KEY DEFINITIONS

“Grain Dealer” means a person who buys producer grain or who markets producer grain as a producer agent. A grain dealer does not include the following:
- A person who merely brokers a contract between a grain producer and a grain dealer without becoming a party to the contract, taking control of grain, or accepting payment on behalf of the grain producer.
- A person who merely buys or sells grain on a board of trade or commodity exchange.

“Exempt Grain Dealer” means the following grain dealers are not required to hold a license under Chapter 126, Wisconsin Statutes, but may volunteer to be licensed:
- A grain dealer who pays cash on delivery for all producer grain.
- A grain dealer who buys producer grain solely for the grain dealer’s own personal use as feed or seed and who spends less than $400,000 per license year for that grain.

“Cash on delivery” means full cash payment for grain when the grain dealer takes custody or control of the grain.

“Cash payment” means payment in any of the following forms:
- Currency.
- A cashier’s check or a check that a bank issues and certifies.
- A wire transfer.
- Simultaneous barter.
  Note: A company or personal check is not considered cash payment.

“Grain producer” means a person who grows grain.

“Procure grain” means to buy grain or acquire the right to market grain.

“Procure producer grain in this state” means any of the following:
- To buy producer grain for receipt in this state.
- To acquire the right to market producer grain grown in this state.

“Producer grain” means grain that is owned by or held in trust for one or more grain producers. Producer grain includes grain that a producer agent markets for a grain producer, without taking title to the grain.

“Producer agent” means a person who acts on behalf of a grain producer to market or accept payment for the grain producer’s grain without taking title to that grain, including a person who uses a producer trust fund to market or accept payment for producer grain. Producer agent does include any of the following:
- A person who merely brokers a contract between a grain producer and a grain dealer, without becoming a party to the contract, taking control of grain, or accepting payment on behalf of the grain producer.
- A person who merely holds or transports grain for a grain producer without marketing the grain or accepting payment on behalf of the grain producer.