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Requirements for Grain Dealers

State of Mississippi

Auditing

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Requirements for Grain Dealers

STATE OF MISSISSIPPI

Current with legislation from the 2014 Regular and First and Second Extraordinary Session.

Miss. Code Ann. § 75-45-309

§ 75-45-309. Annual examinations; inspections; license revocation

- (1) Every licensed grain dealer shall be examined by the commissioner each year. The cost of such examination shall be included in the annual license fee. The commissioner, at his discretion, may make additional examinations at any time. If any discrepancy is found as a result of additional examination, the cost of such examination is to be paid by the grain dealer.
- (2) The commissioner may inspect the premises used by any grain dealer in the conduct of his business at any time and the books, accounts, records and papers of every such grain dealer shall at all times during business hours be subject to inspection by the commission. Each grain dealer may also be required to make such reports of his activities, obligations and transactions as deemed necessary by the commissioner to protect the producer as set forth in the rules and regulations.
- (3) If a grain dealer violates any of the provisions of this article, his license and certificate of license may be removed from his premises by any department employee charged with the enforcement of this article and returned to the department. Such removal shall constitute a suspension of the license.
- (4) The commissioner may upon his own motion, and shall upon the verified complaint in writing of any person setting forth facts which if proved would constitute grounds for refusal, suspension or revocation of a license under this article, investigate the actions of any applicant or any person or persons applying for, holding or claiming to hold a license.
- (5) The commissioner within ten (10) days after removing and suspending a license as provided in this section or before refusing to issue or renew or before otherwise suspending or revoking a license shall set a date for a hearing thereon and at least ten (10) days prior to the date set for the hearing, shall notify in writing the applicant for or holder of a license, thereafter called the respondent, that a hearing will be held on the date designated to determine whether the respondent is privileged to hold such license and shall afford the respondent opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by personal service on the respondent or by mailing the same by registered or certified mail to the place of business last theretofore specified by the respondent in the last application or notification to the department.
- (6) At the time and place fixed in the notice, the commissioner shall proceed to hear the matter and any charges made and both the respondent and any complainant shall be accorded opportunity to present in person or by counsel such statements, testimony, evidence and argument as may be pertinent to the matter or charges or to any defenses thereto. The commissioner may continue such hearing from time to time.