

DISCLOSURE TO WAREHOUSE DEPOSITORS

Below is a description of when to use a disclosure statement and which disclosure statement to use.

ATCP 99.26, Wis. Adm. Code Grain warehouse keeper; disclosure to depositors.

(1) DISCLOSURE REQUIRED. A grain warehouse keeper shall make a disclosure under sub. (2) to every grain producer or producer agent who is a depositor for whom the grain warehouse keeper stores grain in this state. The grain warehouse keeper shall make the disclosure, in the form prescribed under sub. (2), in a written document given to the depositor. The disclosure shall be clear and conspicuous, and shall be set apart from every other writing. The grain warehouse keeper shall make the disclosure at all of the following times:

(a) The first time the grain warehouse keeper accepts a grain deposit from that depositor.

(b) The first time the grain warehouse keeper accepts a grain deposit from that depositor in each license year.

(c) The first time the grain warehouse keeper accepts a grain deposit from that depositor following a change in circumstances that requires a different disclosure statement under sub. (2).

(2) FORM OF DISCLOSURE. A disclosure under sub. (1) shall consist of a verbatim copy of one of the following statements, as applicable:

(a) The following statement if the grain warehouse keeper is required to be licensed under s. 126.26(1), Stats., and the grain warehouse keeper's **estimated default exposure does NOT exceed** the sum of the maximum fund reimbursement amount and any security amount the grain warehouse keeper has on file with the department:

IMPORTANT NOTICE

[Name of grain warehouse keeper] participates in Wisconsin's Agricultural Producer Security program. If we fail to return your grain on demand, you may file a claim under this program. The program may reimburse you for the loss of up to \$100,000 worth of grain. For more information, you may contact the Wisconsin Department of Agriculture, Trade and Consumer Protection, 2811 Agriculture Drive, P. O. Box 8911, Madison, WI 53708-8911 (phone 608/224-4998).

(b) The following statement if the grain warehouse keeper is required to be licensed under s. 126.26(1), Stats., and the grain warehouse keeper's **estimated default exposure EXCEEDS** the sum of the maximum fund reimbursement amount and any security amount the grain warehouse keeper has on file with the department:

IMPORTANT NOTICE

[Name of grain warehouse keeper] participates in Wisconsin's Agricultural Producer Security Program. If we fail to return your grain on demand, you may file a claim under

this program. The program may provide some compensation. However, our “estimated default exposure” exceeds program coverage, and we have not filed security to cover the difference, so compensation may cover only a portion of your loss. For more information, you may contact the Wisconsin Department of Agriculture, Trade and Consumer Protection, 2811 Agriculture Drive, P. O. Box 8911, Madison, WI 53708-8911 (phone 608/224-4998).

(c) The following statement if the grain warehouse keeper **is not licensed and is exempt** from licensing under s. 126.26(1), Stats.:

IMPORTANT NOTICE

[Name of grain warehouse keeper] does not participate in Wisconsin’s Agricultural Producer Security Program. You are therefore not eligible for compensation under the program if we fail to return your grain on demand. For more information, you may contact the Wisconsin Department of Agriculture, Trade and Consumer Protection, 2811 Agriculture Drive, P. O. Box 8911, Madison, WI 53708-8911 (phone 608/224-4998).