

WA-83  
(07-31-18)

U.S. DEPARTMENT OF AGRICULTURE  
Agricultural Marketing Service  
United States Warehouse Act

1. FOR AMS USE ONLY

A. License Number

B. Initials

WAREHOUSE OPERATOR'S BOND  
(For Eligible Securities)

(See Page 3 for the Privacy Act and Paperwork Reduction Act Statements)

See Instructions before completion of Items 2(a) through 2(l) of this form.

2. I  or WE  (a)

(Principal, Name of Legal Entity, Warehouse Operator) Proprietor  Partnership  Limited Partnership  LLC  Corporation

(Principal: Name of Legal Entity, Warehouse Operator)

(b) \_\_\_\_\_, at (c) \_\_\_\_\_  
(State of Incorporation or Where Organized) (Principal Place of Business (City))

(d) \_\_\_\_\_, operating the following warehouse(s) for the storage of:  
(Principal Place of Business (State))

(e)

(f) License No.	(g) Name of Warehouse	(h) City	(i) County	(j) State

For in excess of 5 warehouses, please attach an 8 1/2 x 11 inch sheet listing the warehouses in the manner of the above followed by a statement "This listing is an integral part of the bond number \_\_\_\_\_ executed effective \_\_\_\_\_." This statement must be signed by both the Principal and Surety.

as principal is held and firmly bound unto the United States of America in the amount of (k) \$ \_\_\_\_\_ (l) \_\_\_\_\_ (Dollars), for the payment of which we bind ourselves and our successors and assigns, jointly and severally, firmly by these presents.

3. The conditions of this obligation are such that,

- (a) The above-bound Principal has applied to the Secretary of Agriculture of the United States of America for license(s) or a continuation of license(s) for the conduct of a warehouse under the United States Warehouse Act (Pub. L. 106 - 472) (7 U.S.C. 241 - 256) (the Act), the regulations promulgated thereunder, and the licensing agreements applicable to the above-named agricultural product(s); and
- (b) The Principal has agreed, and does hereby agree as a condition to the granting of the license(s), to comply with and abide by the terms and conditions of the Act, and the regulations promulgated thereunder, and the licensing agreements, so far as they may relate to the Principal; and
- (c) The Act provides that each warehouse operator applying for a license to conduct a warehouse for the storage of the above-specified agricultural product(s) in accordance with the Act must, as a condition to the granting of the license, execute and file with the Secretary of Agriculture a good and sufficient Bond to the United States. This Bond will secure the faithful performance of the obligations as a warehouse operator under the terms of the Act, and the regulations prescribed thereunder, and licensing agreements. Additionally, it will secure obligation(s) of a warehouse operator that may be assumed by the warehouse operator under contracts with the respective depositors of the above-specified agricultural product(s) in such licensed warehouse(s); and
- (d) Therefore, if the Principal does perform and fulfill all of its obligations under the Act, then the obligations of the Principal and Surety on this Bond shall become void; otherwise, these obligations shall remain in full force and effect.

4. For purposes of this Bond, the obligations under the Act, regulations, licensing agreements, and contracts include obligations under any and all modifications of the Act, the regulations, licensing agreements, and the contracts that may hereafter be made, notice of these modifications to the Surety being hereby waived. This Bond will remain in force and effect for a minimum term of one year beginning with the effective date of this Bond and subsequently will be considered as a continuous bond, subject to termination as provided.

5. This Bond may be terminated at the end of the initial one year term by providing at least 120 calendar days advance written notice of cancellation by certified mail to the Administrator, Agricultural Marketing Service or designee.

- 6. This Bond may be canceled at any time after the initial one year term beginning with the Bond effective date by providing 120 calendar days advance written notice of cancellation by certified mail to Administrator, Agricultural Marketing Service or designee. If notice is given by the Surety, a copy of the notice must be mailed by certified mail on the same day to the Principal. Cancellation of this Bond will not affect any liability that may have accrued under this Bond prior to the effective date of cancellation. Securities pledged under the terms of this Bond may not be withdrawn by the Principal until one year after license termination, or until satisfaction of any claims whichever is later.
- 7. The Principal, in order to more fully secure the United States in the payment of the penal amount, hereby pledges as security, in accordance with the provisions of 31 U.S.C. 9303, securities in the principal sum of: (a) \$ \_\_\_\_\_ .00,  
(b) \_\_\_\_\_ dollars.  
These securities are numbered serially, are in the denominations and amounts, and are otherwise particularly described as: (c)

and which have this day been deposited in a Federal Reserve Bank for the account of the Department of Agriculture and receipt taken for them.

At the same time the Principal has also executed and delivered an Irrevocable Power of Attorney and Agreement in favor of the Department of Agriculture authorizing the designees on the Pledgee Authorization to collect or sell the securities described and deposited, or any part, in case of any default in the performance of any of the specified terms, conditions or stipulations.

- 8. This bond shall be effective on and after: \_\_\_\_\_  
*(Date) (MM-DD-YYYY)*
- 9. The above-bound parties have executed this instrument: This (a) \_\_\_\_\_ day of (b) \_\_\_\_\_  
*(Day) (Month and Year)*

**10. Principal**

Principal: (a) \_\_\_\_\_  
*(Legal Entity Name)*

By: (b) \_\_\_\_\_  
*(Individual Partners, General Partner, Corporate Officer)*

**Witness to Signatures of Principal(s):**

Witness: (c) _____	Witness: (e) _____
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City and State: (d) _____	City and State: (f) _____
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**11. Certificate as to Corporate Principal**

I, (a) \_\_\_\_\_  
*(Name Typed or Printed)*

certify that I am the (b) \_\_\_\_\_ of the  
*(Office — Usually the Secretary)*

(c) \_\_\_\_\_  
*(Corporation)*

**named as Principal in the within Bond; that the person(s) who signed the said Bond on behalf of Principal was or were then incumbent(s) in the position(s) shown above of said corporation, that I know his or her signature(s), and his or her signature(s) thereto is (are) genuine, and that said Bond was duly signed, sealed and attested for and in behalf of said corporation by authority of its governing body.**

11D. Signature of Secretary or Other Officer as above	11E. Date (MM-DD-YYYY)
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**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 735, 7 CFR Part 1423, 7 CFR Part 1427, the United States Warehouse Act (Pub. L. 106-472), and the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.). The information will be used to complete the terms of a license and/or licensing agreement between the warehouse operator and the Agricultural Marketing Service under the United States Warehouse Act. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-3, Consultants File. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to obtain new licensing or retain existing licensing under the United States Warehouse Act.*

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0305. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

*The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO THE WAREHOUSE AND COMMODITY MANAGEMENT DIVISION, STOP 9148, P.O. BOX 419205, KANSAS CITY, MO 64141-6205.***

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.*

*Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.*

## **Instructions For WA-83**

### ***WAREHOUSE OPERATOR'S BOND (for Eligible Securities)***

**Warehouse and Commodity Management Division, License and Storage Contract Branch use this form to bond warehouse operators who chose to use securities as financial assurance under the United States Warehouse Act.**

**The bond is prepared by the License and Storage Contract Branch and sent to the warehouse operator for signature of execution and submission of the original completed form in hard copy or facsimile submitted to the Warehouse and Commodity Management Division, STOP 9148, P.O. Box 419205, Kansas City, MO 64141-6205; or FAX 844-930-0174, for acceptance and licensing.**

***Warehouse operators execute the document by signatures and witnesses and return the executed form to the Warehouse and Commodity Management Division. Securities are transferred and the license issued.***

**This form is provided for informational purposes only.**