollars for each original application for license filed;
- (2) A license fee of forty dollars for the issuance of an original or renewal license;
- (3) A fee for each special or requested examination of a grain dealer for extra work beyond regular examination procedures in connection with regular scheduled examinations computed as follows:

(a) Necessary personal expenses in conformance with the rules and regulations promulgated by the commissioner of administration pursuant to section 33.090;

(b) A mileage allowance equal to the allowance established by the commissioner of administration pursuant to section 33.095;

(c) Twenty dollars for each man-hour required to complete the inspection.

2. All fees collected by the director under sections 276.401 to 276.582 shall be deposited in the general revenue fund of the state. No fees shall be prorated.

3. Nonpayment of fees shall be grounds for refusal to issue or renew a license or for suspension or revocation of a grain dealer's license.

4. Notwithstanding other provisions of sections 276.401 to 276.582, a grain dealer licensed under sections 276.401 to 276.582 who is also licensed by the state of Missouri under chapter 411 shall not be charged application filing fees or licensing fees authorized by sections 276.401 to 276.582.

V.A.M.S. 276.511 **276.511. Classification of dealers**

1. For the purpose of regulation, all dealers shall be classified according to their type of business operation.

2. Dealers that meet the requirements set forth below may be classified as class I dealers:

- (1) Each class I grain dealer must have and maintain a net worth equal to the greater of fifty

thousand dollars or two percent of grain purchases;

(2) Each class I grain dealer shall be open for business every business day for a period of not less than six hours between the hours of 8:00 a.m. and 6:00 p.m., except as provided in subdivision (3) of this subsection. The dealer shall keep conspicuously posted on the door of the public entrance to his office a notice showing the hours during which the business will be kept open, except when such business is kept open continuously from 9:00 a.m. to 4:00 p.m.;

(3) In case the dealer's office is not to be kept open as required by subdivision (2) of this subsection, the notice posted as prescribed in that subdivision shall state the period during which the business is to be closed and the name of an accessible person, with the address where he is to be found, and the telephone number, if any, of whom shall be authorized to pay for grain sold to such dealer business.

3. Dealers also licensed as warehousemen under chapter 411 or under the United States Warehouse Act that do not meet the requirements of class I dealers are class II dealers.

(1) Each class II grain dealer shall be open for business every business day for a period of not less than six hours between the hours of 8:00 a.m. and 6:00 p.m., except as provided in subdivision (2) of this subsection. The dealer shall keep conspicuously posted on the door of the public entrance to his office a notice showing the hours during which the business will be kept open, except when such business is kept open continuously from 9:00 a.m. to 4:00 p.m.;

(2) In case the dealer's office is not to be kept open as required by subdivision (1) of this subsection, the notice posted as prescribed in that subdivision shall state the period during which the business is to be closed and the name of an accessible person, with the address where he is to be found, and the telephone number, if any, of whom shall be authorized to pay for grain sold to such dealer business.

4. Dealers using physical facilities, in which bulk grain may be stored or held, in the operation of their dealer business, maintaining an office, and not licensed as a warehouseman under chapter 411, or the United States Warehouse Act, may be classified by the director as class III grain dealers.

(1) Each class III grain dealer shall be open for business every business day for a period of not less than six hours between the hours of 8:00 a.m. and 6:00 p.m., except as provided in subdivision (2) of this subsection. The dealer shall keep conspicuously posted on the door of the public entrance to his office a notice showing the hours during which the business will be kept open, except when such business is kept open continuously from 9:00 a.m. to 4:00 p.m.;

(2) In case the dealer's office is not to be kept open as required by subdivision (1) of this subsection, the notice posted as prescribed in that subdivision shall state the period during which the business is to be closed and the name of an accessible person, with the address where he is to be found, and the telephone number, if any, of whom shall be authorized to pay for grain sold to such dealer business.

5. Dealers primarily engaged in the trucking or transportation business, who incidental to or as a part of such business buy or sell grain, may be classified by the director as class IV dealers.

6. Notwithstanding subdivision (18) of subsection 4 of section 276.401 to the contrary, dealers whose grain transactions are only comprised of sales of grain from their own farming operations may apply for a class V grain dealers license.

7. All dealers who are not class I, II, III, IV or V dealers are class VI dealers.

8. The director may establish, by rule or regulation, additional requirements for the regulation of all classes of grain dealers. Such rules and regulations shall not be inconsistent with the provisions of sections 276.401 to 276.582.

V.A.M.S. 276.531

276.531. Nonresident licensee to designate resident agent--agent to forward notices

1. Any person issued a license under sections 276.401 to 276.581 who is, or after the issuance of said license becomes, a nonresident of the state of Missouri shall designate in writing the secretary of state of the state of Missouri as his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding brought by the director or other person growing out of the licensee's violation of any of the terms of sections 276.401 to 276.581 or regulations promulgated hereunder; except, any such nonresident who has designated a resident agent upon whom process may be served as provided by law shall not be required to designate the secretary of state as his agent. The secretary of state shall be allowed such fees therefor as provided by law.
2. The acceptance of a dealer's license shall be signification of the licensee's agreement that any such process against him, which is so served, shall be of the same legal force and validity as if served upon him personally. Such appointment shall be irrevocable and binding upon his executor, administrator, or assigns. It shall be the duty of the licensee to keep his current address on file with the office of the secretary of state. The secretary of state shall forward the notice to the person by registered mail, return receipt requested, and when said return receipt is received the same shall be forwarded to the director. In case the notice sent by the secretary is refused or not claimed by the addressee, then the returned mail shall be forwarded to the director and, in either event, the service or attempt thereof shall be sufficient service upon the licensee.

V.A.M.S. 276.571

276.571. Licenses may be revoked or suspended because of actions in other states, when, procedure

When the director receives notice from a state with which Missouri has a cooperative agreement under sections 276.401 to 276.581 of the imposition of a final judgment in a civil action, criminal conviction, or final administrative action for an act by a grain dealer licensed in this state, which, if committed in this state would constitute a violation of sections 276.401 to 276.581, he is authorized to initiate such proceedings as he may deem appropriate under sections 276.401 to 276.581, either administrative or judicial, to suspend or revoke the grain dealer's license or to enjoin such grain dealer from operating in this state.

V.A.M.S. 276.582

276.582. Display of signs, licensing--misdemeanors--investigation of violations

1. Each grain dealer, as defined in section 276.401, shall prominently display, at the main entrance to the building of the grain dealer and on or about the scale of the grain dealer, if any, so that such sign may be easily viewed by a person using the scale, a sign containing letters of not less than one inch and not more than six inches in height, which shall read either:
 - (1) "NOTICE: THIS GRAIN DEALER IS NOT LICENSED AS REQUIRED BY LAW PURSUANT TO SECTION 276.411, RSMo"; or
 - (2) "NOTICE: THIS GRAIN DEALER IS LICENSED AS REQUIRED BY LAW PURSUANT TO SECTION 276.411, RSMo".
2. Any grain dealer, as defined in section 276.401, who does not display the sign as required by

subsection 1 of this section, is guilty of a misdemeanor, and shall be subject to a fine of up to three hundred dollars for each day of the violation.

3. The director of the department of agriculture may refer violations of this section and section 411.778 to the attorney general if the local circuit or prosecuting attorney has not acted upon violations of this section and section 411.778 within ninety days of notice by the director of the department of agriculture of such violation. The attorney general may investigate, prosecute and appoint a special prosecuting attorney in any case which has been referred under this subsection.