

110TH CONGRESS  
1ST SESSION

# H. R. 2462

To amend the Farm Security and Rural Investment Act of 2002 to promote growth and opportunity for the dairy industry in the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2007

Mr. HOLDEN introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Farm Security and Rural Investment Act of 2002 to promote growth and opportunity for the dairy industry in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPEAL OF DAIRY PRICE SUPPORT PROGRAM.**

4 (a) IN GENERAL.—Section 1501 of the Farm Secu-  
5 rity and Rural Investment Act of 2002 (7 U.S.C. 7981)  
6 is repealed.

1 (b) CONFORMING AMENDMENT.—Section 1507 of the  
2 Farm Security and Rural Investment Act of 2002 (7  
3 U.S.C. 7983) is repealed.

4 **SEC. 2. MILK TARGET PRICE PROGRAM.**

5 Section 1502 of the Farm Security and Rural Invest-  
6 ment Act of 2002 (7 U.S.C. 7982) is amended—

7 (1) by striking the section heading and insert-  
8 ing “**MILK TARGET PRICE PROGRAM**”;

9 (2) in subsection (a), by striking paragraph (1)  
10 and inserting the following:

11 “(1) CLASS III MILK.—The term ‘Class III  
12 milk’ means milk (including milk components) classi-  
13 fied as milk for manufacturing purposes under a  
14 Federal milk marketing order.”;

15 (3) by striking subsection (c) and inserting the  
16 following:

17 “(c) AMOUNT.—

18 “(1) IN GENERAL.—Subject to paragraph (3),  
19 payments to a producer under this section shall be  
20 calculated by multiplying (as determined by the Sec-  
21 retary)—

22 “(A) the payment quantity for the pro-  
23 ducer during the applicable month established  
24 under subsection (d); by

25 “(B) the amount equal to—

1                   “(i) \$12.00 per hundredweight (as ad-  
2                   justed under paragraph (2); less

3                   “(ii) the Class III milk price per hun-  
4                   dredweight under the applicable Federal  
5                   milk marketing order.

6                   “(2) FEED PRICE INDEX AND ADJUSTMENT  
7                   FACTOR.—

8                   “(A) FEED PRICE INDEX.—The Secretary  
9                   shall develop a feed price index, using a base-  
10                  line period of calendar years 2001 through  
11                  2005, to reflect the feed cost of producing 100  
12                  pounds of milk.

13                  “(B) FEED ADJUSTMENT FACTOR.—The  
14                  Secretary shall establish a feed adjustment fac-  
15                  tor that reflects changes in the feed price index,  
16                  as determined by the Secretary.

17                  “(C) ADJUSTMENT.—Each month that  
18                  there is an increase in the feed price index, the  
19                  Secretary shall adjust the amount described in  
20                  paragraph (1)(B)(i) to reflect any increases in  
21                  the feed adjustment factor.

22                  “(3) MAXIMUM AMOUNT.—The maximum an-  
23                  nual payment for all producers on a single dairy op-  
24                  eration during the months of the applicable fiscal

1 year for which the producers receive payments under  
2 this section shall not exceed \$50,000.”; and

3 (4) in subsections (f) and (g)(1), by striking  
4 “September 30, 2007” both places it appears and  
5 inserting “September 30, 2012”.

6 **SEC. 3. DAIRY OPTIONS PROGRAM.**

7 Subtitle E of title I of the Farm Security and Rural  
8 Investment Act of 2002 (7 U.S.C. 7981 et seq.) is amend-  
9 ed by adding at the end the following:

10 **“SEC. 1509. DAIRY OPTIONS PROGRAM.**

11 “(a) ESTABLISHMENT.—The Secretary shall carry  
12 out a nationwide program under similar terms and condi-  
13 tions as the Secretary used to carry out the dairy options  
14 pilot program established in accordance with section 191  
15 of the Federal Agricultural Improvement Reform Act of  
16 1996 (7 U.S.C. 7331).

17 “(b) FUNDING.—

18 “(1) COMMODITY CREDIT CORPORATION.—The  
19 Secretary shall use the funds, facilities, and authori-  
20 ties of the Commodity Credit Corporation to carry  
21 out this section.

22 “(2) FUNDING AMOUNT.—Of the funds of the  
23 Commodity Credit Corporation, the Secretary shall  
24 use to carry out this section \$25,000,000 for each

1 of fiscal years 2008 through 2012, to remain avail-  
2 able until expended.

3 “(3) BUDGET NEUTRALITY.—To the maximum  
4 extent practicable, the Secretary shall operate the  
5 program in a budget neutral manner.”.

6 **SEC. 4. RECOURSE LOAN PROGRAM FOR COMMERCIAL**  
7 **PRODUCERS OF DAIRY PRODUCTS.**

8 Subtitle E of title I of the Farm Security and Rural  
9 Investment Act of 2002 (7 U.S.C. 7981 et seq.) (as  
10 amended by section 3) is amended by adding at the end  
11 the following:

12 **“SEC. 1510. RECOURSE LOAN PROGRAM FOR COMMERCIAL**  
13 **PRODUCERS OF DAIRY PRODUCTS.**

14 “(a) DEFINITION OF ELIGIBLE DAIRY PRODUCTS.—  
15 In this section, the term ‘eligible dairy products’ means  
16 cheddar cheese, butter, and nonfat dry milk.

17 “(b) PROGRAM.—Effective beginning on September  
18 30, 2007, the Secretary shall make recourse loans avail-  
19 able to commercial processors of eligible dairy products—

20 “(1) to assist the processors to manage inven-  
21 tories of eligible dairy products; and

22 “(2) to ensure a greater degree of price stability  
23 for the dairy industry.

24 “(c) AMOUNT OF LOAN.—

1           “(1) IN GENERAL.—The Secretary shall estab-  
2           lish a loan rate for eligible dairy products, that re-  
3           flects a milk equivalent value of \$9.90 per hundred-  
4           weight of milk containing 3.67 percent butterfat, as  
5           determined by the Secretary.

6           “(2) INTEREST.—The Secretary shall charge a  
7           processor that receives a recourse loan under this  
8           section a rate of interest that is not less than the  
9           rate of interest that the Secretary of the Treasury  
10          charges the Commodity Credit Corporation, as de-  
11          termined by the Secretary.

12          “(d) PERIOD OF LOAN.—

13                 “(1) IN GENERAL.—The original term of a re-  
14                 course loan made under this section may not extend  
15                 beyond the end of the fiscal year in which the loan  
16                 is made.

17                 “(2) EXTENSION.—At the end of a fiscal year,  
18                 the Secretary may extend a recourse loan for an ad-  
19                 ditional period not to exceed the end of the next fis-  
20                 cal year.”.

21         **SEC. 5. MILK REVENUE INSURANCE PILOT PROGRAM.**

22                 Section 523 of the Federal Crop Insurance Act (7  
23                 U.S.C. 1523) is amended by adding at the end the fol-  
24                 lowing:

25                 “(f) MILK REVENUE INSURANCE PILOT PROGRAM.—

1           “(1) IN GENERAL.—During each of crop years  
2           2008 through 2012, the Corporation shall carry out  
3           a pilot program under which producers on a dairy  
4           farm may elect to receive insurance against loss of  
5           revenue due to natural disasters and price fluctua-  
6           tions, as determined by the Corporation, based on  
7           the average revenue received by producers for each  
8           cow during the 5-year period ending the preceding  
9           crop year.

10           “(2) REQUIREMENTS.—The Corporation shall  
11           carry out the pilot program under this section using  
12           similar terms and conditions as were contained in  
13           the crop insurance policy proposal entitled ‘Milk  
14           Revenue Policy (from bovine animals)’ submitted to  
15           the Board on April 26, 2007, in accordance with  
16           section 508(h).”.

17 **SEC. 6. FEDERAL MILK MARKETING ORDERS.**

18           (a) 2-CLASS SYSTEM FOR CLASSIFYING MILK.—

19           (1) IN GENERAL.—Not later than September  
20           30, 2008, the Secretary of Agriculture shall conduct  
21           a study of the economic benefits to milk producers  
22           of establishing a 2-class system for classifying milk  
23           under Federal milk marketing orders issued under  
24           section 8c(5) of the Agricultural Adjustment Act (7  
25           U.S.C. 608c(5)), reenacted with amendments by the

1       Agricultural Marketing Agreement Act of 1937, con-  
2       sisting of a fluid milk class and a manufacturing  
3       grade milk class (with the price for both classes de-  
4       termined using the component prices of butterfat,  
5       protein, and other solids).

6           (2) AMENDMENT TO ORDERS.—If the Secretary  
7       determines (on the basis of the study conducted  
8       under paragraph (1)) that a 2-class system for  
9       classifying milk under Federal milk marketing or-  
10      ders would have a positive impact on milk producers,  
11      the Secretary shall amend Federal milk marketing  
12      orders to implement the 2-class system for  
13      classifying milk.

14       (b) DEADLINE FOR ISSUANCE OF ORDERS.—Section  
15      8c(4) of the Agricultural Adjustment Act (7 U.S.C.  
16      608c(4)), reenacted with amendments by the Agricultural  
17      Marketing Agreement Act of 1937, is amended by striking  
18      “After” and inserting “Not later than 30 days after”.

19       (c) ADVANCED PRICING.—Section 8c(5) of the Agri-  
20      cultural Adjustment Act (7 U.S.C. 608c(5)), reenacted  
21      with amendments by the Agricultural Marketing Agree-  
22      ment Act of 1937, is amended by adding at the end the  
23      following:

24                   “(P) ADVANCED PRICING.—Not later than  
25                   September 30, 2007, in calculating the ad-

1 vanced price of Class I butterfat milk and Class  
2 I and II skim milk under Federal milk mar-  
3 keting orders, the Secretary shall use the 4-  
4 week component prices that are used to cal-  
5 culate prices for Class III and Class IV milk,  
6 as determined by the Secretary.”.

7 (d) ECONOMIC IMPACT ASSESSMENT.—The Sec-  
8 retary of Agriculture shall—

9 (1) carry out a review of the milk-feed ratio  
10 during the 1-year period ending on the date of en-  
11 actment of this Act; and

12 (2) not later than September 30, 2008, and  
13 each time a proposed change in the Federal milk  
14 marketing order formulas is considered by the Sec-  
15 retary—

16 (A) assess the economic impact, over a 1-  
17 and 2-year period, of proposed changes in Fed-  
18 eral milk marketing order formulas on—

- 19 (i) milk supply;  
20 (ii) farm profitability;  
21 (iii) consumer demand; and  
22 (iv) market prices;

23 (B) submit to the Committee on Agri-  
24 culture of the House of Representatives and the  
25 Committee on Agriculture, Nutrition, and For-

1           estry a report that describes the results of the  
2           assessment; and

3                   (C) consider, and include in the record, the  
4           results of the assessment before making a deci-  
5           sion on any proposed change to the Federal  
6           milk marketing order formulas.

7   **SEC. 7. DAIRY FORWARD PRICING PROGRAM.**

8           Section 23 of the Agricultural Adjustment Act (7  
9   U.S.C. 627), reenacted with amendments by the Agricul-  
10   tural Marketing Agreement Act of 1937, is amended—

11           (1) in the section heading by striking “**PILOT**”;

12           (2) in subsection (a)—

13                   (A) by striking “PILOT PROGRAM RE-  
14           QUIRED.—” and all that follows through “pilot”  
15           and inserting “IN GENERAL.—The Secretary of  
16           Agriculture shall carry out a”;

17                   (B) by striking “under which milk pro-  
18           ducers” and inserting “under which—

19           “(1) milk producers”.; and

20                   (C) by striking “handlers.” and inserting  
21           “handlers; and

22           “(2) proprietary processors and cooperatives  
23           regulated under Federal milk marketing orders are  
24           authorized to voluntarily enter into forward price

1 contracts with the members of the processors and  
2 cooperatives.”;

3 (3) by striking subsections (d) and (e); and

4 (4) by adding at the end the following:

5 “(d) FUNDING.—

6 “(1) COMMODITY CREDIT CORPORATION.—The  
7 Secretary shall use the funds, facilities, and authori-  
8 ties of the Commodity Credit Corporation to carry  
9 out this section.

10 “(2) FUNDING AMOUNT.—The Secretary shall  
11 use such funds of the Commodity Credit Corporation  
12 as are necessary to carry out this section for each  
13 of fiscal years 2008 through 2012, to remain avail-  
14 able until expended.”.

15 **SEC. 8. DAIRY PROCESSING EQUIPMENT LOAN GUARANTEE**

16 **FUND.**

17 (a) LOANS.—

18 (1) IN GENERAL.—Section 310B(a) of the Con-  
19 solidated Farm and Rural Development Act (7  
20 U.S.C. 1932(a)) is amended—

21 (A) by designating the first through fifth  
22 sentences as paragraphs (1) through (5), re-  
23 spectively;

24 (B) by striking “SEC. 310B. (a) The Sec-  
25 retary” and inserting the following:

1 **“SEC. 310B. RURAL INDUSTRIALIZATION ASSISTANCE.**

2 “(a) LOANS.—

3 “(1) IN GENERAL.—The Secretary”;

4 (C) by striking “for the purposes of (1)  
5 improving” and inserting “for the purposes  
6 of—

7 “(A) improving”;

8 (D) by striking “abatement and control,  
9 (2) the conservation” and inserting “abatement  
10 and control;

11 “(B) the conservation”;

12 (E) by striking “rural areas, (3) reducing”  
13 and inserting “rural areas;

14 “(C) reducing”;

15 (F) by striking “rural areas, and (4) to fa-  
16 cilitate economic” and inserting “rural areas;

17 “(D) facilitating economic”; and

18 (G) by striking “foreign trade.” and insert-  
19 ing “foreign trade; and20 “(E) providing processors of dairy prod-  
21 ucts with incentives for investing in new equip-  
22 ment and technologies by using not more than  
23 \$15,000,000 each fiscal year to—24 “(i) make loans to dairy processors  
25 and cooperatives to cover not more than 50  
26 percent of the cost of acquisition and adop-

1           tion of new equipment, equipment up-  
2           grades, and new technologies—

3                   “(I) at a fixed rate of interest  
4                   not to exceed the prime lending rate  
5                   plus 1 percent; and

6                   “(II) with a term of not to ex-  
7                   ceed 15 years; and

8                   “(ii) guarantee loans made to dairy  
9                   processors and cooperatives for the acqui-  
10                  sition and adoption of new dairy equipment,  
11                  equipment upgrades, and new technologies,  
12                  at a guarantee rate of 90 percent.”.

13           (2) CONFORMING AMENDMENTS.—

14                   (A) Section 307(a)(6)(B)(ii) of the Con-  
15                  solidated Farm and Rural Development Act (7  
16                  U.S.C. 1927(a)(6)(B)(ii)) is amended by strik-  
17                  ing “clause (1) of section 310B(a)” and insert-  
18                  ing “section 310B(a)(1)(A)”.

19                   (B) Section 333A(g)(1)(B) of the Consoli-  
20                  dated Farm and Rural Development Act (7  
21                  U.S.C. 1983a(g)(1)(B)) is amended by striking  
22                  “310B(a)(1)” and inserting “310(a)(1)(A)”.

23                   (C) Section 381E(d)(3)(B) of the Consoli-  
24                  dated Farm and Rural Development Act (7

1 U.S.C. 2009d(d)(3)(B)) is amended by striking  
2 “310B(a)(1)” and inserting “310B(a)(1)(A)”.

3 (b) LENDING POWER FOR DAIRY PROCESSING CO-  
4 OPERATIVES.—Section 3.7 of the Farm Credit Act of  
5 1971 (12 U.S.C. 2128) is amended by adding at the end  
6 the following:

7 “(g) DAIRY PROCESSING COOPERATIVES.—

8 “(1) IN GENERAL.—The banks for cooperatives  
9 may use not more than \$15,000,000 each fiscal year  
10 to provide dairy processing cooperatives with work-  
11 ing capital lines of credit and accounts receivable fi-  
12 nancing for the purpose of accessing export mar-  
13 keting opportunities for milk and milk products.

14 “(2) LIMITATIONS.—Financing provided by the  
15 banks for cooperatives for a project under paragraph  
16 (1) may not exceed the lesser of—

17 “(A) \$1,000,000; or

18 “(B) 75 percent of the costs of carrying  
19 out the project.

20 “(3) TERM.—

21 “(A) IN GENERAL.—Except as provided in  
22 subparagraph (B), the term of a line of credit  
23 described in paragraph (1) shall not exceed 24  
24 months.

1           “(B) REVOLVING LINES OF CREDIT.—A  
2 revolving line of credit may be used for multiple  
3 transactions.

4           “(4) DUE DATE.—An accounts receivable fi-  
5 nancing loan under this subsection shall be due on  
6 the earlier of—

7           “(A) the date on which the receivable is  
8 paid; or

9           “(B) 180 days after the date of disburse-  
10 ment.

11          “(5) USE OF FINANCING.—

12           “(A) WORKING CAPITAL LINE OF CREDIT  
13 FINANCING.—Working capital line of credit fi-  
14 nancing under this subsection may be used—

15           “(i) to acquire inventory for the pro-  
16 duction of milk;

17           “(ii) to pay direct and indirect costs  
18 (such as design, engineering, labor, and  
19 overhead costs) used for—

20           “(I) the manufacture or purchase  
21 of goods, including work-in-process,  
22 for the production of milk; or

23           “(II) for the provision of services  
24 for the production of milk; or

1                   “(iii) to support standby letters of  
2                   credit used as bid bonds, performance  
3                   bonds, or payment guarantees.

4                   “(B) ACCOUNTS RECEIVABLE FINANC-  
5                   ING.—Accounts receivable financing under this  
6                   subsection may be used to finance export ac-  
7                   counts receivables for milk and milk products  
8                   sold on payment terms of not more than 180  
9                   days after the date of arrival at the port of im-  
10                  portation, if the finance export accounts receiv-  
11                  able have been insured by the Commodity Cred-  
12                  it Corporation or other guarantor approved by  
13                  the Secretary.”.

14 **SEC. 9. FEDERAL LOAN FORGIVENESS PROGRAM.**

15                  The National Agricultural Research, Extension, and  
16                  Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.) is  
17                  amended by adding at the end the following:

18                               **“Subtitle P—Federal Dairy**  
19                               **Education Loan Forgiveness**

20 **“SEC. 1495. SHORT TITLE.**

21                  “‘This subtitle may be cited as the ‘Federal Dairy  
22                  Education Loan Forgiveness Act’.

23 **“SEC. 1496. DEFINITIONS.**

24                  “‘In this subtitle:

1           “(1) FAMILY DAIRY FARM.—The term ‘family  
2 dairy farm’ means the real property of a dairy  
3 farm—

4           “(A) owned by—

5           “(i) 1 or more immediate family mem-  
6 bers; or

7           “(ii) a family dairy farm corporation;  
8 and

9           “(B) used for the production, for commer-  
10 cial purposes, of milk or milk products.

11           “(2) FAMILY DAIRY FARM CORPORATION.—The  
12 term ‘family dairy farm corporation’ means a cor-  
13 poration—

14           “(A) at least 75 percent of the assets of  
15 which are devoted to active involvement in  
16 farming; and

17           “(B) at least 75 percent of each class of  
18 stock of which is continuously owned by 1 or  
19 more immediate family members.

20           “(3) IMMEDIATE FAMILY MEMBER.—The term  
21 ‘immediate family member’ means a spouse, child,  
22 stepchild, parent, stepparent, grandparent, brother,  
23 stepbrother, sister, stepsister, or similar relative-in-  
24 law of an owner of real property, as determined by  
25 the Secretary.

1           “(4) INSTITUTION OF HIGHER EDUCATION.—  
2           The term ‘institution of higher education’ has the  
3           meaning given the term in section 101(a) of the  
4           Higher Education Act of 1965 (20 U.S.C. 1001(a)).

5           “(5) PROGRAM.—The term ‘program’ means  
6           the Federal dairy education loan forgiveness pro-  
7           gram established under section 1497(a).

8           “(6) QUALIFIED APPLICANT.—The term ‘quali-  
9           fied applicant’ means a resident of the United States  
10          who, as determined by the Secretary—

11                 “(A) holds a 2- or 4-year degree in a field  
12                 related to the production of agricultural prod-  
13                 ucts from an institution of higher education;

14                 “(B) on or after January 1, 2008, has  
15                 commenced the first year of full-time ownership  
16                 or operation of a family dairy farm; and

17                 “(C) is the borrower of an outstanding  
18                 qualified loan as a result of pursuing a degree  
19                 described in subparagraph (A).

20          “(7) QUALIFIED LOAN.—The term ‘qualified  
21          loan’ means—

22                 “(A)(i) a loan made, insured, or guaran-  
23                 teed under section 428 or 428H of the Higher  
24                 Education Act of 1965 (20 U.S.C. 1078, 1078–  
25                 8);

1           “(ii) a Federal Direct Stafford Loan or a  
2           Federal Direct Unsubsidized Stafford Loan  
3           made under section 455 of that Act (20 U.S.C.  
4           1087e); or

5           “(iii) a consolidation loan under section  
6           428C of that Act (20 U.S.C. 1078–3), or a  
7           Federal Direct Consolidation Loan under sec-  
8           tion 455 of that Act (20 U.S.C. 1087e), to the  
9           extent that the amount of the loan was used to  
10          repay a loan described in clause (i) or (ii); and

11          “(B) a loan under part B or D of title IV  
12          of that Act (20 U.S.C. 1070 et seq.); or

13          “(C) a loan under a guaranteed student  
14          loan program of the Department.

15 **“SEC. 1497. FEDERAL DAIRY EDUCATION LOAN FORGIVE-**  
16 **NESS PROGRAM.**

17          “(a) IN GENERAL.—Subject to the availability of ap-  
18          propriations, the Secretary shall carry out a Federal dairy  
19          education loan forgiveness program under which the Sec-  
20          retary shall assume the obligation to repay an amount cal-  
21          culated in accordance with subsection (c) for 1 or more  
22          qualified loans made to eligible qualified applicants in ac-  
23          cordance with this section.

24          “(b) ELIGIBILITY.—A qualified applicant shall sub-  
25          mit to the Secretary an application and such documenta-

1 tion of continued eligibility as the Secretary determines  
2 to be appropriate.

3 “(c) MAXIMUM AMOUNT.—The maximum amount  
4 that the Secretary may repay under the program for each  
5 qualified applicant shall be equal to the average annual  
6 cost of tuition at land-grant colleges and universities (as  
7 determined by the Secretary annually), for each year that  
8 the qualified applicant—

9 “(1) is an owner or operator of a family dairy  
10 farm; and

11 “(2) has not otherwise received loan repayment  
12 on behalf of the qualified applicant under this sec-  
13 tion or any other Federal or State program.

14 “(d) PROHIBITION.—Nothing in this section author-  
15 izes the refunding of any repayment of a qualified loan.

16 “(e) EXCLUSION FROM INCOME.—Any payment to,  
17 or on behalf of, a qualified applicant under this subtitle  
18 shall not be included in the gross income of the qualified  
19 applicant for purposes of the Internal Revenue Code of  
20 1986.

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) IN GENERAL.—There are authorized to be  
23 appropriated such sums as are necessary to carry  
24 out this subtitle.

1           “(2) INSUFFICIENT FUNDS.—If the total  
2 amount of funds appropriated to carry out this sub-  
3 title is insufficient to provide loan repayment under  
4 the program for all eligible qualified applicants, the  
5 Secretary shall provide loan repayment to eligible  
6 qualified applicants on a pro rata basis.”.

7 **SEC. 10. MANDATORY REPORTING OF DAIRY COMMOD-**  
8 **ITIES.**

9           (a) DEFINITIONS.—Section 272 of the Agricultural  
10 Marketing Act of 1946 (7 U.S.C. 1637a) is amended to  
11 read as follows:

12 **“SEC. 272. DEFINITIONS.**

13           “In this subtitle:

14           “(1) DAIRY COMMODITY.—

15           “(A) IN GENERAL.—The term ‘dairy com-  
16 modity’ means a product manufactured from  
17 milk or a milk-derived ingredient.

18           “(B) INCLUSIONS.—The term ‘dairy com-  
19 modity’ includes—

20                   “(i) fluid milk;

21                   “(ii) cheese;

22                   “(iii) butter;

23                   “(iv) nonfat dry milk;

24                   “(v) skim milk;

25                   “(vi) whey products;

1                   “(vii) dry proteins (such as a milk  
2                   protein concentrate, casein, and a casein-  
3                   ate);

4                   “(viii) a lactose product; and

5                   “(ix) a fresh dairy product (such as  
6                   yogurt and ice cream).

7                   “(2) DAIRY PROCESSOR.—The term ‘dairy proc-  
8                   essor’ means a person or legal entity that commer-  
9                   cially processes milk into cheese, butter, nonfat dry  
10                  milk, or other dairy solids.

11                  “(3) SECRETARY.—The term ‘Secretary’ means  
12                  the Secretary of Agriculture.”.

13                  (b) MANDATORY REPORTING.—Section 273 of the  
14                  Agricultural Marketing Act of 1946 (7 U.S.C. 1637b) is  
15                  amended—

16                  (1) by redesignating subsections (c) and (d) as  
17                  subsections (d) and (e), respectively; and

18                  (2) by striking subsections (a) and (b) and in-  
19                  serting the following:

20                  “(a) DAILY REPORTING.—

21                  “(1) IN GENERAL.—The corporate officers or  
22                  officially-designated representatives of each dairy  
23                  processor shall report to the Secretary at least once  
24                  each reporting day, not later than 10:00 a.m. Cen-

1       tral Time, for each sales transaction involving a  
2       dairy commodity, information concerning—

3               “(A) the sales price;

4               “(B) the quantity sold;

5               “(C) the location of the sales transaction;

6               and

7               “(D) product characteristics, including—

8                       “(i) moisture level;

9                       “(ii) packaging size;

10                      “(iii) grade;

11                      “(iv) if appropriate, fat or protein  
12                      level;

13                      “(v) heat level for dried products; and

14                      “(vi) other defining product character-  
15                      istics.

16               “(2) PUBLICATION.—The Secretary shall make  
17       the information reported under paragraph (1) avail-  
18       able to the public not less frequently than once each  
19       reporting day, categorized by location and product  
20       characteristics.

21               “(b) WEEKLY REPORTING.—

22               “(1) IN GENERAL.—The corporate officers or  
23       officially-designated representatives of each dairy  
24       processor shall report to the Secretary, on the first  
25       reporting day of each week, not later than 9:00 a.m.

1 Central Time, for the prior week information con-  
2 cerning—

3 “(A) the sales prices for sales transactions  
4 involving dairy commodities, categorized by  
5 product characteristics; and

6 “(B) the quantities of dairy commodities  
7 sold.

8 “(2) PUBLICATION.—The Secretary shall make  
9 the information reported under paragraph (1) avail-  
10 able to the public on the first reporting day of each  
11 week, not later than 10:00 a.m. Central Time, cat-  
12 egorized by location and product characteristics.

13 “(3) FEDERAL ORDER PRICES.—The Secretary  
14 shall use weekly prices published under paragraph  
15 (2) to calculate Federal milk marketing order prices.

16 “(c) MONTHLY REPORTING.—

17 “(1) IN GENERAL.—The corporate officers or  
18 officially-designated representatives of each dairy  
19 processor shall report to the Secretary, on the first  
20 reporting day of each month, not later than 9:00  
21 a.m. Central Time, the quantity of all dairy com-  
22 modities processed by the dairy processor during the  
23 prior month.

24 “(2) PUBLICATION.—The Secretary shall make  
25 the information reported under paragraph (1) avail-

1       able to the public on the first reporting day of each  
2       month, not later than 10:00 a.m. Central Time, cat-  
3       egorized by location and product characteristics.”.

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