**20:10:12:13.  Notice required to credit seller of grain.** The terms of a voluntary credit sale of grain shall contain the following statement: "This contract is not protected by South Dakota statutory bond coverages." This statement shall be printed in red or bold type immediately above the seller's signature line.

In addition to this statement, each voluntary credit sale contract shall include the following:

(1)  Name of the grain buyer;

(2)  Name of the seller;

(3)  Amount and type of grain;

(4)  Grade of the grain;

(5)  Method of pricing;

(6)  Service charges or other fees;

(7)  Advances against the contract;

(8)  A statement that title to the grain passes to buyer upon delivery; and

(9)  Signature and date of signature for both the seller and buyer immediately preceded by statement required in this section. However, if the voluntary credit sale contract is signed by only one of the parties to the contract, the requirements of this subsection are considered met if, within a reasonable time, a writing in confirmation of the contract and sufficient against the sender is received and the party receiving the writing in confirmation has reason to know its contents, unless written notice of objection to its contents is given within two days after the writing in confirmation is received.

**Source:** 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 24 SDR 190, effective July 15, 1998; 35 SDR 48, effective September 9, 2008; 40 SDR 39, effective September 9, 2013.

**General Authority:** SDCL 49-45-6(4), 49-45-11.

**Law Implemented:** SDCL 49-45-11.