

Livestock Identification and Commerce Act – Frequently Asked Questions (FAQs)

Brand FAQs

What constitutes a brand and who can use it?

A brand will continue to be a character or combination of characters used to identify the person or organization having an ownership interest or a security interest in livestock. Producers will also continue to be allowed to use modern forms of identification, such as electronic identification, for which there is a registry recognized by the Minister.

The application of a brand to livestock will continue to be voluntary. Only those who want to brand, have to brand. Furthermore, the regulations only apply to branding of livestock as defined in the *Livestock Identification and Commerce Act* and associated regulations (currently, horses and cattle). Branding of other types of animals will not be regulated in this legislation.

All brands will continue to be registered with LIS and it will continue to be an offence to apply an unregistered brand.

Only the owner of the brand or someone authorized by the owner will be allowed to apply the brand to livestock.

What kinds of livestock can I apply a brand to?

The brand system will only recognize brands applied to livestock. Livestock is defined as cattle and horses and any other livestock specified in the regulations. Bison will be removed from the brand inspection requirements.

Who can register a brand?

Alberta residents, business and anyone conducting business in livestock in Alberta will be allowed to register a brand.

What name should I register the brand in?

Persons applying to register a brand will be required to identify the name they intend to use when selling livestock. They should use the legal name of their company or partnership. Unincorporated producers should use their proper legal name. This is the name they will put on the "owner line" on the manifest.

Since the name you use when you apply to register your brand is the name that will appear in the brand registry, it will be the name the livestock inspector looks at when doing a livestock inspection. It is also the name that a licensed livestock dealer (including auction markets) will use to prepare the cheque for the livestock you sell.

These provisions will apply to individual producers, corporations and partnerships.

Livestock Identification and Commerce Act – Frequently Asked Questions (FAQs)

Owners of a registered brand will be required to keep LIS informed of any name changes. An inspector can place a hold on the sale proceeds where the person who presented the livestock for sale is not listed as the owner of the registered brand.

Can I register a brand in more than one name?

More than one name can be listed in the brand application. All of the names will be listed as owners if the brand is registered.

Can I change the name that my brand is registered in?

An owner of a registered brand can request that LIS change the name or names listed in the brand registry.

Will I be able to have someone else (like a dealer) sell my livestock for me?

A dealer can present another person's livestock for sale as long as the manifest indicates the registered brand owner's name on the "owner line" on the manifest.

What effect does the brand have in cases of stolen livestock?

In a prosecution for an offence under the provincial statutes, the fact that the livestock is bearing a brand is proof, in the absence of evidence to the contrary, that the owner of the registered brand has an ownership interest in the livestock.

What does putting a brand and livestock identifiers on an animal do?

The brand and livestock identifiers will continue to be a means by which an owner can visually identify animals that belong to the owner. However, the brand itself will not be a determination of ownership. For example, if livestock are bearing the brand of someone other than the person presenting the livestock for sale, as long as the person selling the livestock can produce a bill of sale from the owner of the registered brand or from a previous sale, then the seller will be assumed to have the right to sell the livestock.

The application of a brand will not necessarily override previous security interests or liens against the livestock.

How long will the brand be registered for?

Brands will continue to be lifetime brands. The estate will given the option of surrendering the brand so that others may apply to register and use the brand after a period of time. Upon death, the legal representatives of the owner of the registered brand can transfer the brand to the beneficiaries of the estate by notifying LIS. Brands that are not transferred or surrendered within two years of the date of death can be cancelled.