

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

dairy operation for the purpose of the dairy producer receiving dairy margin coverage payments.

(c) Administrative appeals

Using authorities under section 1308(h) of this title and subtitle H of the Department of Agriculture Reorganization Act (7 U.S.C. 6991 et seq.), the Secretary shall promulgate regulations to provide for administrative appeals of decisions of the Secretary that are adverse to participants of dairy margin coverage.

(Pub. L. 113-79, title I, §1410, Feb. 7, 2014, 128 Stat. 693; Pub. L. 115-334, title I, §1401(k)(10), Dec. 20, 2018, 132 Stat. 4518.)

REFERENCES IN TEXT

The Department of Agriculture Reorganization Act, referred to in subsec. (c), probably means the Department of Agriculture Reorganization Act of 1994 which is title II of Pub. L. 103-354, Oct. 13, 1994, 108 Stat. 3209. Subtitle H of the Act is classified principally to subchapter VIII (§6991 et seq.) of chapter 98 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is comprised of section 1410 of Pub. L. 113-79. Subsec. (d) of section 1410 of Pub. L. 113-79 amended section 7253 of this title.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, §1401(k)(10)(A), substituted “dairy margin coverage” for “the margin protection program”.

Subsec. (b). Pub. L. 115-334, §1401(k)(10)(B), substituted “dairy margin coverage payments” for “margin protection payments”.

Subsec. (c). Pub. L. 115-334, §1401(k)(10)(A), 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.

PART B—MILK DONATION PROGRAM

CODIFICATION

Pub. L. 115-334, title I, §1404(b)(1), Dec. 20, 2018, 132 Stat. 4519, substituted “Milk Donation Program” for “Dairy Product Donation Program” in part heading.

§ 9071. Milk donation program

(a) Definitions

In this section:

(1) Eligible dairy organization

The term “eligible dairy organization” means a dairy farmer (either individually or as part of a cooperative), or a dairy processor, who—

(A) accounts to a Federal milk marketing order marketwide pool; and

(B) incurs qualified expenses under subsection (e).

(2) Eligible distributor

The term “eligible distributor” means a public or private nonprofit organization that distributes donated eligible milk.

(3) Eligible milk

The term “eligible milk” means Class I fluid milk products produced and processed in the United States.