

## Brand Laws

Most states have brand laws. These statutes and (sometimes) administrative regulations establish brand registration systems. These systems require the registration of brands with county or state officials to avoid duplication of brands or brands that are confusingly alike.

Brand laws also specify where on the horse, cow or other livestock the brands can be placed. Typically, they also specify that the existence of a registered brand on an animal is proof (subject to rebuttal by evidence) that the animal belongs to the person in whose name the brand is registered. Finally, brand laws frequently provide that sale of any branded animal must be accompanied by a written bill of sale.

In addition, brand laws often establish a system of brand inspections when livestock are sold at public auction, imported into a state or moved intra-state. Brand inspectors are commissioned to examine livestock to search for stolen animals.

We were able to find brand statutes and administrative regulations for 41 states. We were unable to find either statutes or regulations for the following: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, and West Virginia. If you have information about brand laws in any of those states, please contact us with your information.

This page was created on March 30, 1997.

All statutes were reviewed in July 2001. Changes were made to reflect amendments and repeals since the original posting.

NEW YORK BRAND LAWS  
NEW YORK STATUTES  
AGRICULTURE AND MARKETS LAW  
CHAPTER 69 OF THE CONSOLIDATED LAWS  
ARTICLE 2--DEPARTMENT OF AGRICULTURE AND MARKETS;  
JURISDICTION;  
GENERAL POWERS AND DUTIES

### § 16. General powers and duties of department

The department through the commissioner shall have power to:

1. Execute and carry into effect the laws of the state and the rules of the department, relative to agriculture, horticulture, farm and dairy products, aquaculture, and the production, transportation, storage, marketing and distributing of food; enforce and carry into effect the provisions of the laws of the state relative to weights and measures.

38. Establish and maintain a statewide registry of brands for livestock owners to voluntarily register the brand they use to brand their livestock.