

INFORMATION PERTAINING TO THE APPLICATION FOR REGISTERING LIVESTOCK
BRANDS AND MARKS-----KRS Chapter 253

In making application to register a Livestock brand or mark, each owner will complete the official registration form and file it with the Commissioner of Agriculture, the official representative for the State Board of Agriculture. The completed form shall be forwarded to the Kentucky Department of Agriculture, Division of Animal Health, 109 Corporate Drive, Frankfort, KY 40601. The specified fee - \$10.00 for a new registration, \$5.00 for a renewal or \$1.00 for the transfer of a title for a brand or mark.

Chapter 253 of the Kentucky Revised Statutes, referred to as the Kentucky Brand Law, provides that the State Board of Agriculture shall be the legal custodian of any county branding record that may be in existence and the information may be provided for any applicant upon request. Reference to the penalty for altering or defacing the marks or brands on cattle may be found in KRS 433.800. Those brands that may be recorded in county offices or as part of official records, but not registered with the Commissioner of Agriculture, will have the status of unregistered brands.

Points to be remembered:

Single unit brands, such as one initial, numeral or simple characters, such as a bar, slash, or quarter-circle, should not be filed for registration.

A brand is a permanent mark of which the letters, numbers and figures used are each three inches or more in length or diameter and are burned into hide of a live animal with hot iron or tattoo or caustic chemical substance and considered in relation to the location on the animal.

A mark is a permanent identification cut from the ear of an animal. A tattoo can not be regarded as a mark.

The brand registration shall be confined to the following body regions of the animal: neck, shoulder, rib and hip. The State of Kentucky reserves the brands of "B" and "T" on the jaw of cattle and "V" and "AV" on the body.

Applicants may list three distinct brands and three positions on the animals to aid in eliminating the duplication of applications. The Commissioner and the applicant shall agree on a second choice of brand and body location.

Registration of brands is not required by law; however, recorded brands will take precedence over unrecorded brands of like and kind where questions of ownership occur. It places the burden of proof on unregistered brand user in the event of controversy. An owner whose brand does not appear in the state report, or a supplement thereto, shall produce evidence to establish his title to the property in the event of disagreement.

Brands, under the law, may now assume personal property status.

Any person selling livestock to return to another farm and bearing recorded brands should issue bill of sale. The written transfer is to be requested by the purchaser and to be official it must be filed with the Commissioner. The transfer fee is one dollar.

Any person who knowingly places upon any Livestock a mark or brand which has not been registered, if such mark or brand duplicates one that is previously registered with the board, shall be guilty of a misdemeanor.

Every five years hereafter brands shall be reregistered. The Commissioner shall notify each brand owner and provide the necessary forms.