

(A) establishes a production history pursuant to section 9055(b) of this title; and

(B) makes a 1-time election of coverage level in a tier and of a percentage of coverage under section 9056(a) of this title for the period beginning with the first available calendar year and ending in December 2023.

(3) Full participation required

Notwithstanding the annual elections under section 9056(a) of this title—

(A) a 1-time enrollment under this subsection shall remain in effect for the full duration applicable to a participating dairy operation in accordance with paragraph (1) or (2)(B), as applicable; and

(B) a participating dairy operation that makes a 1-time enrollment under this subsection and is noncompliant under section 9058 of this title shall be subject to that section.

(Pub. L. 113-79, title I, §1407, Feb. 7, 2014, 128 Stat. 691; Pub. L. 115-123, div. F, §60101(b)(4), Feb. 9, 2018, 132 Stat. 312; Pub. L. 115-334, title I, §1401(h)-(j), (k)(8), Dec. 20, 2018, 132 Stat. 4514, 4515, 4517.)

AMENDMENTS

2018—Pub. L. 115-334, §1401(k)(8)(A), substituted “dairy margin coverage” for “margin protection program” in section catchline.

Subsec. (a). Pub. L. 115-334, §1401(k)(8)(B), substituted “dairy margin coverage” for “the margin protection program” in introductory provisions.

Subsec. (b). Pub. L. 115-123, §60101(b)(4)(A)(i), substituted “Tier I: premium per hundredweight for first 5,000,000 pounds of production” for “Premium per hundredweight for first 4 million pounds of production” in heading.

Subsec. (b)(1). Pub. L. 115-123, §60101(b)(4)(A)(ii), substituted “5,000,000” for “4,000,000”.

Subsec. (b)(2). Pub. L. 115-334, §1401(h)(1), added par. (2) and struck out former par. (2) which set forth table of annual premiums, applicable except as provided in par. (3).

Pub. L. 115-123, §60101(b)(4)(A)(iii), in Premium per Cwt. column of table, substituted “None” for “\$0.010”, “None” for “\$0.025”, “\$0.009” for “\$0.040”, “\$0.016” for “\$0.055”, “\$0.040” for “\$0.090”, “\$0.063” for “\$0.217”, “\$0.087” for “\$0.300”, and “\$0.142” for “\$0.475”.

Subsec. (b)(3). Pub. L. 115-334, §1401(h)(1), struck out par. (3). Text read as follows: “The premium per hundredweight specified in the table contained in paragraph (2) for each coverage level (except the \$8.00 coverage level) shall be reduced by 25 percent for each of calendar years 2014 and 2015.”

Subsec. (c). Pub. L. 115-123, §60101(b)(4)(B)(i), substituted “Tier II: premium per hundredweight for production in excess of 5,000,000 pounds” for “Premium per hundredweight for production in excess of 4 million pounds” in heading.

Subsec. (c)(1). Pub. L. 115-123, §60101(b)(4)(B)(ii), substituted “5,000,000” for “4,000,000”.

Subsec. (c)(2). Pub. L. 115-334, §1401(h)(2), added par. (2) and struck out former par. (2) which set forth table of annual producer premiums.

Subsec. (d). Pub. L. 115-334, §1401(k)(8)(C), substituted “dairy margin coverage integrity” for “program integrity”.

Subsec. (e). Pub. L. 115-334, §1401(k)(8)(D)(i), substituted “in dairy margin coverage” for “in the margin protection program” in two places.

Subsec. (e)(2). Pub. L. 115-334, §1401(k)(8)(D)(ii), substituted “integrity of dairy margin coverage” for “integrity of the program”.

Subsec. (f). Pub. L. 115-334, §1401(i), added subsec. (f).

Subsec. (g). Pub. L. 115-334, §1401(j), added subsec. (g).

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-334 effective on Jan. 1, 2019, see section 1401(m) of Pub. L. 115-334, set out as a note under section 9051 of this title.

Amendment by Pub. L. 115-123 applicable beginning with the 2018 calendar year, see section 60101(b)(5) of Pub. L. 115-123, set out as a note under section 9051 of this title.

§ 9058. Effect of failure to pay administrative fees or premiums

(a) Loss of benefits

A participating dairy operation that fails to pay the required annual administrative fee under section 9054 of this title or is in arrears on premium payments under section 9057 of this title—

(1) remains legally obligated to pay the administrative fee or premiums, as the case may be; and

(2) may not receive dairy margin coverage payments until the fees or premiums are fully paid.

(b) Enforcement

The Secretary may take such action as necessary to collect administrative fees and premium payments for participation in dairy margin coverage.

(Pub. L. 113-79, title I, §1408, Feb. 7, 2014, 128 Stat. 693; Pub. L. 115-334, title I, §1401(k)(9), Dec. 20, 2018, 132 Stat. 4517.)

AMENDMENTS

2018—Subsec. (a)(2). Pub. L. 115-334, §1401(k)(9)(A), substituted “dairy margin coverage” for “margin protection”.

Subsec. (b). Pub. L. 115-334, §1401(k)(9)(B), substituted “dairy margin coverage” for “the margin protection program”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-334 effective on Jan. 1, 2019, see section 1401(m) of Pub. L. 115-334, set out as a note under section 9051 of this title.

§ 9059. Duration

Dairy margin coverage shall end on December 31, 2023.

(Pub. L. 113-79, title I, §1409, Feb. 7, 2014, 128 Stat. 693; Pub. L. 115-334, title I, §1401(l), Dec. 20, 2018, 132 Stat. 4518.)

AMENDMENTS

2018—Pub. L. 115-334 substituted “Dairy margin coverage” for “The margin protection program” and “2023” for “2018”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-334 effective on Jan. 1, 2019, see section 1401(m) of Pub. L. 115-334, set out as a note under section 9051 of this title.

§ 9060. Administration and enforcement

(a) In general

The Secretary shall promulgate regulations to address administrative and enforcement issues involved in carrying out dairy margin coverage.

(b) Reconstitution

The Secretary shall promulgate regulations to prohibit a dairy producer from reconstituting a