

110TH CONGRESS  
1ST SESSION

---

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.

---

\_\_\_\_\_ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

## 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. MILK TARGET PRICE PROGRAM.**

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

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

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

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

7           (3) by striking subsection (c) and inserting the  
8           following:

9           “(c) AMOUNT.—

10           “(1) IN GENERAL.—Subject to paragraph (3),  
11           payments to a producer under this section shall be  
12           calculated by multiplying (as determined by the Sec-  
13           retary)—

14           “(A) the payment quantity for the pro-  
15           ducer during the applicable month established  
16           under subsection (d); by

17           “(B) the amount equal to—

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

20           “(ii) the Class III milk price per hun-  
21           dredweight under the applicable Federal  
22           milk marketing order.

23           “(2) FEED PRICE INDEX AND ADJUSTMENT  
24           FACTOR.—

1           “(A) FEED PRICE INDEX.—The Secretary  
2           shall develop a feed price index, using a base-  
3           line period of calendar years 2001 through  
4           2005, to reflect the feed cost of producing 100  
5           pounds of milk.

6           “(B) FEED ADJUSTMENT FACTOR.—The  
7           Secretary shall establish a feed adjustment fac-  
8           tor that reflects changes in the feed price index,  
9           as determined by the Secretary.

10          “(C) ADJUSTMENT.—Each month that  
11          there is an increase in the feed price index, the  
12          Secretary shall adjust the amount described in  
13          paragraph (1)(B)(i) to reflect any increases in  
14          the feed adjustment factor.

15          “(3) MAXIMUM AMOUNT.—The maximum an-  
16          nual payment for all producers on a single dairy op-  
17          eration during the months of the applicable fiscal  
18          year for which the producers receive payments under  
19          this section shall not exceed \$50,000.”; and

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

1 **SEC. 2. DAIRY OPTIONS PROGRAM.**

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

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

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

12 “(b) FUNDING.—

13 “(1) COMMODITY CREDIT CORPORATION.—The  
14 Secretary shall use the funds, facilities, and authori-  
15 ties of the Commodity Credit Corporation to carry  
16 out this section.

17 “(2) FUNDING AMOUNT.—Of the funds of the  
18 Commodity Credit Corporation, the Secretary shall  
19 use to carry out this section \$25,000,000 for each  
20 of fiscal years 2008 through 2012, to remain avail-  
21 able until expended.

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

1 **SEC. 3. RECOURSE LOAN PROGRAM FOR COMMERCIAL**  
2 **PRODUCERS OF DAIRY PRODUCTS.**

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

7 **“SEC. 1510. RECOURSE LOAN PROGRAM FOR COMMERCIAL**  
8 **PRODUCERS OF DAIRY PRODUCTS.**

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

12 “(b) PROGRAM.—Effective beginning on September  
13 30, 2007, the Secretary shall make recourse loans avail-  
14 able to commercial processors of eligible dairy products—

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

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

19 “(c) AMOUNT OF LOAN.—

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

25 “(2) INTEREST.—The Secretary shall charge a  
26 processor that receives a recourse loan under this

1 section a rate of interest that is not less than the  
2 rate of interest that the Secretary of the Treasury  
3 charges the Commodity Credit Corporation, as de-  
4 termined by the Secretary.

5 “(d) PERIOD OF LOAN.—

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

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

14 **SEC. 4. MILK REVENUE INSURANCE PILOT PROGRAM.**

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

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

19 “(1) IN GENERAL.—During each of crop years  
20 2008 through 2012, the Corporation shall carry out  
21 a pilot program under which producers on a dairy  
22 farm may elect to receive insurance against loss of  
23 revenue due to natural disasters and price fluctua-  
24 tions, as determined by the Corporation, based on  
25 the average revenue received by producers for each

1 cow during the 5-year period ending the preceding  
2 crop year .

3 “(2) REQUIREMENTS.—The Corporation shall  
4 carry out the pilot program under this section using  
5 similar terms and conditions as were contained in  
6 the crop insurance policy proposal entitled ‘Milk  
7 Revenue Policy (from bovine animals)’ submitted to  
8 the Board on April 26, 2007, in accordance with  
9 section 508(h).”.

10 **SEC. 5. FEDERAL MILK MARKETING ORDERS.**

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

12 (1) IN GENERAL.—Not later than September  
13 30, 2008, the Secretary of Agriculture shall conduct  
14 a study of the economic benefits to milk producers  
15 of establishing a 2-class system for classifying milk  
16 under Federal milk marketing orders issued under  
17 section 8c(5) of the Agricultural Adjustment Act (7  
18 U.S.C. 608c(5)), reenacted with amendments by the  
19 Agricultural Marketing Agreement Act of 1937, con-  
20 sisting of a fluid milk class and a manufacturing  
21 grade milk class (with the price for both classes de-  
22 termined using the component prices of butterfat,  
23 protein, and other solids).

24 (2) AMENDMENT TO ORDERS.—

1           (A) IN GENERAL.—If the Secretary deter-  
2           mines (on the basis of the study conducted  
3           under paragraph (1)) that a 2-class system for  
4           classifying milk under Federal milk marketing  
5           orders would have a positive impact on milk  
6           producers, the Secretary submit a report to the  
7           Committee on Agriculture of the House of Rep-  
8           resentatives and the Committee on Agriculture,  
9           Nutrition, and Forestry of the Senate that in-  
10          cludes the text of proposed amendments to the  
11          Federal milk marketing orders to implement  
12          the 2-class system for classifying milk.

13           (B) EFFECTIVE DATE.—The proposed  
14          amendments described in subparagraph (A)  
15          shall take effect not earlier than the date that  
16          is 180 days after the date on which the report  
17          is submitted under that subparagraph.

18          (b) DEADLINE FOR ISSUANCE OF ORDERS.—Section  
19          8c(4) of the Agricultural Adjustment Act (7 U.S.C.  
20          608c(4)), reenacted with amendments by the Agricultural  
21          Marketing Agreement Act of 1937, is amended by striking  
22          “After” and inserting “Not later than 30 days after”.

23          (c) ADVANCED PRICING.—Section 8c(5) of the Agri-  
24          cultural Adjustment Act (7 U.S.C. 608c(5)), reenacted  
25          with amendments by the Agricultural Marketing Agree-



1 (iv) market prices;

2 (B) submit to the Committee on Agri-  
3 culture of the House of Representatives and the  
4 Committee on Agriculture, Nutrition, and For-  
5 estry a report that describes the results of the  
6 assessment; and

7 (C) consider, and include in the record, the  
8 results of the assessment before making a deci-  
9 sion on any proposed change to the Federal  
10 milk marketing order formulas.

11 **SEC. 6. DAIRY FORWARD PRICING PROGRAM.**

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

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

16 (2) in subsection (a)—

17 (A) by striking “PILOT PROGRAM RE-  
18 QUIRED. \_\_” and all that follows through “pilot”  
19 and inserting “IN GENERAL. \_\_The Secretary of  
20 Agriculture shall carry out a”;

21 (B) by striking “under which milk pro-  
22 ducers” and inserting “under which—  
23 “(1) milk producers”.; and

24 (C) by striking “handlers.” and inserting  
25 “handlers; and

1           “(2) proprietary processors and cooperatives  
2 regulated under Federal milk marketing orders are  
3 authorized to voluntarily enter into forward price  
4 contracts with the members of the processors and  
5 cooperatives.”;

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

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

8           “(d) FUNDING.—

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

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

18 **SEC. 7. DAIRY PROCESSING EQUIPMENT LOAN GUARANTEE**

19           **FUND.**

20           (a) LOANS.—

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

1 (A) by designating the first through fifth  
2 sentences as paragraphs (1) through (5), re-  
3 spectively;

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

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

7 “(a) LOANS.—

8 “(1) IN GENERAL.—The Secretary”;

9 (C) by striking “for the purposes of (1)  
10 improving” and inserting “for the purposes  
11 of—

12 “(A) improving”;

13 (D) by striking “abatement and control,  
14 (2) the conservation” and inserting “abatement  
15 and control;

16 “(B) the conservation”;

17 (E) by striking “rural areas, (3) reducing”  
18 and inserting “rural areas;

19 “(C) reducing”;

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

22 “(D) facilitating economic”; and

23 (G) by striking “foreign trade.” and insert-  
24 ing “foreign trade; and

1           “(E) providing processors of dairy prod-  
2           ucts with incentives for investing in new equip-  
3           ment and technologies by using not more than  
4           \$15,000,000 each fiscal year to—

5                   “(i) make loans to dairy processors  
6                   and cooperatives to cover not more than 50  
7                   percent of the cost of acquisition and adop-  
8                   tion of new equipment, equipment up-  
9                   grades, and new technologies—

10                           “(I) at a fixed rate of interest  
11                           not to exceed the prime lending rate  
12                           plus 1 percent; and

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

15   “(ii) guarantee loans made to dairy  
16   processors and cooperatives for the acqui-  
17   sition and adoption of new dairy equipment,  
18   equipment upgrades, and new technologies,  
19   at a guarantee rate of 90 percent.”.

20           (2) CONFORMING AMENDMENTS.—

21                   (A) Section 307(a)(6)(B)(ii) of the Con-  
22                   solidated Farm and Rural Development Act (7  
23                   U.S.C. 1927(a)(6)(B)(ii)) is amended by strik-  
24                   ing “clause (1) of section 310B(a)” and insert-  
25                   ing “section 310B(a)(1)(A)”.

1 (B) Section 333A(g)(1)(B) of the Consoli-  
2 dated Farm and Rural Development Act (7  
3 U.S.C. 1983a(g)(1)(B)) is amended by striking  
4 “310B(a)(1)” and inserting “310(a)(1)(A)”.

5 (C) Section 381E(d)(3)(B) of the Consoli-  
6 dated Farm and Rural Development Act (7  
7 U.S.C. 2009d(d)(3)(B)) is amended by striking  
8 “310B(a)(1)” and inserting “310B(a)(1)(A)”.

9 (b) LENDING POWER FOR DAIRY PROCESSING CO-  
10 OPERATIVES.—Section 3.7 of the Farm Credit Act of  
11 1971 (12 U.S.C. 2128) is amended by adding at the end  
12 the following:

13 “(g) DAIRY PROCESSING COOPERATIVES.—

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

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

23 “(A) \$1,000,000; or

24 “(B) 75 percent of the costs of carrying  
25 out the project.

1 “(3) TERM.—

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

6 “(B) REVOLVING LINES OF CREDIT.—A  
7 revolving line of credit may be used for multiple  
8 transactions.

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

12 “(A) the date on which the receivable is  
13 paid; or

14 “(B) 180 days after the date of disburse-  
15 ment.

16 “(5) USE OF FINANCING.—

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

20 “(i) to acquire inventory for the pro-  
21 duction of milk;

22 “(ii) to pay direct and indirect costs  
23 (such as design, engineering, labor, and  
24 overhead costs) used for—

1                   “(I) the manufacture or purchase  
2                   of goods, including work-in-process,  
3                   for the production of milk; or

4                   “(II) for the provision of services  
5                   for the production of milk; or

6                   “(iii) to support standby letters of  
7                   credit used as bid bonds, performance  
8                   bonds, or payment guarantees.

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

19 **SEC. 8. FEDERAL LOAN FORGIVENESS PROGRAM.**

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

1           **“Subtitle P—Federal Dairy**  
2           **Education Loan Forgiveness**

3   **“SEC. 1495. SHORT TITLE.**

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

6   **“SEC. 1496. DEFINITIONS.**

7           “‘In this subtitle:

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

11                           “(A) owned by—

12                                   “(i) 1 or more immediate family mem-  
13 bers; or

14                                   “(ii) a family dairy farm corporation;  
15 and

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

18                   “(2) FAMILY DAIRY FARM CORPORATION.—The  
19 term ‘family dairy farm corporation’ means a cor-  
20 poration—

21                           “(A) at least 75 percent of the assets of  
22 which are devoted to active involvement in  
23 farming; and

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

4           “(3) IMMEDIATE FAMILY MEMBER.—The term  
5           ‘immediate family member’ means a spouse, child,  
6           stepchild, parent, stepparent, grandparent, brother,  
7           stepbrother, sister, stepsister, or similar relative-in-  
8           law of an owner of real property, as determined by  
9           the Secretary.

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

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

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

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

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

1           “(C) is the borrower of an outstanding  
2           qualified loan as a result of pursuing a degree  
3           described in subparagraph (A).

4           “(7) QUALIFIED LOAN.—The term ‘qualified  
5           loan’ means—

6           “(A)(i) a loan made, insured, or guaran-  
7           teed under section 428 or 428H of the Higher  
8           Education Act of 1965 (20 U.S.C. 1078, 1078–  
9           8);

10           “(ii) a Federal Direct Stafford Loan or a  
11           Federal Direct Unsubsidized Stafford Loan  
12           made under section 455 of that Act (20 U.S.C.  
13           1087e); or

14           “(iii) a consolidation loan under section  
15           428C of that Act (20 U.S.C. 1078–3), or a  
16           Federal Direct Consolidation Loan under sec-  
17           tion 455 of that Act (20 U.S.C. 1087e), to the  
18           extent that the amount of the loan was used to  
19           repay a loan described in clause (i) or (ii); and

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

22           “(C) a loan under a guaranteed student  
23           loan program of the Department.

1 **“SEC. 1497. FEDERAL DAIRY EDUCATION LOAN FORGIVE-**  
2 **NESS PROGRAM.**

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

10 “(b) ELIGIBILITY.—A qualified applicant shall sub-  
11 mit to the Secretary an application and such documenta-  
12 tion of continued eligibility as the Secretary determines  
13 to be appropriate.

14 “(c) MAXIMUM AMOUNT.—The maximum amount  
15 that the Secretary may repay under the program for each  
16 qualified applicant shall be equal to the average annual  
17 cost of tuition at land-grant colleges and universities (as  
18 determined by the Secretary annually), for each year that  
19 the qualified applicant—

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

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

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

1       “(e) EXCLUSION FROM INCOME.—Any payment to,  
2 or on behalf of, a qualified applicant under this subtitle  
3 shall not be included in the gross income of the qualified  
4 applicant for purposes of the Internal Revenue Code of  
5 1986.

6       “(f) AUTHORIZATION OF APPROPRIATIONS.—

7           “(1) IN GENERAL.—There are authorized to be  
8 appropriated such sums as are necessary to carry  
9 out this subtitle.

10          “(2) INSUFFICIENT FUNDS.—If the total  
11 amount of funds appropriated to carry out this sub-  
12 title is insufficient to provide loan repayment under  
13 the program for all eligible qualified applicants, the  
14 Secretary shall provide loan repayment to eligible  
15 qualified applicants on a pro rata basis.”.

16 **SEC. 9. MANDATORY REPORTING OF DAIRY COMMODITIES.**

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

20 **“SEC. 272. DEFINITIONS.**

21       “In this subtitle:

22           “(1) DAIRY COMMODITY.—

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

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

3                   “(i) fluid milk;

4                   “(ii) cheese;

5                   “(iii) butter;

6                   “(iv) nonfat dry milk;

7                   “(v) skim milk;

8                   “(vi) whey products;

9                   “(vii) dry proteins (such as a milk  
10                   protein concentrate, casein, and a casein-  
11                   ate);

12                   “(viii) a lactose product; and

13                   “(ix) a fresh dairy product (such as  
14                   yogurt and ice cream).

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

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

21                   (b) MANDATORY REPORTING.—Section 273 of the  
22                   Agricultural Marketing Act of 1946 (7 U.S.C. 1637b) is  
23                   amended—

24                   (1) by redesignating subsections (c) and (d) as  
25                   subsections (d) and (e), respectively; and

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

3           “(a) DAILY REPORTING.—

4           “(1) IN GENERAL.—The corporate officers or  
5           officially–designated representatives of each dairy  
6           processor shall report to the Secretary at least once  
7           each reporting day, not later than 10:00 a.m. Cen-  
8           tral Time, for each sales transaction involving a  
9           dairy commodity, information concerning—

10                   “(A) the sales price;

11                   “(B) the quantity sold;

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

13           and

14                   “(D) product characteristics, including—

15                           “(i) moisture level;

16                           “(ii) packaging size;

17                           “(iii) grade;

18                           “(iv) if appropriate, fat or protein  
19                   level;

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

21                           “(vi) other defining product character-  
22                   istics.

23           “(2) PUBLICATION.—The Secretary shall make  
24           the information reported under paragraph (1) avail-  
25           able to the public not less frequently than once each

1 reporting day, categorized by location and product  
2 characteristics.

3 “(b) WEEKLY REPORTING.—

4 “(1) IN GENERAL.—The corporate officers or  
5 officially–designated representatives of each dairy  
6 processor shall report to the Secretary, on the first  
7 reporting day of each week, not later than 9:00 a.m.  
8 Central Time, for the prior week information con-  
9 cerning—

10 “(A) the sales prices for sales transactions  
11 involving dairy commodities, categorized by  
12 product characteristics; and

13 “(B) the quantities of dairy commodities  
14 sold.

15 “(2) PUBLICATION.—The Secretary shall make  
16 the information reported under paragraph (1) avail-  
17 able to the public on the first reporting day of the  
18 each week, not later than 10:00 a.m. Central Time,  
19 categorized by location and product characteristics.

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

23 “(c) MONTHLY REPORTING.—

24 “(1) IN GENERAL.—The corporate officers or  
25 officially–designated representatives of each dairy

1 processor shall report to the Secretary, on the first  
2 reporting day of each month, not later than 9:00  
3 a.m. Central Time, the quantity of all dairy com-  
4 modities processed by the dairy processor during the  
5 prior month.

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