

118TH CONGRESS  
1ST SESSION

# S. 1014

To require the Secretary of Agriculture to initiate hearings to review Federal milk marketing orders relating to pricing of Class I skim milk, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 28, 2023

Mrs. GILLIBRAND (for herself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To require the Secretary of Agriculture to initiate hearings to review Federal milk marketing orders relating to pricing of Class I skim milk, 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. SHORT TITLE.**

4 This Act may be cited as the “Dairy Pricing Oppor-  
5 tunity Act of 2023”.

6 **SEC. 2. NOTICE AND HEARINGS.**

7 (a) IN GENERAL.—Not later than 180 days after the  
8 date of enactment of this Act, the Secretary of Agriculture  
9 shall provide notice of, and initiate, national hearings to

1 review Federal milk marketing orders under section 8c(3)  
2 of the Agricultural Adjustment Act (7 U.S.C. 608c(3)),  
3 reenacted with amendments by the Agricultural Marketing  
4 Agreement Act of 1937, which shall include review and  
5 consideration of views and proposals of producers and the  
6 dairy industry on the Class I skim milk price, including  
7 the “higher of” Class I skim milk formula described in  
8 subsection (b) and any other views and proposals on the  
9 Class I skim milk price, and such other matters as the  
10 Secretary of Agriculture considers appropriate.

11 (b) “HIGHER OF” CLASS I SKIM MILK FORMULA  
12 DESCRIBED.—The “higher of” Class I skim milk formula  
13 referred to in subsection (a) is the formula under which,  
14 for purposes of determining prices for milk of the highest  
15 use classification, the Class I skim milk price per hundred-  
16 weight specified in section 1000.50(b) of title 7, Code of  
17 Federal Regulations (or successor regulations), is equal to  
18 the sum obtained by adding—

19 (1) the adjusted Class I differential specified in  
20 section 1000.52 of that title (or successor regula-  
21 tions);

22 (2) the adjustment to Class I prices specified in  
23 sections 1005.51(b), 1006.51(b), and 1007.51(b) of  
24 that title (or successor regulations); and

25 (3) the higher of—

1 (A) the advanced pricing factor computed  
2 under section 1000.50(q)(1) of that title (or  
3 successor regulations); and

4 (B) the advanced pricing factor computed  
5 under section 1000.50(q)(2) of that title (or  
6 successor regulations).

7 **SEC. 3. MANDATORY REPORTING OF DAIRY PRODUCT**  
8 **PROCESSING COSTS.**

9 Section 273 of the Agricultural Marketing Act of  
10 1946 (7 U.S.C. 1637b) is amended—

11 (1) in subsection (b)(1)—

12 (A) in subparagraph (A)(ii), by striking  
13 “and” at the end;

14 (B) in subparagraph (B), by striking the  
15 period at the end and inserting a semicolon;  
16 and

17 (C) by adding at the end the following:

18 “(C) for each manufacturer required to re-  
19 port under subparagraph (A) for any product,  
20 require that manufacturer to report cost and  
21 yield information, as determined by the Sec-  
22 retary, for all products processed in the same  
23 facility or facilities; and

24 “(D) require any manufacturer of such  
25 other dairy products as determined by the Sec-

1           retary to report cost and yield information in  
2           the same manner as under subparagraph (C),  
3           for the purposes of providing information for  
4           the regulatory or administrative establishment  
5           of pricing rules.”; and

6           (2) in subsection (d), by adding at the end the  
7           following:

8           “(3) DAIRY PRODUCT PROCESSING COSTS.—Not  
9           later than 2 years after the date of enactment of  
10          this paragraph, and every 2 years thereafter, the  
11          Secretary shall publish a report containing the infor-  
12          mation obtained under subparagraphs (C) and (D)  
13          of subsection (b)(1).”.

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