

HOUSE No. 756

By Ms. Gobi of Spencer, petition of Anne M. Gobi and others relative to establishing maximum retail milk prices. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Anne M. Gobi	William Smitty Pignatelli
Peter V. Kocot	Christine E. Canavan
Todd M. Smola	Geraldo Alicea
Donald F. Humason, Jr.	Jennifer M. Callahan
Rosemary Sandlin	

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING MAXIMUM RETAIL MILK PRICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 94A of the General Laws is hereby
2 amended by adding or inserting these new provisions:—

1 SECTION 2. The following terms will be added to the definitions
2 section of Chapter 94A, Section 1:—

3 “Average net raw milk price” shall mean the average net blended
4 milk price paid to producers of milk in the state, including premiums
5 and discounts; and

6 “Maximum retail milk price” shall mean a price for fluid milk
7 charged to consumers which exceeds two hundred percent of the
8 average net raw milk price or another maximum price established by
9 the commissioner;

10 “Retail milk dealer” shall mean any milk dealer selling fluid milk
11 directly to ultimate consumers.

1 SECTION 3. The heading for Chapter 94A, Section 14 will be
2 amended as follows:—Purchase, sale, or distribution of milk below
3 price fixed or below cost; rebates; retail sale above maximum price.

1 SECTION 4. The following subsection will be added to Chapter
2 94A, Section 14:—

3 (f) No retail milk dealer shall sell or offer for sale fluid milk for a
4 price exceeding the maximum retail milk price.

1 SECTION 5. The following Section 11A will be added within
2 Chapter 94A:—

3 Section 11A:—

4 Maximum retail milk prices to consumers:—

5 (a) The maximum retail milk price shall be two hundred percent
6 of the average net raw milk price or another amount established by
7 the commissioner after notice and hearing.

8 (b) The commissioner shall maintain and publish, monthly, the
9 following information:—

10 (i) the average net raw milk price for blend milk; and

11 (ii) the maximum retail milk price for fluid milk.

12 (c) When calculating the average net raw milk price, the commis-
13 sioner shall consider blend prices established for Massachusetts pro-
14 ducers under federal law and regulations; premiums and discounts;
15 quality and grade of milk; specialty milk products; and any other
16 factor deemed relevant by the commissioner.

17 (d) The commissioner may, after making an examination and
18 investigation and after hearing held after due notice, change or alter
19 the maximum retail milk price. The commissioner may classify such
20 milk by such forms, classes, grades or uses as the commissioner may
21 deem advisable.