

BOND NO. _____
EFFECTIVE DATE _____

MILK CONTRACTOR'S COMMERCIAL SURETY BOND

Chapter 126.47, Wisconsin Statutes

WHEREAS _____ of _____, (hereinafter Principal) has applied for a milk contractor's license under subchapter V of chapter 126, Wis. Stats., and to receive or renew and maintain said license is required under s. 126.47(1), Wis. Stats., to file a surety bond with the Department, and

WHEREAS _____ (hereinafter Surety) is authorized to operate a surety business in Wisconsin and in consideration of an annual premium payment of \$_____, consents to issue a commercial surety bond in compliance with s. 126.47 (4) Wis. Stats., in the amount of \$_____ and obligates and binds itself and its legal representatives and successors and assigns to the State of Wisconsin, Department of Agriculture, Trade and Consumer Protection (hereinafter Department) in said total amount for the benefit of milk producers and milk producer agents and to secure the payment of allowed claims to be filed against the Principal by milk producers or milk producer agents under subchapter VII of chapter 126, Wis. Stats., in amounts authorized under said subchapter, and

WHEREAS, the amount of this bond is based upon s. 126.47(3), Wis. Stats.;

NOW THEREFORE, If a claim is filed under s. 126.70, Wis. Stats., against the Principal by a milk producer or a milk producer agent and the Department, pursuant to a recovery proceeding under s. 126.70 Wis. Stats., issues a final decision determining the filed claim is an allowed claim, specifying the dollar amount of the allowed claim the Department is authorized to pay under s. 126.71, Wis. Stats., and specifying that s. 126.71(2), Wis. Stats., is the method by which the Department will pay the amount authorized; the Surety shall, upon receipt of the Department's final decision, pay to the Department the amount set forth in the final decision in accordance with the provisions of the final decision.

This bond is given to and filed with the Department pursuant to chapter 126, Wis. Stats., and in particular s. 126.47, Wis. Stats. This bond is intended to comply with all applicable provisions of chapter 126, Wis. Stats., and applicable rules of the Department.

The Surety's liability to the Department under this bond and the amount to be paid by the Surety to the Department as well as time of payment shall be determined by the Department in an administrative contested case proceeding conducted under subchapter VII of chapter 126, Wis. Stats., and applicable rules of the Department. By signing this bond, the Surety agrees to the personal and subject matter jurisdiction of the Department in an administrative contested case conducted under subchapter VII of chapter 126, Wis. Stats., to determine the liability of the Surety under this bond to the Department. The Department's final decision in such an administrative contested case proceeding is determinative of all issues raised or that could have been raised in the proceeding, subject to the right to appeal the Department's final decision under chapter 227, Wis. Stats.

Liability of the Surety under this bond shall commence on _____. This bond is a continuous bond and remains in full force and effect unless cancelled as provided in s. 126.47(4)(b) 3., Wis. Stats. Cancellation of this bond in compliance with this paragraph does not discharge the Surety from any liability already accrued or which may accrue under this bond before the cancellation is effective.

The total amount paid by the Surety to the Department under this bond in any year commencing with the date of the bond is signed by the Surety shall not exceed the maximum amount of this bond. The amount of this bond shall be renewed annually by an attached rider. The annual renewal does not impair the continuity of the coverage provided by this bond.

Signed this _____ day of _____, 20_____.

Principal (Seal)

By _____ (Seal)
Sole Owner- Partner-President

Signed this _____ day of _____, 20_____.

Surety (Seal)

The Wisconsin Department of Agriculture, Trade and Consumer Protection accepts this bond and acknowledges that it has been filed with the Department.

Signed this _____ day of _____, 20_____.

By _____