

1973 WL 26776 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 18, 1973

*1 Mr. John N. Williams, II
Professor of Animal Science
Cooperative Extension Service
of Clemson University
Clemson, South Carolina 29631

Dear Mr. Williams:

Thank you for your letter of May 23, 1973, in which you inquire if it is legal in South Carolina to use a freeze brand as an owner brand on cattle or other livestock.

Section 6-362 of the South Carolina Code of Laws, 1962, as amended, provides that:
it is lawful to brand livestock with the owner's brand in accordance with the provisions of this article.

There is no requirement in the above quoted section or in the remaining provisions of Article 4 that brands be applied by any particular method.

One of the primary rules in the construction of statutory language is that words used therein should be taken in their ordinary and popular meaning, unless there is some limitation in the statute requiring a different interpretation. [Laird v. Nationwide Insurance Co.](#), 243 S.C. 388, 134 S.E. (2) 206 (1964). The [Oxford English Dictionary](#), Volume I, (1961), at page 1055 defines 'brand' when used as a verb as follows:

[t]o mark indelibly, as a proof of ownership, as a sign of quality or for any other purpose; to impress (a word, letter, or device) by way of brand.

It is, therefore, the opinion of this office that, in the absence of a statute prescribing the procedure, it is legal in South Carolina to use a freeze brand as an owner brand on cattle and other livestock.

Very truly yours,

Karen L. Henderson
Legal Assistant

1973 WL 26776 (S.C.A.G.)

End of Document

© 2020 Thomson Reuters. No claim to original U.S. Government Works.