

Islands of the United States, and any other territory or possession of the United States.

(Pub. L. 113-79, title I, §1401, Feb. 7, 2014, 128 Stat. 688; Pub. L. 115-123, div. F, §60101(b)(1)(A), Feb. 9, 2018, 132 Stat. 311; Pub. L. 115-334, title I, §§1401(k)(2), 1404(b)(2), Dec. 20, 2018, 132 Stat. 4516, 4521.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-334, §1404(b)(2), struck out “and part B” after “this part” in introductory provisions.

Par. (4). Pub. L. 115-123 redesignated par. (5) as (4) and struck out former par. (4). Prior to amendment, text read as follows: “The term ‘consecutive 2-month period’ refers to the 2-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.”

Pars. (5), (6). Pub. L. 115-334, §1401(k)(2)(A), added pars. (5) and (6) and struck out former pars. (5) and (6) which defined the terms “margin protection program” and “margin protection program payment”, respectively.

Pub. L. 115-123, §60101(b)(1)(A)(ii), redesignated pars. (6) and (7) as (5) and (6), respectively. Former par. (5) redesignated (4).

Pars. (7), (8). Pub. L. 115-334, §1401(k)(2)(B), substituted “dairy margin coverage” for “the margin protection program”.

Pub. L. 115-123, §60101(b)(1)(A)(ii), redesignated pars. (8) and (9) as (7) and (8), respectively. Former par. (7) redesignated (6).

Pars. (9) to (11). Pub. L. 115-123, §60101(b)(1)(A)(ii), redesignated pars. (10) and (11) as (9) and (10), respectively. Former par. (9) redesignated (8).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-334, title I, §1401(m), Dec. 20, 2018, 132 Stat. 4518, provided that: “The amendments made by this section [amending this section and sections 9052 to 9060 of this title] shall take effect on January 1, 2019.”

Pub. L. 115-123, div. F, §60101(b)(5), Feb. 9, 2018, 132 Stat. 312, provided that: “The amendments made by this subsection [amending this section and sections 9052 and 9054 to 9057 of this title] shall apply beginning with the 2018 calendar year.”

#### § 9052. Calculation of average feed cost and actual dairy production margins

##### (a) Calculation of average feed cost

The Secretary shall calculate the national average feed cost for each month using the following data:

(1) The price of corn for a month shall be the price received during that month by farmers in the United States for corn, as reported in the monthly Agricultural Prices report by the Secretary.

(2) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News—Monthly Soybean Meal Price Report by the Secretary.

(3) The price of alfalfa hay for a month shall be the price received during that month by farmers in the United States for alfalfa hay, as reported in the monthly Agricultural Prices report by the Secretary.

#### (b) Calculation of actual dairy production margin

##### (1) In general

For use in dairy margin coverage, the Secretary shall calculate the actual dairy production margin for each month by subtracting—

(A) the average feed cost for that month, determined in accordance with subsection (a); from

(B) the all-milk price for that month.

##### (2) Time for calculation

The calculation required by this subsection shall be made as soon as practicable using the full-month price of the applicable reference month.

(Pub. L. 113-79, title I, §1402, Feb. 7, 2014, 128 Stat. 689; Pub. L. 115-123, div. F, §60101(b)(1)(B), Feb. 9, 2018, 132 Stat. 311; Pub. L. 115-334, title I, §1401(k)(3), Dec. 20, 2018, 132 Stat. 4516.)

#### Editorial Notes

##### AMENDMENTS

2018—Subsec. (b)(1). Pub. L. 115-334 substituted “dairy margin coverage” for “the margin protection program” in introductory provisions.

Pub. L. 115-123 substituted “month” for “consecutive 2-month period” wherever appearing.

#### Statutory Notes and Related Subsidiaries

##### 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.

##### COLLECTION OF ALFALFA HAY DATA

Pub. L. 115-334, title I, §1401(c), Dec. 20, 2018, 132 Stat. 4512, provided that: “Not later than 120 days after the date of the enactment of this Act [Dec. 20, 2018], the Secretary [of Agriculture], acting through the National Agricultural Statistics Service, shall revise monthly price survey reports to include prices for high-quality alfalfa hay in the top five milk producing States, as measured by volume of milk produced during the previous month.”

#### § 9053. Dairy margin coverage

##### (a) In general

The Secretary shall continue to administer a dairy margin coverage program for dairy producers under which participating dairy operations are paid a dairy margin coverage payment when actual dairy production margins are less than the threshold levels for a dairy margin coverage payment.

##### (b) Regulations

Subpart A of part 1430 of title 7, Code of Federal Regulations (as in effect on December 20, 2018), shall remain in effect for dairy margin coverage beginning with the 2019 calendar year, except to the extent that the regulations are inconsistent with any provision of this Act.

(Pub. L. 113-79, title I, §1403, Feb. 7, 2014, 128 Stat. 689; Pub. L. 115-334, title I, §1401(k)(4), Dec. 20, 2018, 132 Stat. 4516.)