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USDA's United States Grain Standards Act: *Wisconsin*



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[Wis. Stat. Ann. § 126.20](#)

[Wis. Stat. Ann. § 126.34](#)

§ 126.20. Grain dealers; business practices.

(1) Grain weight, grade, and quality. A grain dealer shall do all of the following when determining the weight, grade, or quality of grain:

(a) Accurately determine the weight, grade, or quality using accurate weighing, testing, or grading equipment.

(b) Accurately record the determined weight, grade, or quality.

(2) Timely payment to producers. A grain dealer shall pay for grain when payment is due. A grain dealer may not make payment by nonnegotiable check or note or by check drawn on an account containing insufficient funds.

(3) Permanent business location. A grain dealer licensed under s. 126.11 shall do all of the following:

(a) Maintain a permanent business address at which grain producers may readily contact the grain dealer during business hours.

(b) On each day that the Chicago Board of Trade is open for trading, keep business hours that start no later than 9 a.m. and end no earlier than 2:30 p.m.

(c) Prominently post the grain dealer's business hours at each of the grain dealer's business locations in this state.

(4) Prohibited practices. No grain dealer, or officer, employee, or agent of a grain dealer, may do any of the following:

(a) Misrepresent the weight, grade, or quality of producer grain received from or delivered to any person.

(b) Falsify any record or account, or conspire with any other person to falsify a record or account.

(c) Make any false or misleading representation to the department.



- (d) If the grain dealer is licensed under s. 126.11, engage in any activity that is inconsistent with a representation made in the grain dealer's annual license application.
- (e) Make any false or misleading representation to a grain producer or producer agent related to any matters regulated under this chapter.
- (f) Fail to file the full amount of security required under s. 126.16 (7) by the date that the department specifies.
- (g) Assault, threaten, intimidate, or otherwise interfere with an officer, employee, or agent of the department in the performance of his or her duties.

§ 126.34. Grain warehouse keepers; business practices.

- (1) Grain weight, grade, and quality. A grain warehouse keeper shall do all of the following when determining the weight, grade, or quality of grain:
 - (a) Accurately determine the weight, grade, or quality using accurate weighing, testing, or grading equipment.
 - (b) Accurately record the determined weight, grade, or quality.
- (2) Care of grain; facilities. A grain warehouse keeper shall safeguard grain held for others and shall protect that grain from loss or abnormal deterioration. A grain warehouse keeper shall maintain adequate facilities and equipment for that purpose.
- (3) Sufficient inventory. A grain warehouse keeper shall at all times maintain grain inventories sufficient in quantity and quality to meet all outstanding obligations to depositors.
- (4) Returning grain to depositors.
 - (a) Except as provided in par. (b), a grain warehouse keeper shall deliver to a depositor, upon demand, the same grade and amount of grain as was deposited.
 - (b) If a grain warehouse keeper does not have enough grain of the appropriate grade to satisfy a depositor's demand under par. (a), the warehouse keeper may substitute any of the following with the agreement of the depositor:
 - 1. A monetary payment sufficient to provide the depositor with equivalent value, based on current local grain prices.



2. A sufficient amount of a higher grade of grain to provide the depositor with equivalent value, based on current local grain prices.
- (c) A grain warehouse keeper may not provide grain or payments under par. (b) whose value exceeds the current value of the grain that was deposited.
- (5) Prohibited practices. No grain warehouse keeper, or officer, employee, or agent of a grain warehouse keeper, may do any of the following:
- (a) Misrepresent the weight, grade, or quality of depositor grain received from or delivered to any person.
 - (b) Falsify any record or account, or conspire with any other person to falsify a record or account.
 - (c) Make any false or misleading representation to the department.
 - (d) If the grain warehouse keeper is licensed under s. 126.26(1), engage in any activity that is inconsistent with representations made in the grain warehouse keeper's annual license application.
 - (e) Make any false or misleading representation to a depositor related to matters regulated under this chapter.
 - (f) Fail to file the full amount of security required under s. 126.31(6) by the date that the department specifies.
 - (g) Assault, threaten, intimidate, or otherwise interfere with an officer, employee, or agent of the department in the performance of his or her duties.

