# North Carolina General Statue Chapter 80: Articles 6-8

Article 6.
Cattle Brands.

**§ 80-45. Owners of stock to register brand or marks.**

Every person who has any horses, cattle, hogs or sheep may have an earmark or brand different from the earmark or brand of all other persons, which he shall record with the clerk of the board of commissioners of the county where his horses, cattle, hogs or sheep are; and he may brand all horses 18 months old and upwards with the said brand, and earmark all his hogs and sheep six months old and upwards with the said earmark; and earmark or brand all his cattle 12 months old and upwards; and if any dispute shall arise about any earmark or brand, the same shall be decided by the record thereof. (R.C., c. 17, s. 1; Code, s. 2317; Rev., s. 3028; C.S., s. 4017.)

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Article 7.
Recording of Cattle Brands and Marks with Commissioner of Agriculture.

**§§ 80-46 through 80-56: Repealed by Session Laws 1975, c. 261, s. 1.**

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Article 8.
Registration and Protection of Livestock Brands.

**§ 80-57. Purpose.**

The purpose of this Article is to discourage livestock theft by allowing for the voluntary individual registration of brand marks for certain livestock. (1975, c. 261, s. 1.)

**§ 80-58. Definitions.**

(a) "Board". – The term "Board" means the North Carolina Board of Agriculture.

(b) "Brand". – The term "brand" means an identification mark permanently affixed into the hide of livestock by a hot iron or an extremely cold brand known as a "freeze brand."

(c) "Commissioner". – The term "Commissioner" means the Commissioner of Agriculture of the State of North Carolina.

(d) "Livestock". – The term "livestock" means cattle, horses, ponies, mules, and asses.

(e) "Person". – The term "person" means an individual, firm, company, association, partnership or corporation. (1935, c. 232, s. 1; 1975, c. 261, s. 1.)

**§ 80-59. Responsibility and authority of Commissioner of Agriculture; application for registration; transfer of ownership of brand.**

The Commissioner shall record livestock brands and maintain a record of such brands pursuant to this Article. Such records shall be public and shall be prima facie evidence of ownership of livestock which is properly branded under this Article. The Commissioner shall authorize such agents within the North Carolina Department of Agriculture and Consumer Services as he deems necessary to implement this Article.

Any person desiring the exclusive use of a brand shall make application to the Commissioner on forms prescribed by the Board. The transfer of ownership of a brand registration may be done only at the written request of the brand registrant of record. The Commissioner shall receive a fee of ten dollars ($10.00) for recording such transfer. (1935, c. 232, ss. 3-5; 1975, c. 261, s. 1; 1997-261, s. 109.)

**§ 80-60. No brands duplicated.**

No brand shall be registered that is a reasonable facsimile of another registered brand or that will likely be confused with another brand registered under this Article. (1975, c. 261, s. 1.)

**§ 80-61. Rules and regulations**.

The Board shall have authority to promulgate reasonable rules and regulations for implementation of this Article which shall include, but not be limited to, the location of and the size of brand marks. (1975, c. 261, s. 1.)

**§ 80-62. Fees for recording.**

The Commissioner is authorized to collect a fee of twenty-five dollars ($25.00) for the recording of each new brand, or for rerecording of each brand, and shall issue one certified copy of each brand recording to the holder of said brand. Duplicate certificates of registration may be issued by the Commissioner upon payment of a fee of two dollars ($2.00). Revenues collected pursuant to this Article shall be deposited with the State Treasurer to the account of the North Carolina Department of Agriculture and Consumer Services. (1935, c. 232, ss. 5, 6; 1975, c. 261, s. 1; 1997-261, s. 109.)

**§ 80-63. Records to be kept of sales and slaughter.**

Persons or agents selling or bartering or exchanging branded livestock in the State of North Carolina shall provide the purchaser or new owner with a bill of sale showing a reasonable facsimile of the brand on any and all livestock having a brand as defined in this Article. Such bills of sale shall be prima facie evidence of transfer of ownership of branded livestock. Slaughter facilities in the State of North Carolina shall affix to their normal records of receipt of livestock a reasonable facsimile of the brand on any branded livestock received by them. Such records shall be maintained for at least 12 months. (1935, c. 232, ss. 8, 9; 1975, c. 261, s. 1.)

**§ 80-64. Defacing of brands prohibited.**

No person may change, conceal, deface, disfigure or obliterate any brand previously branded, impressed, or marked on any livestock, or put his or any other brand upon or over any part of any brand previously branded or marked upon any livestock, and no person shall make or use any counterfeit of any brand of any other person. (1935, c. 232, s. 10; 1975, c. 261, s. 1.)

**§ 80-65. Rerecording.**

Every brand recorded under this Article, in order to remain effective, must be rerecorded with the Commissioner during the tenth year from its next previous recordation. Each person having a brand registered in the State of North Carolina shall be notified in writing by the Commissioner that said brand must be rerecorded to prohibit its disenrollment from the record of such brand maintained by the Commissioner. (1975, c. 261, s. 1.)

**§ 80-66. Violation a misdemeanor.**

Any person who violates any provision of this Article or any rule or regulation of the Board promulgated hereunder shall be guilty of a Class 2 misdemeanor. (1935, c. 232, s. 11; 1975, c. 261, s. 1; 1993, c. 539, s. 592; 1994, Ex. Sess., c. 24, s. 14(c).)

## NC Administrative Codes 52E: Section .0400- Livestock Branding

**02 NCAC 52 E .0401 Application for Brand Registration**

(a) An application for a brand shall be accompanied by an exact likeness of the brand desired for registration. This likeness shall be a minimum of three inches in its smallest dimension either horizontal or vertical.

(b) An application for a brand shall specify the exact location on the animal where the brand will be located.

**02 NCAC 52E .0402 Style and Location of Brand**

(a) No brand shall be accepted for registration that:

(1) contains any numbers;

(2) because of shape would be difficult to read when affixed to the animal; or

(3) is a close likeness to another registered brand.

(b) If practical, a brand shall be located on either the right or left hip to the rear of the hip bone. In any event, the brand shall be easily read from a side or top view of the animal.

**Steven W. Troxler**
Commissioner

North Carolina Department of Agriculture
and Consumer Services
*Veterinary Division*

**R. Douglas Meckes, DVM**
State Veterinarian

## RENEWAL APPLICATION FOR LIVESTOCK BRAND REGISTRATION

***Section A: Contact Information*** – Review the pre-filled information below. Please ensure that all fields are complete and up-to-date.

| | | | |
|---|---|---|---|
| **Name of Farm or Ranch:** | | | |
| **Name of Applicant** (Print)**:** | | | |
| **Physical Street Address** (No P.O. Box numbers)**:** | | | |
| **City:** | **State:** | **Zip Code:** | **County:** |
| ***Primary Phone Number:** | **Secondary Phone Number:** | ***Email Address:** | |
| **Mailing Address** (If different from physical address)**:** | | | |
| **City:** | **State:** | **Zip Code:** | **County:** |



1030 Mail Service Center, Raleigh, North Carolina 27699-1030
Phone: (919)707-3250 ● Fax: (919)733-2277
www.ncagr.gov

***Section B: Design of Brand*** – Please complete section B **ONLY** if you desire to change the current design of your brand. You may email a digital image of the brand you wish to register to: joe.web@ncagr.gov, if it has changed. Alternatively, you may NEATLY draw your brand in the empty box provided below. Please refer to the attached Administrative Codes for brand design restrictions.

Current Brand Design

(Proposed New Brand Design)

(Drawing of Brand or Mark)

**Please give a full description of your brand**: _____

_____

_____

_____

*** Brand Location** (If the information below is incorrect or blank, indicate the exact location that the brand will be located on the animal)**:**

_____

_____

_____

By signing my name below, I certify that I understand North Carolina General Statue (G.S. 80: 45-66) and Administration Codes (02 NCAC 52E .0401 - .0402).

Signature: _____ Date: _____

*Required Fields



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