

**PROPOSED REGULATION OF THE
STATE DAIRY COMMISSION**

LCB File No. R121-99

September 14, 1999

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-6, NRS 584.400, 584.474 and 584.515.

Section 1. Chapter 584 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *“Basic formula price” means the base price to be paid to a producer by a distributor set each month by the United States Department of Agriculture for fluid milk and fluid cream.*

Sec. 3. *“Class differential” means the price set by the commission and added to the basic formula price or to the price of class III fluid milk and fluid cream to determine the price to be paid to a producer by a distributor for each class of fluid milk and fluid cream.*

Sec. 4. NAC 584.5551 is hereby amended to read as follows:

584.5551 As used in NAC 584.5551 to 584.6712, inclusive, *and sections 2 and 3 of this regulation*, unless the context otherwise requires, the words and terms defined in chapter 584 of NRS and in NAC 584.5561 to 584.5751, inclusive, *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.

Sec. 5. NAC 584.6482 is hereby amended to read as follows:

584.6482 1. Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid *to a producer* by a distributor ~~[to a producer]~~ located in the western Nevada marketing area, except a ~~[producer]~~ *distributor* located in zone 9 of the western Nevada marketing area, is the minimum price established for fluid milk and fluid cream ~~[as of August 26, 1996,]~~ *set every 2 months* by the State of California Department of Food and Agriculture for the northern California marketing area. If the minimum price for fluid milk and fluid cream established for the northern California marketing area is revised, the commission will review the revised price to determine whether it is acceptable. Unless the commission, within 5 days after the price for the northern California marketing area is revised, determines that the revised price is unacceptable, the revised price for the northern California marketing area shall be deemed the minimum price for fluid milk and fluid cream to be paid *to a producer* by a distributor ~~[to a producer]~~ located in the western Nevada marketing area, except a ~~[producer]~~ *distributor* located in zone 9 of the western Nevada marketing area. The minimum price for fluid milk and fluid cream to be paid *to a producer* by a distributor ~~[to a producer]~~ located in the western Nevada marketing area, except a ~~[producer]~~ *distributor* located in zone 9 of the western Nevada marketing area, may be obtained at no cost:

(a) By mail, from the State Dairy Commission, 4600 Kietzke Lane, Building A, Suite 107, Reno, Nevada 89502; ~~[or]~~

(b) By telephone, at ~~[(702) 688-1211.]~~ *(775) 688-1211; or*

(c) By electronic mail, at dairycom@govmail.state.nv.us.

2. Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid *to a producer* by a distributor ~~[to a producer]~~ located in ~~[the southern Nevada marketing area,]~~ the eastern Nevada marketing area ~~[or zone 9 of the western Nevada~~

~~marketing area,~~ *except a distributor located in zone 5 of the eastern Nevada marketing area,* is the minimum price for fluid milk and fluid cream ~~[established for those areas as of August 26, 1996.]~~ *set each month* in the Federal Milk Marketing Orders. If the minimum price for fluid milk and fluid cream established in the Federal Milk Marketing Orders for ~~[the southern Nevada marketing area.]~~ the eastern Nevada marketing area ~~[or zone 9 of the western Nevada marketing area]~~ is revised, the commission will review the revised price to determine whether it is acceptable. Unless the commission, within 5 days after the price established in the Federal Milk Marketing Orders is revised, determines that the revised price is unacceptable, the revised price set forth in the Federal Milk Marketing Orders shall be deemed the minimum price for fluid milk and fluid cream to be paid *to a producer* by a distributor ~~[to a producer]~~ located in the *eastern Nevada* marketing area ~~[for which the price was revised.]~~, *except a distributor located in zone 5 of the eastern Nevada marketing area.* A copy of the Federal Milk Marketing Orders may be obtained at no cost :

(a) *By mail*, from the State Dairy Commission, ~~[1840 East Sahara Avenue, Suite 111, Las Vegas, Nevada 89101.]~~ *4600 Kietzke Lane, Building A, Suite 107, Reno, Nevada 89502;*

(b) *By telephone*, at (775) 688-1211; or

(c) *By electronic mail*, at dairycom@govmail.state.nv.us.

3. *Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid to a producer by a distributor located in the southern Nevada marketing area, zone 5 of the eastern Nevada marketing area or zone 9 of the western Nevada marketing area, is the basic formula price or, in the absence of a basic formula price, the price of class III fluid milk and fluid cream set each month by the United States Department of Agriculture, plus the class differential set by the commission. The minimum price for fluid milk and fluid*

cream to be paid to a producer by a distributor located in the southern Nevada marketing area, zone 5 of the eastern Nevada marketing area or zone 9 of the western Nevada marketing area may be obtained at no cost:

(a) By mail, from the State Dairy Commission, 1840 East Sahara Avenue, Suite 111, Las Vegas, Nevada 89104;

(b) By telephone, at (702) 486-8212; or

(c) By electronic mail, at dairycom@govmail.state.nv.us.

Sec. 6. This regulation becomes effective on October 1, 1999, only if federal legislation is properly enacted and becomes effective on or before October 1, 1999, that states that the price of milk paid to a producer by a distributor located in Clark County, Nevada, is not subject to Federal Milk Marketing Orders and is solely regulated by the State of Nevada and the state dairy commission.