

Subject ~~40-8-1~~ Coverage

~~40-8-1 .01~~ — Weekly Publication

The *Farmers and Consumers Market Bulletin* is published by the Department of Agriculture as a service for Georgia citizens to provide a means for them to sell and purchase items relating to the agricultural industry.

Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. ~~2-2-7~~.

40-8-1-.02—Definitions

The following words or terms shall have the meaning set forth when used in this chapter of these Rules:

~~(a) Bulletin—Farmers and Consumers Market Bulletin.~~

~~(b) Business—See definition of “Commercial”, but not including traditional farming operations.~~

~~(c) Category—A division or class of advertisements or notices of similar import grouped together for organizational purposes by the Editor.~~

~~(d) Commercial—Intended for the mass market; handling large quantities of product for distribution (i.e. more than normal household or farm quantities); supported by advertisement (i.e. advertisement in publications other than the *Bulletin*, listed as “business” in telephone directories or “yellow pages”, etc.). Other indicators including (but not limited to) holding business licenses, and holding regulatory licenses/permits/registration.~~

~~(e) Commissioner—The Commissioner of Agriculture for the State of Georgia.~~

~~(f) Department—The Department of Agriculture for the State of Georgia.~~

~~(g) Editor—The individual designated by the Commissioner of Agriculture to administer the operation of the *Bulletin*, including (but not limited to) receive, collect, edit and arrange materials authorized to be published, maintain circulation lists and arrange for printing and circulation of the *Bulletin*.~~

~~(h) Notice—The individual advertisement placed for publication with the Editor by seller or purchaser.~~

~~(i) Person—Its natural and usual meaning, but not including artificial beings, such as corporations and partnerships.~~

Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.

40-8-1-.03 — Scope

All notices published in the *Bulletin* must relate directly to the farming and agricultural industry, or be a product thereof; any and all item(s) submitted for sale through the *Bulletin* must meet at least one of the following criteria:

- 1) must be produced by the advertiser on his/her own farming operation;
- 2) must be made by the advertiser from materials on his/her own farm;
- 3) must be owned and used by the advertiser on his/her own farming operation for a period of at least ninety days prior to offering for sale in the *Bulletin*; notices for handcraft items shall be governed by 40-8-3-.03.

Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.

40-8-1-.04 — Editor's Authority

The Commissioner designates Editor as the final authority for all editorial decisions, including (but not limited to):

- (a) Promulgate "Advertising Guidelines" not in conflict with these Rules;
- (b) Set subscription rates for "out of state" subscribers and designate "out of state" geographic areas to which subscriptions will not be sent;
- (c) Allocate the maximum number of words that are allowed in the notices of any particular category in each issue and edit any notices exceeding the maximum number of words so allocated;
- (d) Designate certain issues for emphasis of a particular category or group of categories, including the authority to add or delete certain categories or groups of categories from one or more issues;
- (e) Include articles and announcements of interest to the industry or portions thereof;
- (f) Refuse to publish notices that fail to conform to these Rules or guidelines promulgated thereunder, that violate other Rules of the Department or the Commissioner, or a law of this State or the United States, or from any person who has unresolved complaints or numerous complaints filed regarding previous notices;
- (g) Set publication deadlines.

Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7

Subject ~~40-8-2~~ Notices

~~40-8-2 .01 — Number Allowed~~

~~Without special authorization advance from the Editor, only one notice may be placed by any family unit in any issue of the *Bulletin*. As used herein “family unit” shall refer to all individuals sharing the same residence, address, or telephone number.~~

~~Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.~~

40-8-2-.02—Times Published

~~Notices will published only once each time submitted unless specific written request is made for publication in up to four (4) consecutive issues. A new notice must be submitted after each maximum four-week publication period in order for the notice to continue.~~

~~Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.~~

40-8-2-.03 — In Writing

~~Each notice submitted for publication must be in writing, legible, on a single sheet of paper separate from any other notice, and be accompanied by the name of the category and the name, mailing and street address(es) and telephone number of the person submitting the same. At the end and below the text of the notice shall appear a statement duly signed by the person submitting the notice substantially as follows:~~

~~I hereby certify that the above notice meets all necessary requirements for publication in the *Farmers and Consumers Market Bulletin*.~~

~~Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.~~

Subject 40-8-3 Advertising

~~40-8-3-.01 — Residence Requirement~~

~~Georgia residents only may advertise in the *Bulletin*: 1) except where items or properties to be advertised are produced in Georgia or located in Georgia, and are owned by a Georgia taxpayer presently residing out of state, 2) out of state residents may advertise only in the Out of State Wanted Category.~~

~~Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.~~

40-8-3-.02 — Businesses

~~Businesses, corporations, dealerships or other commercial enterprises, real estate agents or brokers shall not be allowed to advertise in the *Bulletin*; if an individual connected therewith has items to advertise which are owned by the individual and not by the business and which do not relate to the business or commercial operations, special consideration may be given by the Editor.~~

~~Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.~~

40-8-3-.03 — Notice Prerequisites

~~Items for sale or services offered in any notice must conform to all laws and regulations (rules) covering sale and movement of the same. The Editor may summarize any known legal requirements in the headnote to each category, together with other requirements imposed by the Commissioner with respect to the same; however, such summary shall not be deemed exclusive should other laws or regulations be brought to the attention of the Editor. The following restrictions shall apply:~~

~~(a) Handicrafts. All items advertised in the Handicrafts column must be usable in the home or on the farm. The items offered for sale must have been made by the advertiser and not purchased for resale.~~

~~(b) Farm Labor. In the Farm Employment column only farm work wanted or farm help wanted notices shall be allowed. No commercial or domestic employment may be published or advertised.~~

~~(c) Farm Land. Advertisements for the sale, purchase, or rental of farm land may be published in issues specifically designated therefore by the Editor. Commercial or city properties may not be advertised. The Editor shall determine whether or not a piece of property to be advertised can be classified as a farm. Real estate agents or brokers may not advertise.~~

~~(d) Livestock. All livestock (i.e. those animals such as, but not limited to, cattle, equine, goats, sheep, swine, and poultry) must have been in the possession of the advertiser for a minimum of ninety (90) days before they can be advertised.~~

~~(e) Farm Machinery and Equipment. Only farm machinery and equipment owned by the advertiser and used in his/her own farming operation can be advertised; those persons advertising for machinery and equipment wanted must be seeking those items for their own farming operation.~~

~~(f) Pets. Pets (i.e. dogs, cats, birds, rabbits, fish, reptiles, or other animals customarily obtained as pets in this State) are not eligible to be advertised in the *Bulletin* with the following exceptions:~~

- ~~1. Stockdogs. Only trained farm stockdogs are eligible to be advertised. Advertisers must include dog's breeding, special training, or ability that qualifies it as a stockdog. Puppies (dogs under twelve months old) are not allowed.~~
- ~~2. Fish. Aquatic animals, including but not limited to catfish and trout, which are recognized by the aquaculture industry in the State of Georgia~~

~~(g) Timber. Timber must be individually owned and produced by the advertiser on his/her own property. No companies or businesses are allowed.~~

~~(h) Farm Services. Service advertised must be performed by the advertiser himself/herself on the farm of the individual desiring the service. Advertisers cannot be part of a commercial operation.~~

~~Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.~~

40-8-3-.04 — Responsibility

Although the Georgia Department of Agriculture *Farmers and Consumers Market Bulletin* office will make every effort to assure that advertisers are honest and live up to their obligations, and although any advertisers who do not, in the opinion of the Editor, use fair and ethical business practices in their transactions with the public may be refused the privilege of advertising in the *Farmers and Consumers Market Bulletin*; neither the (Georgia) Commissioner of Agriculture, the (Georgia) Department of Agriculture, nor the Editor of the *Farmers and Consumers Market Bulletin* can or will accept any responsibility for advertisements which appear in this publication. Further, no assurance is made by any of the above named of the quality of any of the merchandise advertised therein. No responsibility is assumed for any typographical or other errors whether the fault of the printer or the *Farmers and Consumers Market Bulletin* staff.

Authority: Ga. L. 1874, p. 5; O.C.G.A. Sec. 2-2-7.