302 KAR 15:030. Beef cattle shows and sales.

RELATES TO: KRS 246.250
STATUTORY AUTHORITY: KRS 246.250(7)
NECESSITY, FUNCTION, AND CONFORMITY: KRS 246.250(7) requires the department to promulgate administrative regulations to carry out the provisions of KRS 246.250. This administrative regulation establishes requirements for state-supported purebred beef cattle shows and sales.

Section 1. General Requirements for Shows and Sales.
(1) All animals exhibited in the show shall be consigned and sold in the sale.
(2) A minimum of twenty-five (25) animals shall be consigned to each event.
(3) Any show, exhibition, and sale of purebred cattle to be eligible to receive appropriations shall provide that the entries in all classes be open upon equal terms to the breeders of cattle in all of the states of the United States and the Dominion of Canada.
(4) Each cooperating agency shall select, in cooperation with the department, an auctioneer and sales manager experienced in conducting sales of national scope.
(5) The judge or judges for the show shall be of national prominence and selected in cooperation with the department.
(6) Animals considered unsound in any manner shall not be accepted by show and sale officials.
(7) The cooperating agency shall prepare and present to the department records pertaining to the show and sale prior to final settlement on advertising. These records shall include:
  (a) A list of consignors, animals sold, premiums awarded, selling price, and name and address of purchaser;
  (b) Sample copies of printed advertisements and promotional material and copies of invoices covering advertising costs; and
  (c) Financial statement showing the total receipts and disbursements for the event.
(8) Dates for state-supported purebred shows and sales shall be selected in cooperation with the department and shall not conflict with similar events. Consideration shall be given to marketing patterns, seasons, and the possibility of tying the show and sale in with other major national and state activities.
(9) The location of these national events shall be selected in cooperation with the department after consideration is given to:
  (a) Facilities for showing and selling high quality cattle;
  (b) Housing accommodations for exhibitors and buyers;
  (c) Transportation, air travel, and highway network;
  (d) Arrangements for handling online bids; and
  (e) Added attractions in the area.
(10) Show and sale planning committees appointed by each sponsoring association shall include a representative of the Department of Agriculture and representatives of the national and state breed association. Representatives from other groups and organizations, such as Chamber of Commerce, tourist commission, and farm organizations shall be added to the committees if they are willing and able to make a contribution to the success of the show and sale. The committee chairman and other officers for the event shall be elected by the committee.
(11) All persons attending a consignment show or sale do so at their own risk.
(12) Official registration papers for each registered animal consigned shall be presented to the show and sale officials at consignment.
(13)
  (a) The cooperating agency may charge an entry fee up to but not to exceed the amount of premium offered by the department.

(b) A sales commission may be charged by the cooperating agency to cover the actual cost of the sale, but in no case shall the commission exceed fifteen (15) percent of the gross sales.
(14) Sales practices and procedures recommended by the individual breed association shall apply as minimum requirements to all matters pertaining to the sale not otherwise covered by this administrative regulation or KRS 246.250.

Section 2. Terms and Conditions of Sale.
   (1) Terms of the sale in addition to those recommended by the individual breed association shall be established by the cooperating agency with the approval of the department.
   (2) The auctioneer shall be responsible for settling disputes as to bids, and his or her decision shall be final.
   (3) All payments shall be made to the individual designated by the cooperating agency.
   (4) The purchaser shall assume all risk for animals as soon as they are struck off. The cooperating agency shall care for the animals free of charge for a period of at least twenty-four (24) hours.
   (5) Arrangements shall be made by the cooperating agency for adjustments or refunds on sales that fail to comply with rules and this administrative regulation.

Section 3. Catalog Requirements.
   (1) The consignment show and sale catalog shall be prepared by the sales committee and shall contain a listing of all show classes and the premiums allocated in addition to the information pertaining to the sale.
   (2) Each animal listed for sale in the catalog shall be identified in as much detail as possible. All production records along with the pedigree, and other information relating to its breeding and show honors shall be listed..
   (3) The catalog shall contain information on:
      (a) Location of show and sale headquarters;
      (b) Shipping arrangements;
      (c) Provisions for handling online bids;
      (d) Sponsors; and
      (e) Educational activities.

Section 4. Advertising Requirements.
   (1) All advertising for shows and sales shall be planned and contracted in cooperation with the department, and all shows and sales shall be advertised as state-supported events cosponsored by the national and state associations and the department.
   (2) The cost of the show and sale catalog may be considered advertising costs to be paid by the department and may be considered as a sale expense.

Section 5. Health Requirements.
   (1) All animals consigned to the show and sale shall comply with 302 KAR Chapter 20. 302 KAR Chapter 22 shall be published in the catalog.
   (2) All records qualifying animals for the show and sale shall be presented to the cooperating agency or their representatives upon entry.
(1 Ky.R. 1024; eff. 6-11-75; Am. 15 Ky.R. 843; eff. 10-26-88; Crt eff. 2-18-2020; 46 Ky.R. 1619; eff. 2-26-2020.)