

Dairy Farming Bill

CONTENTS

- 1 Minimum milk price
- 2 Mandatory minimum milk price
- 3 The Fair Milk Mark
- 4 Devolved administrations
- 5 European Union
- 6 Intensive dairy farming operations
- 7 Orders and regulations
- 8 Financial provisions
- 9 Short title, commencement and extent.

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Make provision for the minimum prices payable to dairy farmers for the production of milk; to establish minimum distances between intensive dairy farming operations and the nearest settlements; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Minimum milk price

- (1) There shall be a minimum price payable to dairy farmers for milk.
- (2) The minimum price to which reference is made in subsection (1) is advisory unless an order is made by the Secretary of State under section 2(1).
- (3) The Secretary of State must, by order, establish the minimum price to which reference is made in subsection (1)—
 - (a) not less than every 6 months;
 - (b) taking into account the factors in subsection (4); and
 - (c) to ensure that the minimum price exceeds the cost of production for milk for a typical dairy farmer in the United Kingdom by at least 30%. 10
- (4) The factors to which reference is made in subsection 3(b) are—
 - (a) the need to ensure food security;
 - (b) the need to preserve the British dairy industry; and
 - (c) the need to encourage and reward the maintenance of the environment.
- (5) The Secretary of State may by regulations make provision as to the characteristics of a typical dairy farmer in the United Kingdom for the purposes of subsection (3). 15

2 Mandatory minimum milk price

- (1) The Secretary of State may by order prescribe the minimum price payable to dairy farmers for milk established in accordance with section 1 as the price below which milk may not be purchased. 20

- (2) If an order is made under subsection (1), it shall be an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale to purchase milk for an amount below the minimum price payable to dairy farmers for milk established in accordance with section 1.

3 The Fair Milk Mark 5

- (1) All dairy products sold in England must—
- (a) if containing or manufactured from milk for which a price was paid equal to or in excess of the minimum price payable to dairy farmers for milk established in accordance with section 1, bear a mark known as the “Fair Milk Mark”; 10
 - (b) otherwise bear no such mark; and
 - (c) indicate the country of origin from which they originated or, if more than one country, the principal country from which they originated (saving always that dairy products originating from the European Union may so indicate without specifying their country of origin). 15
- (2) The Secretary of State may by regulations make provision as to the design and use of the Fair Milk Mark.
- (3) It shall be an offence punishable on summary conviction by a fine not exceeding level 4 on the standard scale to sell any dairy product bearing the Fair Milk Mark which is not entitled to bear that mark. 20

4 Devolved administrations

- (1) The Secretary of State must enter into discussions with Ministers in Wales, Scotland and Northern Ireland for the purposes of ensuring the establishment of a minimum price payable to dairy farmers for milk in the United Kingdom.
- (2) The Secretary of State must lay before both Houses of Parliament not later than 31 December 2012, and every six months after that date until the discussions are successfully concluded, a report on the discussions conducted in accordance with subsection (1). 25

5 European Union

- (1) The Secretary of State must enter into discussions with the European Commission for the purposes of ensuring the establishment of a minimum price payable to dairy farmers for milk in the European Union. 30
- (2) The Secretary of State must lay before both Houses of Parliament not later than 31 December 2012, and every 6 months after that date until the discussions are successfully concluded, a report on the discussions conducted in accordance with subsection (1). 35

6 Intensive dairy farming operations

- (1) There must be a minimum separation zone between intensive dairy farming operations and the closest settlement.
- (2) The minimum separation zone in subsection (1) is the greater of— 40
- (a) five miles; and

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- (b) such other distance as the Secretary of State may prescribe by order, taking into account the factors identified at section 1(4).
- (3) For the purposes of this section –
“intensive dairy farming operation” is a dairy farm or dairy farming operation with more than 2,000 cows;
“settlement” is any settlement consisting of five or more dwellings within one mile of one another. 5
- (4) Nothing in this section shall affect any intensive dairy farming operation which commenced operations prior to the commencement of this Act.
- 7 Orders and regulations** 10
- Orders and regulations made by the Secretary of State under this Act are to be made by statutory instrument and are subject to annulment in pursuance of a resolution of either House of Parliament.
- 8 Financial provisions**
- There shall be paid out of money provided by Parliament –* 15
- (a) *any expenditure incurred under or by virtue of this Act by the Secretary of State, and*
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*
- 9 Short title, commencement and extent.** 20
- (1) This Act may be cited as the Dairy Farming Act 2011.
- (2) This Act comes into force on 1 January 2012.
- (3) This Act extends to England and Wales only.

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To make provision for the minimum prices payable to dairy farmers for the production of milk; to establish minimum distances between intensive dairy farming operations and the nearest settlements; and for connected purposes.

*Ordered to be brought in by Stephen Phillips,
Mr Roger Gale, Martin Horwood
and Robert Flello.*

*Ordered, by The House of Commons,
to be Printed, 12 January 2011.*

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