

### **What is an In-Store Transfer?**

An In-Store Transfer is a method by which a warehouseman transfers title to warehouse owned grain to any person and the grain remains in the warehouse in satisfaction of a direct delivery obligation. An In Store Transfer Notice is a document used by the warehouse licensee to transfer title to warehouse owned grain to a person whose grain was deposited at a location other than the warehouse but still wishes to have a storage position in the warehouse. See Rule 1.01P.

### **How long do I have to make the in-store transfer exchange and still have security coverage?**

For the first 15 days after the last shipment the producer/owner has grain dealer security coverage. If the producer/owner wants an in store transfer it must be completed within 15 days of the last shipment, at which time the grain is covered by the warehouse security and grain proceeds of the warehouse licensee.

You must be a depositor, storer and/or owner of grain stored with that warehouse. You must have evidence of ownership of grain (i.e. a warehouse receipt).

### **What do I have to have to make a claim on the Warehouse security if a Warehouse fails?**

If your grain is hauled directly to a third-party but you have requested a storage position from the warehouse who is hauling your grain, you will only have recourse to the warehouse security if you have secured a post-direct delivery storage position within fifteen (15) days of the last shipment.

### **What are the requirements for making a claim on a Grain Dealer's security, should they fail to pay me?**

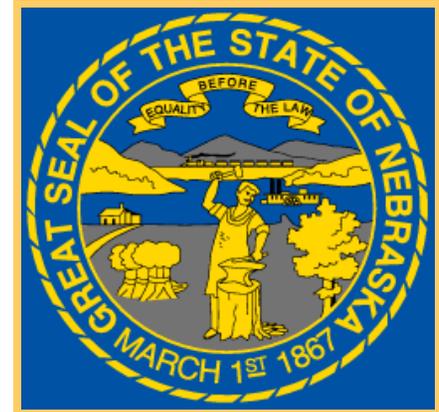
In order to have recourse to the grain dealer's security posted with the Commission, the producer must:  
Demand payment from the grain dealer within fifteen (15) days after the date of the last shipment of any contract; and

Cash any check or draft issued as payment for your grain within fifteen (15) days after its issuance; and

Notify the Commission in writing within fifteen (15) days if a check or draft is returned unpaid.

**Date Issued September 2015**

## **Information for Producers regarding Grain Warehouse and Grain Dealer Transactions**



**Nebraska Public Service  
Commission  
1200 N Street, Suite 300  
Lincoln, NE 68509  
402-471-3101  
800-526-0017  
[www.psc.state.ne.us](http://www.psc.state.ne.us)**

## What is a “warehouseman”?

Any person who:

- Receives grain for storage or stores or offers to store grain for legal consideration for another person in a warehouse where delivered; or
- Receives grain for shipment to other points for storage, consignment, or resale either in or out of this state.

## What is “stored” grain?

Grain in storage is any grain which has been received at any public grain warehouse and to which **title has not been transferred** to the warehouseman by signed contract or priced scale ticket.

## How much security does a warehouse have to carry?

The security amount shall be calculated by multiplying the separate capacity of each warehouse by \$.20 per bushel, except that warehouse sections exceeding 5,000 bushels in capacity, without permanent turning or aerating capabilities, will be calculated at \$.40 per bushel. The security shall be at least \$25,000 but not more than \$500,000.

## What documents should I receive for grain that is physically deposited or loaded out of licensed space?

- An Inbound Scale Ticket is used for grain **physically deposited** in the licensed warehouse.
- An Outbound Scale Ticket is used for grain **physically loaded out** of the licensed warehouse.
- Outbound and Inbound Transfers are used for grain moved between licensed locations.

## What documents should I receive for grain that is not physically deposited or loaded out of licensed space?

A Custom Weight Ticket is used for grain weighed at a licensed warehouse location but not physically deposited.

A Direct Delivery Ticket is used for grain that is not received or deposited in the warehouse licensed space, but is delivered to another location for sale or exchange in the name of the licensee.

## What grain is considered “dealer grain”?

“Dealer Grain” is Grain that:

- Is bought, sold or transported and **not** physically deposited in a licensed warehouse.
- Crosses the scale at a licensed warehouse location but is **not** unloaded;
- Is picked up off the farm by the licensed warehouse and taken to a third-party location;

- Is taken by the owner to a third-party location and deposited in the name of the warehouse; or
- Is purchased from another warehouse or producer where title passes prior to being unloaded in your warehouse. This grain is company owned when received at your licensed warehouse.

“Dealer Grain” is “Direct Delivery Grain”. “Dealer Grain” DOES NOT include in-store purchases by a warehouse, or grain that passes title at the time of delivery.

## How much security does a dealer have to carry?

Security for Grain dealers is calculated at seven percent (7%) of the dealer’s annual purchases. Each dealer must carry a minimum of \$35,000 with a maximum of \$300,000.

## What needs to be included on the “grain dealer receipt”?

All grain dealer receipts must contain the “Warning to Seller” language in Rule 3.06A8. The receipt must also contain:

- The date and time the dealer or its agent took possession of the grain;
- The buyer’s name and address;
- The name of the seller;
- The name of the agent of the buyer;
- The motor vehicle license plate number of any vehicle used by the dealer or its agent taking possession of the grain; and
- The amount and type of grain delivered to the buyer.