

11-808. CONSIGNMENT OR DISPOSAL OF AGRICULTURAL PRODUCTS.

(A) CONSIGNEE'S RIGHT AND TITLE.

A CONSIGNMENT OF AGRICULTURAL PRODUCTS BY THE GROWER, PRODUCER, OR OWNER TO A CONSIGNEE FOR SALE FOR THE USE AND BENEFIT OF THE CONSIGNOR DOES NOT VEST IN THE CONSIGNEE ANY OTHER TITLE OR RIGHT TO THE PRODUCTS EXCEPT TO SELL AND DELIVER THEM TO A BONA FIDE PURCHASER FOR A VALUABLE CONSIDERATION.

(B) DISPOSAL OF AGRICULTURAL PRODUCTS WITHOUT CONSENT.

IF, WITHOUT THE EXPRESS CONSENT OF THE GROWER, PRODUCER, OR OWNER, A CONSIGNEE MORTGAGES, PLEDGES, DEPOSITS, OR OTHERWISE DISPOSES OF AGRICULTURAL PRODUCTS CONSIGNED ONLY FOR SALE FOR THE USE AND BENEFIT OF THE GROWER, PRODUCER, OR OWNER, THE DISPOSITION IS VOID AND TITLE TO THE PRODUCTS DOES NOT PASS BUT REMAINS IN THE GROWER, PRODUCER, OR OWNER AS IF NO DISPOSITION WERE MADE.

(C) LIEN ON AGRICULTURAL PRODUCTS NOT AFFECTED.

NOTHING IN THIS SECTION IMPAIRS ANY RIGHT OF ANY LIEN WHICH A CONSIGNEE ACQUIRES OR IS ENTITLED TO FOR BONA FIDE ADVANCES MADE IN MONEY OR GOODS TO THE GROWER, PRODUCER, OR OWNER ON THE FAITH AND THE SECURITY OF THE CONSIGNMENT.

REVISOR'S NOTE: This section is new language which combines without substantive change the provisions of Art. 2, §§ 12, 13, and 15.

11-809. CONVERSION BY CONSIGNEE.

(A) PENALTY FOR CONVERSION.

ANY CONSIGNEE, HIS AGENT, OR EMPLOYEE WHO CONVERTS TO HIS OWN USE GOODS OR AGRICULTURAL PRODUCTS ENTRUSTED TO THE CONSIGNEE FOR SALE OR THE PROCEEDS FROM THE SALE OF THEM IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING SIX MONTHS OR BOTH.

(B) PRESUMPTION.

THE FAILURE OF A CONSIGNEE WHO SELLS GOODS OR AGRICULTURAL PRODUCTS ON COMMISSION TO PAY THE PROCEEDS FROM THE SALE, LESS HIS CHARGES, TO THE PERSON ENTITLED TO RECEIVE THE PROCEEDS WITHIN FIVE DAYS AFTER RECEIVING THE PROCEEDS FROM THE PURCHASER AND AFTER DEMAND FOR