§3152. Definitions

As used in this chapter, unless the context indicates otherwise, the following words have the following meanings. [PL 1983, c. 573, §4 (NEW).]

1. Blend price. "Blend price" means the price of milk per hundredweight computed as the sum of the Class I price multiplied by the percentage of milk sold as Class I milk, the Class II price multiplied by the percentage sold as Class II milk and the Class III price multiplied by the percentage sold as Class III milk. The blend price must be separately calculated for the base minimum price and the over-order premium.
[PL 1991, c. 266, §3 (AMD).]

1-A. Base minimum price. "Base minimum price" means Class I, Class II and Class III prices established pursuant to the northeast marketing area milk marketing order.
[PL 2005, c. 382, Pt. F, §25 (AMD).]

1-B. Adjusted base minimum price. "Adjusted base minimum price" means the base minimum price plus any amounts established by the Maine Milk Commission to reflect the increased costs of production pursuant to section 2954, subsection 2, paragraph A.
[PL 2005, c. 382, Pt. F, §26 (AMD).]

2. Boston market dealer. "Boston market dealer" means any dealer as defined in subsection 4 who purchases milk from producers subject to the price regulations of the northeast marketing area milk marketing order.
[PL 1999, c. 679, Pt. B, §9 (AMD); PL 1999, c. 679, Pt. B, §14 (AFF).]

3. Boston market producer. "Boston market producer" means any Maine milk producer selling to a dealer marketing milk subject to the northeast marketing area milk marketing order, or any agricultural cooperative that buys milk from or handles milk for such a producer and sells it to such a dealer.
[PL 1999, c. 679, Pt. B, §9 (AMD); PL 1999, c. 679, Pt. B, §14 (AFF).]

4. Dealer. "Dealer" means any person or entity who purchases or receives milk from a producer within the State for processing and sale within or outside the State.

A. A producer-dealer which is not an agricultural cooperative shall be deemed a dealer only with respect to milk purchased or received from other producers. [PL 1985, c. 646, §1 (NEW).]

B. A producer-dealer which is an agricultural cooperative shall be deemed a dealer:

(1) With respect to all milk purchased or received from other producers; and

(2) With respect to all milk purchased or received from its members except to the extent that it is exempt from the Maine Milk Pool under section 3152-A. [PL 1985, c. 646, §1 (NEW).]

C. An agricultural cooperative which is not a producer-dealer shall be deemed a dealer with respect to all milk subject to the producer price control authority of the Maine Milk Commission which it purchases or receives and which is not sold to a dealer. [PL 1985, c. 646, §1 (NEW).]
[PL 1985, c. 646, §1 (RPR).]

4-A. Eligible marketing cooperative. "Eligible marketing cooperative" means an association of milk producers organized to negotiate producer prices higher than the minimum producer prices established pursuant to the northeast marketing area milk marketing order and that the commissioner has determined will not, through its operation, evade, impair or undermine the purposes of this chapter.
[PL 2005, c. 382, Pt. F, §27 (AMD).]

5. Maine market dealer. "Maine market dealer" means any dealer as defined in subsection 4 who sells milk subject to the price control authority of the Maine Milk Commission.
[PL 1983, c. 573, §4 (NEW).]

6. Maine market producer. "Maine market producer" means any Maine milk producer selling to a dealer marketing milk on the Maine market, or any agricultural cooperative that buys milk or handles milk for such a producer and sells it to such a dealer.
[PL 1983, c. 573, §4 (NEW).]

7. Maine Milk Pool. "Maine Milk Pool" means the sum of collections as prescribed in section 3153, from Maine market producers.
[PL 1983, c. 573, §4 (NEW).]

8. Northern Maine market producer. "Northern Maine market producer" means any Maine milk producer located in Aroostook County or Washington County or that portion of Penobscot County north of and including the minor civil divisions of Medway, T.A.R. 7 and Long A T.W.P. who sells to a dealer determined by the commissioner to be marketing milk on the Maine market or any agricultural cooperative that buys milk or handles milk for such a producer and sells it to such a dealer.
[PL 2005, c. 382, Pt. F, §28 (AMD).]

8-A. Over-order premium. "Over-order premium" means that part of the minimum Class I, Class II and Class III prices established by the Maine Milk Commission pursuant to chapter 603, that exceeds the applicable Class I, Class II and Class III prices established pursuant to the northeast marketing area milk marketing order as adjusted to reflect the increased costs of production pursuant to section 2954, subsection 2, paragraph A.
[PL 1999, c. 679, Pt. B, §11 (AMD); PL 1999, c. 679, Pt. B, §14 (AFF).]

9. Plant price. "Plant price" means the F.O.B. price paid for milk at a milk processing plant, unless milk received at that plant is first collected at a federal order bulk reload station as defined by Part 1001 Federal Milk Order No. 1 in which case the plant price shall mean the price paid for milk at the reload station after deductions for subsequent transportation.
[PL 1983, c. 573, §4 (NEW).]

10. Producer-dealer. "Producer-dealer" means a dealer who produces a part or all of the dealer's milk or a person who produces milk and sells to a grocery store or dairy products store or similar commercial establishment, and includes an agricultural cooperative comprised solely of dairy farmers that wholly owns and operates its processing facilities, and whose individual members hold a share of that ownership that is in direct proportion to that individual's share of all milk produced by cooperative members for the cooperative, except that such an agricultural cooperative is a "producer-dealer" under this chapter only if it was in existence on January 1, 1986, and had been recognized on or before that date by the commissioner as meeting the criteria established in this subsection.
[RR 2021, c. 1, Pt. B, §145 (COR).]

11. Utilization rate. "Utilization rate" means the percentage of milk produced that is used as Class I or fluid milk, the percentage of milk produced that is used as Class II milk and the percentage of milk that is used as Class III milk.
[PL 1991, c. 266, §7 (AMD).]

SECTION HISTORY

PL 1983, c. 573, §4 (NEW). PL 1985, c. 646, §§1,2 (AMD). PL 1987, c. 447, §§4,5 (AMD). PL 1989, c. 436, §§2-4 (AMD). PL 1991, c. 266, §§3-7 (AMD). PL 1999, c. 547, §B22 (AMD). PL 1999, c. 547, §B80 (AFF). PL 1999, c. 679, §§B7-11 (AMD). PL 1999, c. 679, §B14 (AFF). PL 2001, c. 471, §A10 (AMD). PL 2001, c. 471, §A11 (AFF). PL 2005, c. 382, §§F25-28 (AMD). RR 2021, c. 1, Pt. B, §145 (COR).

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