

108TH CONGRESS
2D SESSION

H. R. 4223

To require the Commodity Credit Corporation to support the development of a domestic casein and milk protein concentrate industry, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2004

Mr. NUNES (for himself, Mr. SHERWOOD, Mr. GREEN of Wisconsin, Mr. CARDOZA, Mr. POMBO, Mr. MCCOTTER, Mr. RADANOVICH, Mr. MARIO DIAZ-BALART of Florida, Mr. PEARCE, Mr. SIMPSON, Mr. PETERSON of Minnesota, and Mr. LATOURETTE) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To require the Commodity Credit Corporation to support the development of a domestic casein and milk protein concentrate industry, 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. UNITED STATES DAIRY PROTEINS INCENTIVE**
4 **PROGRAM.**

5 (a) ESTABLISHMENT AND PURPOSE.—The Com-
6 modity Credit Corporation shall establish and operate a
7 program under section 5 of the Commodity Credit Cor-
8 poration Charter Act (15 U.S.C. 714c) to support the de-

1 velopment of a casein and milk protein concentrate indus-
2 try in the 48 contiguous States.

3 (b) PROGRAM DESCRIBED.—Under the program, the
4 Corporation shall make payments, on a bid basis, to an
5 entity that produces and markets dairy proteins produced
6 from liquid skim milk. The Secretary of Agriculture shall
7 have sole discretion to accept or reject bids under such
8 criteria as the Secretary considers appropriate.

9 (c) RULES AND REGULATIONS.—The program shall
10 be operated under such rules and regulations issued by
11 the Secretary as the Secretary considers necessary to en-
12 sure, among other things, that—

13 (1) receipt of a payment is contingent upon the
14 end use of the dairy proteins produced;

15 (2) no applicant receives a payment if the con-
16 tract submitted for review would result in the under-
17 cutting of domestic prices for milk, nonfat dry milk,
18 or dairy proteins; and

19 (3) the sale of the dairy proteins represents a
20 new use of the domestically produced dairy proteins.

21 (d) CHEESE PRODUCTS EXCEPTION.—The sale of
22 dairy proteins for use in the production of standardized
23 cheeses, as determined by the Secretary, shall not be eligi-
24 ble to receive payments under the program.

1 (e) PAYMENT RATE.—Payments made under the pro-
2 gram shall be made at a rate or rates established or ap-
3 proved by the Secretary. Any such rate shall be published
4 in the Federal Register or publicly announced through
5 other appropriate means, and shall be at a level or levels
6 that will encourage the development of a dairy proteins
7 industry in the 48 contiguous States.

8 (f) IMPLEMENTATION OF PROGRAM.—The Secretary
9 shall develop regulations and implement the program not
10 later than 180 days after the date of the enactment of
11 this section.

12 (g) TREATY OBLIGATIONS.—The Secretary shall
13 carry out the program in a manner consistent with the
14 obligations of the United States as a member of the World
15 Trade Organization.

16 (h) DAIRY PROTEIN DEFINITION.—In this section,
17 the term “dairy proteins” means whey, whey protein con-
18 centrate, casein, or milk protein concentrate.

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