

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
MOUNTRAIL	ND	1.60	1.16	1.12	1.09	1.05	1.01
NELSON	ND	1.65	1.16	1.11	1.07	1.02	0.98
OLIVER	ND	1.60	1.15	1.11	1.06	1.02	0.97
PEMBINA	ND	1.60	1.14	1.09	1.03	0.98	0.92
PIERCE	ND	1.60	1.15	1.11	1.06	1.02	0.97
RAMSEY	ND	1.60	1.16	1.11	1.07	1.02	0.98
RANSOM	ND	1.65	1.14	1.09	1.03	0.98	0.92
RENVILLE	ND	1.60	1.16	1.12	1.08	1.04	1.00
RICHLAND	ND	1.65	1.14	1.08	1.03	0.97	0.91
ROLETTE	ND	1.60	1.16	1.11	1.07	1.02	0.98
SARGENT	ND	1.65	1.15	1.09	1.04	0.98	0.93
SHERIDAN	ND	1.60	1.15	1.11	1.06	1.02	0.97
SIOUX	ND	1.65	1.15	1.10	1.05	1.00	0.95
SLOPE	ND	1.65	1.16	1.12	1.07	1.03	0.99
STARK	ND	1.60	1.16	1.12	1.07	1.03	0.99
STEELE	ND	1.65	1.15	1.11	1.06	1.02	0.97
STUTSMAN	ND	1.65	1.15	1.10	1.05	1.00	0.95
TOWNER	ND	1.60	1.15	1.11	1.06	1.02	0.97
TRAILL	ND	1.65	1.15	1.10	1.05	1.00	0.95
WALSH	ND	1.60	1.15	1.10	1.06	1.01	0.96
WARD	ND	1.60	1.16	1.12	1.07	1.03	0.99
WELLS	ND	1.65	1.15	1.11	1.06	1.02	0.97
WILLIAMS	ND	1.60	1.17	1.13	1.10	1.06	1.03
ADAMS	NE	1.80	1.65	1.54	1.44	1.33	1.23
ANTELOPE	NE	1.75	1.54	1.44	1.33	1.23	1.12
ARTHUR	NE	1.80	1.22	1.17	1.12	1.07	1.02
BANNER	NE	1.80	1.72	1.54	1.37	1.19	1.01
BLAINE	NE	1.75	1.37	1.29	1.22	1.14	1.07
BOONE	NE	1.80	1.64	1.52	1.41	1.29	1.18
BOX BUTTE	NE	1.80	1.72	1.53	1.35	1.16	0.98
BOYD	NE	1.75	1.45	1.35	1.25	1.16	1.06
BROWN	NE	1.75	1.42	1.32	1.22	1.13	1.03
BUFFALO	NE	1.80	1.63	1.51	1.40	1.28	1.16
BURT	NE	1.80	1.68	1.61	1.53	1.46	1.39
BUTLER	NE	1.80	1.67	1.59	1.50	1.42	1.34
CASS	NE	1.85	1.70	1.66	1.61	1.57	1.52
CEDAR	NE	1.75	1.56	1.46	1.35	1.25	1.14
CHASE	NE	1.80	1.62	1.49	1.35	1.22	1.09
CHERRY	NE	1.75	1.39	1.29	1.19	1.08	0.98
CHEYENNE	NE	1.80	1.72	1.55	1.37	1.20	1.02
CLAY	NE	1.80	1.65	1.55	1.46	1.36	1.26
COLFAX	NE	1.80	1.66	1.57	1.48	1.39	1.30
CUMING	NE	1.80	1.59	1.52	1.44	1.37	1.29
CUSTER	NE	1.80	1.62	1.49	1.37	1.24	1.11
DAKOTA	NE	1.75	1.65	1.56	1.46	1.37	1.27
DAWES	NE	1.80	1.71	1.52	1.34	1.15	0.96
DAWSON	NE	1.80	1.62	1.50	1.37	1.25	1.12
DEUEL	NE	1.80	1.73	1.55	1.38	1.20	1.03
DIXON	NE	1.75	1.64	1.53	1.42	1.31	1.20
DODGE	NE	1.80	1.68	1.61	1.54	1.47	1.40
DOUGLAS	NE	1.85	1.70	1.66	1.61	1.57	1.52
DUNDY	NE	1.80	1.62	1.50	1.37	1.25	1.12
FILLMORE	NE	1.80	1.66	1.57	1.49	1.40	1.31
FRANKLIN	NE	1.80	1.64	1.54	1.43	1.33	1.22
FRONTIER	NE	1.80	1.62	1.50	1.37	1.25	1.12
FURNAS	NE	1.80	1.62	1.50	1.37	1.25	1.12
GAGE	NE	1.85	1.68	1.61	1.54	1.47	1.40
GARDEN	NE	1.80	1.72	1.54	1.37	1.19	1.01
GARFIELD	NE	1.75	1.46	1.37	1.28	1.20	1.11
GOSPER	NE	1.80	1.63	1.51	1.38	1.26	1.14
GRANT	NE	1.75	1.23	1.17	1.11	1.05	0.99
GREELEY	NE	1.80	1.63	1.52	1.40	1.29	1.17
HALL	NE	1.80	1.64	1.53	1.43	1.32	1.21
HAMILTON	NE	1.80	1.65	1.55	1.45	1.35	1.25
HARLAN	NE	1.80	1.64	1.53	1.41	1.30	1.19
HAYES	NE	1.80	1.62	1.49	1.37	1.24	1.11
HITCHCOCK	NE	1.80	1.63	1.50	1.38	1.25	1.13
HOLT	NE	1.75	1.51	1.40	1.29	1.19	1.08
HOOKER	NE	1.75	1.29	1.22	1.14	1.07	1.00
HOWARD	NE	1.80	1.63	1.52	1.40	1.29	1.17

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
JEFFERSON	NE	1.80	1.67	1.59	1.51	1.43	1.35
JOHNSON	NE	1.85	1.69	1.63	1.57	1.51	1.45
KEARNEY	NE	1.80	1.64	1.53	1.41	1.30	1.19
KEITH	NE	1.80	1.61	1.47	1.32	1.18	1.04
KEYA PAHA	NE	1.75	1.42	1.32	1.22	1.13	1.03
KIMBALL	NE	1.80	1.72	1.55	1.37	1.20	1.02
KNOX	NE	1.75	1.62	1.49	1.36	1.23	1.10
LANCASTER	NE	1.85	1.68	1.61	1.54	1.47	1.40
LINCOLN	NE	1.80	1.61	1.48	1.34	1.21	1.07
LOGAN	NE	1.80	1.32	1.26	1.20	1.15	1.09
LOUP	NE	1.75	1.43	1.35	1.26	1.18	1.10
MADISON	NE	1.80	1.27	1.22	1.16	1.11	1.05
MCPHERSON	NE	1.80	1.64	1.53	1.41	1.30	1.19
MERRICK	NE	1.80	1.65	1.54	1.44	1.33	1.23
MORRILL	NE	1.80	1.72	1.54	1.36	1.18	1.00
NANCE	NE	1.80	1.64	1.54	1.43	1.33	1.22
NEMAHA	NE	1.85	1.70	1.65	1.60	1.55	1.50
NUCKOLLS	NE	1.80	1.65	1.56	1.46	1.37	1.27
OTOE	NE	1.85	1.70	1.65	1.59	1.54	1.49
PAWNEE	NE	1.85	1.69	1.62	1.56	1.49	1.43
PERKINS	NE	1.80	1.61	1.47	1.33	1.19	1.05
PHELPS	NE	1.80	1.63	1.52	1.40	1.29	1.17
PIERCE	NE	1.75	1.57	1.46	1.35	1.24	1.13
PLATTE	NE	1.80	1.65	1.55	1.46	1.36	1.26
POLK	NE	1.80	1.66	1.56	1.47	1.37	1.28
RED WILLOW	NE	1.80	1.63	1.51	1.40	1.28	1.16
RICHARDSON	NE	1.85	1.70	1.64	1.59	1.53	1.48
ROCK	NE	1.75	1.43	1.34	1.24	1.15	1.05
SALINE	NE	1.80	1.67	1.59	1.52	1.44	1.36
SARPY	NE	1.85	1.71	1.67	1.62	1.58	1.54
SAUNDERS	NE	1.85	1.69	1.63	1.56	1.50	1.44
SCOTTS BLUFF	NE	1.80	1.72	1.54	1.37	1.19	1.01
SEWARD	NE	1.80	1.67	1.59	1.51	1.43	1.35
SHERIDAN	NE	1.80	1.71	1.53	1.34	1.16	0.97
SHERMAN	NE	1.80	1.63	1.51	1.39	1.27	1.15
SIOUX	NE	1.80	1.71	1.53	1.34	1.16	0.97
STANTON	NE	1.80	1.65	1.54	1.44	1.33	1.23
THAYER	NE	1.80	1.66	1.58	1.49	1.41	1.32
THOMAS	NE	1.75	1.32	1.24	1.17	1.09	1.02
THURSTON	NE	1.75	1.66	1.57	1.48	1.39	1.30
VALLEY	NE	1.80	1.63	1.51	1.38	1.26	1.14
WASHINGTON	NE	1.85	1.70	1.64	1.59	1.53	1.48
WAYNE	NE	1.75	1.64	1.53	1.42	1.31	1.20
WEBSTER	NE	1.80	1.65	1.55	1.44	1.34	1.24
WHEELER	NE	1.75	1.52	1.42	1.32	1.23	1.13
YORK	NE	1.80	1.66	1.57	1.47	1.38	1.29
BELKNAP	NH	2.80	2.80	2.58	2.36	2.14	1.92
CARROLL	NH	2.80	2.76	2.52	2.29	2.05	1.82
CHESHIRE	NH	2.80	2.82	2.60	2.38	2.16	1.94
COOS	NH	2.60	2.41	2.22	2.02	1.83	1.64
GRAFTON	NH	2.60	2.49	2.31	2.12	1.94	1.76
HILLSBOROUGH	NH	3.00	2.95	2.72	2.50	2.27	2.05
MERRIMACK	NH	3.00	2.86	2.63	2.41	2.18	1.95
ROCKINGHAM	NH	3.00	2.96	2.75	2.54	2.33	2.12
STRAFFORD	NH	3.00	2.86	2.65	2.44	2.23	2.02
SULLIVAN	NH	2.80	2.74	2.51	2.28	2.05	1.82
ATLANTIC	NJ	3.00	2.73	2.53	2.33	2.13	1.93
BERGEN	NJ	3.15	2.92	2.69	2.47	2.24	2.02
BURLINGTON	NJ	3.00	2.82	2.58	2.35	2.11	1.88
CAMDEN	NJ	3.00	2.84	2.59	2.34	2.09	1.84
CAPE MAY	NJ	3.00	2.71	2.52	2.33	2.14	1.95
CUMBERLAND	NJ	3.00	2.72	2.49	2.27	2.04	1.82
ESSEX	NJ	3.15	2.91	2.67	2.44	2.20	1.97
GLOUCESTER	NJ	3.00	2.83	2.57	2.32	2.06	1.80
HUDSON	NJ	3.15	2.92	2.69	2.47	2.24	2.02
HUNTERDON	NJ	3.10	2.82	2.57	2.31	2.06	1.81
MERCER	NJ	3.10	2.86	2.62	2.39	2.15	1.92
MIDDLESEX	NJ	3.10	2.87	2.64	2.42	2.19	1.97
MONMOUTH	NJ	3.10	2.83	2.63	2.42	2.22	2.01
MORRIS	NJ	3.10	2.85	2.62	2.38	2.15	1.91

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
OCEAN	NJ	3.10	2.74	2.56	2.37	2.19	2.00
PASSAIC	NJ	3.15	2.90	2.66	2.43	2.19	1.95
SALEM	NJ	3.00	2.82	2.55	2.29	2.02	1.75
SOMERSET	NJ	3.10	2.84	2.61	2.37	2.14	1.91
SUSSEX	NJ	3.10	2.77	2.53	2.30	2.06	1.83
UNION	NJ	3.15	2.91	2.67	2.44	2.20	1.97
WARREN	NJ	3.10	2.79	2.53	2.28	2.02	1.77
BERNALILLO	NM	2.35	2.25	2.16	2.06	1.97	1.87
CATRON	NM	2.10	2.18	2.01	1.84	1.67	1.50
CHAVES	NM	2.10	2.04	1.89	1.73	1.58	1.42
CIBOLA	NM	1.90	2.23	2.11	1.99	1.87	1.75
COLFAX	NM	2.35	2.24	2.12	2.01	1.89	1.78
CURRY	NM	2.10	2.13	1.92	1.70	1.49	1.27
DE BACA	NM	2.10	2.17	1.99	1.81	1.63	1.45
DONA ANA	NM	2.10	2.15	1.95	1.76	1.56	1.36
EDDY	NM	2.10	2.06	1.92	1.78	1.64	1.50
GRANT	NM	2.10	2.16	1.96	1.77	1.57	1.38
GUADALUPE	NM	2.35	2.21	2.06	1.92	1.77	1.63
HARDING	NM	2.35	2.20	2.05	1.90	1.75	1.60
HIDALGO	NM	2.10	2.15	1.94	1.74	1.53	1.33
LEA	NM	2.10	2.07	1.94	1.80	1.67	1.54
LINCOLN	NM	2.10	2.18	2.01	1.84	1.67	1.50
LOS ALAMOS	NM	2.35	2.29	2.23	2.16	2.10	2.04
LUNA	NM	2.10	2.15	1.95	1.76	1.56	1.36
MCKINLEY	NM	1.90	2.23	2.11	1.99	1.87	1.75
MORA	NM	2.35	2.25	2.16	2.06	1.97	1.87
OTERO	NM	2.10	2.17	1.99	1.80	1.62	1.44
QUAY	NM	2.35	2.17	1.99	1.81	1.63	1.45
RIO ARRIBA	NM	1.90	2.28	2.20	2.13	2.05	1.98
ROOSEVELT	NM	2.10	2.13	1.91	1.69	1.47	1.25
SAN JUAN	NM	2.35	2.27	2.19	2.12	2.04	1.96
SAN MIGUEL	NM	1.90	2.13	2.06	1.98	1.91	1.84
SANDOVAL	NM	2.35	2.26	2.16	2.07	1.97	1.88
SANTA FE	NM	2.35	2.28	2.22	2.15	2.09	2.02
SIERRA	NM	2.10	2.17	1.99	1.82	1.64	1.46
SOCORRO	NM	2.10	2.20	2.05	1.90	1.75	1.60
TAOS	NM	1.90	2.27	2.18	2.10	2.01	1.93
TORRANCE	NM	2.35	2.23	2.11	2.00	1.88	1.76
UNION	NM	2.35	2.19	2.04	1.88	1.73	1.57
VALENCIA	NM	2.35	2.23	2.11	2.00	1.88	1.76
CARSON CITY	NV	1.70	1.16	1.08	0.99	0.91	0.83
CHURCHILL	NV	1.70	1.22	1.14	1.05	0.97	0.88
CLARK	NV	2.00	1.65	1.69	1.74	1.78	1.83
DOUGLAS	NV	1.70	1.15	1.08	1.00	0.93	0.85
ELKO	NV	1.90	1.72	1.54	1.36	1.18	1.00
ESMERALDA	NV	1.60	1.24	1.20	1.15	1.11	1.06
EUREKA	NV	1.70	1.49	1.39	1.28	1.18	1.07
HUMBOLDT	NV	1.70	1.42	1.30	1.19	1.07	0.95
LANDER	NV	1.70	1.43	1.32	1.22	1.11	1.00
LINCOLN	NV	1.60	1.59	1.59	1.58	1.58	1.57
LYON	NV	1.70	0.97	0.94	0.90	0.87	0.84
MINERAL	NV	1.60	1.17	1.10	1.04	0.97	0.90
NYE	NV	1.60	1.47	1.39	1.30	1.22	1.14
PERSHING	NV	1.70	1.39	1.27	1.16	1.04	0.93
STOREY	NV	1.70	1.15	1.06	0.98	0.89	0.81
WASHOE	NV	1.70	1.16	1.09	1.02	0.95	0.88
WHITE PINE	NV	1.90	1.77	1.63	1.50	1.36	1.23
ALBANY	NY	2.60	2.42	2.24	2.06	1.88	1.70
ALLEGANY	NY	2.30	2.08	1.89	1.70	1.51	1.32
BRONX	NY	3.15	2.93	2.71	2.50	2.28	2.07
BROOME	NY	2.60	2.31	2.07	1.84	1.60	1.36
CATTARAUGUS	NY	2.10	1.93	1.77	1.60	1.44	1.27
CAYUGA	NY	2.30	2.14	1.93	1.73	1.52	1.31
CHAUTAUQUA	NY	2.10	1.86	1.70	1.55	1.39	1.23
CHEMUNG	NY	2.40	2.18	1.96	1.74	1.52	1.30
CHENANGO	NY	2.40	2.28	2.06	1.84	1.62	1.40
CLINTON	NY	2.20	2.07	1.94	1.82	1.69	1.56
COLUMBIA	NY	2.80	2.52	2.34	2.17	1.99	1.81
CORTLAND	NY	2.40	2.22	2.00	1.77	1.55	1.32
DELAWARE	NY	2.60	2.35	2.15	1.95	1.75	1.55

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
DUTCHESS	NY	2.80	2.59	2.43	2.26	2.10	1.94
ERIE	NY	2.20	1.93	1.79	1.64	1.50	1.36
ESSEX	NY	2.40	2.17	2.02	1.87	1.72	1.57
FRANKLIN	NY	2.20	2.00	1.88	1.75	1.63	1.51
FULTON	NY	2.60	2.31	2.13	1.94	1.76	1.58
GENESEE	NY	2.20	2.01	1.85	1.70	1.54	1.38
GREENE	NY	2.60	2.51	2.31	2.12	1.92	1.73
HAMILTON	NY	2.40	2.24	2.06	1.89	1.71	1.53
HERKIMER	NY	2.40	2.27	2.07	1.88	1.68	1.48
JEFFERSON	NY	2.20	2.04	1.88	1.73	1.57	1.41
KINGS	NY	3.15	2.92	2.70	2.48	2.26	2.04
LEWIS	NY	2.20	2.14	1.96	1.78	1.60	1.42
LIVINGSTON	NY	2.30	2.01	1.84	1.68	1.51	1.35
MADISON	NY	2.40	2.19	1.99	1.78	1.58	1.37
MONROE	NY	2.30	2.02	1.86	1.71	1.55	1.40
MONTGOMERY	NY	2.60	2.36	2.17	1.97	1.78	1.59
NASSAU	NY	3.15	2.94	2.73	2.53	2.32	2.12
NEW YORK	NY	3.15	2.92	2.70	2.47	2.25	2.03
NIAGARA	NY	2.20	1.94	1.80	1.67	1.53	1.40
ONEIDA	NY	2.40	2.18	1.98	1.79	1.59	1.40
ONONDAGA	NY	2.40	2.14	1.93	1.73	1.52	1.31
ONTARIO	NY	2.30	2.09	1.90	1.72	1.53	1.35
ORANGE	NY	3.00	2.81	2.58	2.34	2.11	1.88
ORLEANS	NY	2.20	2.02	1.86	1.71	1.55	1.40
OSWEGO	NY	2.30	2.11	1.92	1.73	1.54	1.35
OTSEGO	NY	2.60	2.30	2.10	1.91	1.71	1.51
PUTNAM	NY	3.00	2.84	2.64	2.44	2.24	2.04
QUEENS	NY	3.15	2.93	2.71	2.50	2.28	2.07
RENSSELAER	NY	2.60	2.43	2.26	2.09	1.92	1.75
RICHMOND	NY	3.15	2.92	2.69	2.47	2.24	2.02
ROCKLAND	NY	3.15	2.91	2.68	2.46	2.23	2.00
SARATOGA	NY	2.60	2.35	2.17	2.00	1.82	1.65
SCHENECTADY	NY	2.60	2.41	2.22	2.04	1.85	1.66
SCHOHARIE	NY	2.60	2.40	2.20	2.01	1.81	1.61
SCHUYLER	NY	2.30	2.16	1.94	1.73	1.51	1.30
SENECA	NY	2.30	2.08	1.89	1.70	1.51	1.32
ST. LAWRENCE	NY	2.20	1.99	1.85	1.72	1.58	1.45
STEUBEN	NY	2.30	2.12	1.92	1.72	1.52	1.32
SUFFOLK	NY	3.15	2.96	2.79	2.61	2.44	2.26
SULLIVAN	NY	2.80	2.50	2.30	2.10	1.90	1.70
TIOGA	NY	2.40	2.28	2.03	1.79	1.54	1.30
TOMPKINS	NY	2.40	2.24	2.00	1.77	1.53	1.30
ULSTER	NY	2.80	2.56	2.37	2.18	1.99	1.80
WARREN	NY	2.60	2.25	2.09	1.92	1.76	1.59
WASHINGTON	NY	2.60	2.31	2.14	1.98	1.81	1.65
WAYNE	NY	2.30	2.09	1.91	1.72	1.54	1.36
WESTCHESTER	NY	3.15	2.93	2.71	2.50	2.28	2.07
WYOMING	NY	2.20	2.01	1.85	1.68	1.52	1.36
YATES	NY	2.30	2.12	1.92	1.72	1.52	1.32
ADAMS	OH	2.20	2.00	1.89	1.78	1.67	1.56
ALLEN	OH	2.00	1.77	1.65	1.52	1.40	1.27
ASHLAND	OH	2.00	1.88	1.76	1.64	1.52	1.40
ASHTABULA	OH	2.00	1.88	1.77	1.65	1.54	1.42
ATHENS	OH	2.00	2.01	1.91	1.81	1.71	1.61
AUGLAIZE	OH	2.00	1.78	1.66	1.55	1.43	1.31
BELMONT	OH	2.00	1.92	1.84	1.75	1.67	1.59
BROWN	OH	2.20	1.99	1.87	1.75	1.63	1.51
BUTLER	OH	2.00	1.92	1.80	1.69	1.57	1.45
CARROLL	OH	2.00	1.90	1.80	1.70	1.60	1.50
CHAMPAIGN	OH	2.00	1.93	1.81	1.70	1.58	1.47
CLARK	OH	2.00	1.92	1.81	1.69	1.58	1.46
CLERMONT	OH	2.20	1.98	1.86	1.73	1.61	1.48
CLINTON	OH	2.00	1.93	1.82	1.72	1.61	1.50
COLUMBIANA	OH	2.00	1.90	1.80	1.69	1.59	1.49
COSHOCTON	OH	2.00	1.93	1.82	1.70	1.59	1.48
CRAWFORD	OH	2.00	1.80	1.69	1.59	1.48	1.38
CUYAHOGA	OH	2.00	1.91	1.82	1.72	1.63	1.54
DARKE	OH	2.00	1.80	1.70	1.61	1.51	1.41
DEFIANCE	OH	1.80	1.69	1.59	1.48	1.38	1.27
DELAWARE	OH	2.00	1.93	1.82	1.70	1.59	1.48

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
ERIE	OH	2.00	1.73	1.65	1.58	1.50	1.43
FAIRFIELD	OH	2.00	1.95	1.86	1.76	1.67	1.58
FAYETTE	OH	2.00	1.94	1.84	1.74	1.64	1.54
FRANKLIN	OH	2.00	1.95	1.85	1.76	1.66	1.57
FULTON	OH	1.80	1.70	1.61	1.51	1.42	1.32
GALLIA	OH	2.20	2.02	1.93	1.84	1.75	1.66
GEAUGA	OH	2.00	1.90	1.79	1.69	1.58	1.48
GREENE	OH	2.00	1.93	1.82	1.70	1.59	1.48
GUERNSEY	OH	2.00	1.94	1.84	1.73	1.63	1.53
HAMILTON	OH	2.20	1.98	1.85	1.71	1.58	1.45
HANCOCK	OH	2.00	1.69	1.59	1.48	1.38	1.27
HARDIN	OH	2.00	1.79	1.68	1.56	1.45	1.34
HARRISON	OH	2.00	1.91	1.82	1.74	1.65	1.56
HENRY	OH	1.80	1.69	1.58	1.48	1.37	1.26
HIGHLAND	OH	2.20	1.99	1.88	1.76	1.65	1.53
HOCKING	OH	2.00	1.95	1.86	1.78	1.69	1.60
HOLMES	OH	2.00	1.89	1.77	1.66	1.54	1.43
HURON	OH	2.00	1.72	1.64	1.57	1.49	1.41
JACKSON	OH	2.20	2.01	1.91	1.82	1.72	1.62
JEFFERSON	OH	2.00	1.92	1.84	1.76	1.68	1.60
KNOX	OH	2.00	1.92	1.80	1.69	1.57	1.45
LAKE	OH	2.00	1.90	1.80	1.69	1.59	1.49
LAWRENCE	OH	2.20	2.02	1.93	1.85	1.76	1.67
LICKING	OH	2.00	1.94	1.84	1.73	1.63	1.53
LOGAN	OH	2.00	1.80	1.70	1.59	1.49	1.39
LORAIN	OH	2.00	1.89	1.79	1.68	1.58	1.47
LUCAS	OH	1.80	1.72	1.64	1.55	1.47	1.39
MADISON	OH	2.00	1.94	1.83	1.73	1.62	1.52
MAHONING	OH	2.00	1.89	1.79	1.68	1.58	1.47
MARION	OH	2.00	1.80	1.70	1.60	1.50	1.40
MEDINA	OH	2.00	1.89	1.78	1.67	1.56	1.45
MEIGS	OH	2.00	2.02	1.93	1.83	1.74	1.65
MERCER	OH	2.00	1.79	1.68	1.57	1.46	1.35
MIAMI	OH	2.00	1.92	1.79	1.67	1.54	1.42
MONROE	OH	2.00	1.92	1.84	1.75	1.67	1.59
MONTGOMERY	OH	2.00	1.92	1.80	1.69	1.57	1.45
MORGAN	OH	2.00	1.95	1.86	1.76	1.67	1.58
MORROW	OH	2.00	1.80	1.71	1.61	1.52	1.42
MUSKINGUM	OH	2.00	1.94	1.84	1.73	1.63	1.53
NOBLE	OH	2.00	1.94	1.85	1.75	1.66	1.56
OTTAWA	OH	2.00	1.72	1.64	1.56	1.48	1.40
PAULDING	OH	1.80	1.69	1.59	1.48	1.38	1.27
PERRY	OH	2.00	1.95	1.85	1.76	1.66	1.57
PICKAWAY	OH	2.00	1.95	1.85	1.76	1.66	1.57
PIKE	OH	2.20	2.01	1.90	1.80	1.69	1.59
PORTAGE	OH	2.00	1.89	1.78	1.68	1.57	1.46
PREBLE	OH	2.00	1.92	1.80	1.69	1.57	1.45
PUTNAM	OH	1.80	1.68	1.56	1.45	1.33	1.21
RICHLAND	OH	2.00	1.80	1.70	1.59	1.49	1.39
ROSS	OH	2.00	2.00	1.90	1.79	1.69	1.58
SANDUSKY	OH	2.00	1.72	1.63	1.55	1.46	1.38
SCIOTO	OH	2.20	2.01	1.91	1.82	1.72	1.62
SENECA	OH	2.00	1.71	1.62	1.54	1.45	1.36
SHELBY	OH	2.00	1.80	1.69	1.59	1.48	1.38
STARK	OH	2.00	1.88	1.76	1.64	1.52	1.40
SUMMIT	OH	2.00	1.89	1.79	1.68	1.58	1.47
TRUMBULL	OH	2.00	1.89	1.78	1.66	1.55	1.44
TUSCARAWAS	OH	2.00	1.89	1.79	1.68	1.58	1.47
UNION	OH	2.00	1.81	1.71	1.62	1.52	1.43
VAN WERT	OH	1.80	1.78	1.66	1.54	1.42	1.30
VINTON	OH	2.00	2.01	1.91	1.81	1.71	1.61
WARREN	OH	2.00	1.93	1.81	1.70	1.58	1.47
WASHINGTON	OH	2.00	2.01	1.90	1.80	1.69	1.59
WAYNE	OH	2.00	1.88	1.76	1.65	1.53	1.41
WILLIAMS	OH	1.80	1.70	1.59	1.49	1.38	1.28
WOOD	OH	2.00	1.71	1.61	1.52	1.42	1.33
WYANDOT	OH	2.00	1.79	1.68	1.57	1.46	1.35
ADAIR	OK	2.60	2.35	2.11	1.86	1.62	1.38
ALFALFA	OK	2.40	2.35	2.10	1.86	1.61	1.37
ATOKA	OK	2.80	2.69	2.37	2.06	1.74	1.43

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
BEAVER	OK	2.40	2.35	2.11	1.88	1.64	1.40
BECKHAM	OK	2.40	2.37	2.15	1.92	1.70	1.48
BLAINE	OK	2.40	2.36	2.12	1.89	1.65	1.42
BRYAN	OK	2.80	2.68	2.37	2.05	1.74	1.42
CADDO	OK	2.60	2.51	2.25	1.98	1.72	1.46
CANADIAN	OK	2.60	2.51	2.24	1.98	1.71	1.45
CARTER	OK	2.80	2.69	2.37	2.06	1.74	1.43
CHEROKEE	OK	2.60	2.35	2.11	1.88	1.64	1.40
CHOCTAW	OK	2.80	2.69	2.38	2.06	1.75	1.44
CIMARRON	OK	2.40	2.37	2.15	1.92	1.70	1.48
CLEVELAND	OK	2.60	2.51	2.24	1.98	1.71	1.45
COAL	OK	2.80	2.50	2.23	1.97	1.70	1.43
COMANCHE	OK	2.60	2.69	2.38	2.08	1.77	1.46
COTTON	OK	2.80	2.69	2.39	2.08	1.78	1.47
CRAIG	OK	2.40	2.34	2.09	1.84	1.59	1.34
CREEK	OK	2.60	2.36	2.14	1.91	1.69	1.46
CUSTER	OK	2.40	2.36	2.13	1.90	1.67	1.44
DELAWARE	OK	2.40	2.34	2.09	1.83	1.58	1.33
DEWEY	OK	2.40	2.36	2.13	1.89	1.66	1.43
ELLIS	OK	2.40	2.35	2.12	1.88	1.65	1.41
GARFIELD	OK	2.40	2.35	2.11	1.88	1.64	1.40
GARVIN	OK	2.60	2.50	2.24	1.97	1.71	1.44
GRADY	OK	2.60	2.51	2.24	1.98	1.71	1.45
GRANT	OK	2.40	2.34	2.10	1.85	1.61	1.36
GREER	OK	2.60	2.70	2.40	2.09	1.79	1.49
HARMON	OK	2.60	2.70	2.40	2.11	1.81	1.51
HARPER	OK	2.40	2.35	2.11	1.86	1.62	1.38
HASKELL	OK	2.80	2.51	2.25	2.00	1.74	1.48
HUGHES	OK	2.60	2.51	2.24	1.98	1.71	1.45
JACKSON	OK	2.60	2.70	2.40	2.10	1.80	1.50
JEFFERSON	OK	2.80	2.69	2.38	2.07	1.76	1.45
JOHNSTON	OK	2.80	2.68	2.37	2.05	1.74	1.42
KAY	OK	2.40	2.35	2.10	1.86	1.61	1.37
KINGFISHER	OK	2.40	2.36	2.12	1.89	1.65	1.42
KIOWA	OK	2.60	2.70	2.39	2.09	1.78	1.48
LATIMER	OK	2.80	2.51	2.25	2.00	1.74	1.48
LE FLORE	OK	2.80	2.52	2.27	2.03	1.78	1.53
LINCOLN	OK	2.60	2.51	2.24	1.98	1.71	1.45
LOGAN	OK	2.40	2.36	2.13	1.89	1.66	1.43
LOVE	OK	2.80	2.69	2.37	2.06	1.74	1.43
MAJOR	OK	2.60	2.50	2.24	1.97	1.71	1.44
MARSHALL	OK	2.80	2.71	2.42	2.13	1.84	1.55
MAYES	OK	2.60	2.51	2.25	1.98	1.72	1.46
MCCLAIN	OK	2.40	2.35	2.11	1.87	1.63	1.39
MCCURTAIN	OK	2.80	2.68	2.37	2.05	1.74	1.42
MCINTOSH	OK	2.40	2.35	2.11	1.86	1.62	1.38
MURRAY	OK	2.80	2.69	2.37	2.06	1.74	1.43
MUSKOGEE	OK	2.60	2.36	2.13	1.91	1.68	1.45
NOBLE	OK	2.40	2.35	2.12	1.88	1.65	1.41
NOWATA	OK	2.40	2.34	2.10	1.85	1.61	1.36
OKFUSKEE	OK	2.60	2.51	2.24	1.98	1.71	1.45
OKLAHOMA	OK	2.60	2.51	2.24	1.98	1.71	1.45
OKMULGEE	OK	2.60	2.36	2.14	1.91	1.69	1.46
OSAGE	OK	2.40	2.35	2.11	1.88	1.64	1.40
OTTAWA	OK	2.40	2.33	2.07	1.82	1.56	1.30
PAWNEE	OK	2.40	2.36	2.13	1.90	1.67	1.44
PAYNE	OK	2.40	2.36	2.13	1.90	1.67	1.44
PITTSBURG	OK	2.80	2.51	2.25	1.98	1.72	1.46
PONTOTOC	OK	2.80	2.50	2.23	1.97	1.70	1.43
POTTAWATOMIE	OK	2.60	2.51	2.24	1.98	1.71	1.45
PUSHMATAHA	OK	2.80	2.69	2.39	2.08	1.78	1.47
ROGER MILLS	OK	2.40	2.36	2.14	1.91	1.69	1.46
ROGERS	OK	2.40	2.35	2.11	1.88	1.64	1.40
SEMINOLE	OK	2.60	2.51	2.24	1.98	1.71	1.45
SEQUOYAH	OK	2.80	2.51	2.26	2.00	1.75	1.49
STEPHENS	OK	2.80	2.69	2.38	2.07	1.76	1.45
TEXAS	OK	2.40	2.35	2.12	1.88	1.65	1.41
TILLMAN	OK	2.60	2.70	2.40	2.09	1.79	1.49
TULSA	OK	2.60	2.36	2.14	1.91	1.69	1.46
WAGONER	OK	2.60	2.36	2.13	1.89	1.66	1.43

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
WASHINGTON	OK	2.40	2.35	2.11	1.86	1.62	1.38
WASHITA	OK	2.40	2.36	2.14	1.91	1.69	1.46
WOODS	OK	2.40	2.35	2.10	1.86	1.61	1.37
WOODWARD	OK	2.40	2.35	2.11	1.88	1.64	1.40
BAKER	OR	1.60	1.40	1.29	1.19	1.08	0.98
BENTON	OR	1.90	1.73	1.57	1.40	1.24	1.07
CLACKAMAS	OR	1.90	1.71	1.52	1.34	1.15	0.96
CLATSOP	OR	1.90	1.72	1.54	1.35	1.17	0.99
COLUMBIA	OR	1.90	1.71	1.53	1.34	1.16	0.97
COOS	OR	1.90	1.71	1.60	1.50	1.39	1.28
CROOK	OR	1.75	1.61	1.46	1.32	1.17	1.03
CURRY	OR	1.90	1.73	1.64	1.55	1.46	1.37
DESCHUTES	OR	1.75	1.61	1.48	1.34	1.21	1.07
DOUGLAS	OR	1.90	1.77	1.64	1.52	1.39	1.26
GILLIAM	OR	1.75	1.59	1.44	1.28	1.13	0.97
GRANT	OR	1.60	1.40	1.30	1.19	1.09	0.99
HARNEY	OR	1.60	1.40	1.30	1.21	1.11	1.01
HOOD RIVER	OR	1.90	1.71	1.53	1.34	1.16	0.97
JACKSON	OR	1.90	1.73	1.64	1.56	1.47	1.38
JEFFERSON	OR	1.75	1.60	1.46	1.31	1.17	1.02
JOSEPHINE	OR	1.90	1.74	1.65	1.57	1.48	1.40
KLAMATH	OR	1.75	1.65	1.55	1.46	1.36	1.26
LAKE	OR	1.75	1.62	1.50	1.37	1.25	1.12
LANE	OR	1.90	1.75	1.59	1.44	1.28	1.13
LINCOLN	OR	1.90	1.74	1.58	1.41	1.25	1.09
LINN	OR	1.90	1.73	1.56	1.39	1.22	1.05
MALHEUR	OR	1.60	1.39	1.28	1.18	1.07	0.96
MARION	OR	1.90	1.72	1.54	1.36	1.18	1.00
MORROW	OR	1.75	1.59	1.44	1.28	1.13	0.97
MULTNOMAH	OR	1.90	1.71	1.52	1.33	1.14	0.95
POLK	OR	1.90	1.73	1.55	1.38	1.20	1.03
SHERMAN	OR	1.75	1.59	1.44	1.28	1.13	0.97
TILLAMOOK	OR	1.90	1.72	1.54	1.37	1.19	1.01
UMATILLA	OR	1.75	1.59	1.44	1.28	1.13	0.97
UNION	OR	1.60	1.40	1.29	1.19	1.08	0.98
WALLOWA	OR	1.60	1.60	1.45	1.29	1.14	0.99
WASCO	OR	1.75	1.60	1.44	1.29	1.13	0.98
WASHINGTON	OR	1.90	1.71	1.52	1.34	1.15	0.96
WHEELER	OR	1.75	1.60	1.45	1.30	1.15	1.00
YAMHILL	OR	1.90	1.72	1.54	1.36	1.18	1.00
ADAMS	PA	2.80	2.70	2.38	2.05	1.73	1.40
ALLEGHENY	PA	2.10	1.91	1.81	1.72	1.62	1.53
ARMSTRONG	PA	2.30	1.89	1.78	1.67	1.56	1.45
BEAVER	PA	2.10	1.90	1.81	1.71	1.62	1.52
BEDFORD	PA	2.30	2.23	2.05	1.88	1.70	1.52
BERKS	PA	2.80	2.55	2.30	2.05	1.80	1.55
BLAIR	PA	2.30	2.18	2.01	1.83	1.66	1.49
BRADFORD	PA	2.40	2.37	2.11	1.84	1.58	1.32
BUCKS	PA	3.00	2.83	2.57	2.32	2.06	1.80
BUTLER	PA	2.10	1.89	1.78	1.66	1.55	1.44
CAMBRIA	PA	2.30	2.51	2.27	2.04	1.80	1.56
CAMERON	PA	2.30	1.87	1.74	1.62	1.49	1.36
CARBON	PA	2.80	2.55	2.32	2.08	1.85	1.61
CENTRE	PA	2.30	2.14	1.95	1.77	1.58	1.40
CHESTER	PA	3.00	2.80	2.51	2.21	1.92	1.63
CLARION	PA	2.30	1.88	1.75	1.63	1.50	1.38
CLEARFIELD	PA	2.30	2.16	1.98	1.79	1.61	1.42
CLINTON	PA	2.30	2.19	2.01	1.82	1.64	1.45
COLUMBIA	PA	2.60	2.46	2.23	1.99	1.76	1.52
CRAWFORD	PA	2.10	1.87	1.74	1.61	1.48	1.35
CUMBERLAND	PA	2.80	2.71	2.39	2.06	1.74	1.42
DAUPHIN	PA	2.80	2.48	2.23	1.97	1.72	1.47
DELAWARE	PA	3.00	2.81	2.53	2.25	1.97	1.69
ELK	PA	2.30	1.87	1.74	1.61	1.48	1.35
ERIE	PA	2.10	1.87	1.73	1.60	1.46	1.33
FAYETTE	PA	2.30	1.92	1.84	1.77	1.69	1.61
FOREST	PA	2.30	1.86	1.72	1.59	1.45	1.31
FRANKLIN	PA	2.80	2.58	2.26	1.95	1.63	1.31
FULTON	PA	2.60	2.59	2.30	2.01	1.72	1.43
GREENE	PA	2.10	1.92	1.85	1.77	1.70	1.62

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
HUNTINGDON	PA	2.30	2.21	2.02	1.82	1.63	1.44
INDIANA	PA	2.30	2.18	2.01	1.85	1.68	1.51
JEFFERSON	PA	2.30	1.88	1.76	1.65	1.53	1.41
JUNIATA	PA	2.60	2.55	2.27	1.98	1.70	1.41
LACKAWANNA	PA	2.60	2.45	2.22	2.00	1.77	1.55
LANCASTER	PA	2.80	2.61	2.33	2.06	1.78	1.50
LAWRENCE	PA	2.10	1.89	1.78	1.67	1.56	1.45
LEBANON	PA	2.80	2.62	2.34	2.05	1.77	1.49
LEHIGH	PA	2.80	2.80	2.51	2.21	1.92	1.63
LUZERNE	PA	2.60	2.43	2.21	1.98	1.76	1.54
LYCOMING	PA	2.60	2.30	2.11	1.91	1.72	1.53
MCKEAN	PA	2.30	1.98	1.80	1.63	1.45	1.28
MERCER	PA	2.10	1.88	1.75	1.63	1.50	1.38
MIFFLIN	PA	2.60	2.21	2.01	1.80	1.60	1.40
MONROE	PA	2.80	2.73	2.47	2.20	1.94	1.67
MONTGOMERY	PA	3.00	2.81	2.53	2.26	1.98	1.70
MONTOUR	PA	2.60	2.46	2.23	1.99	1.76	1.53
NORTHAMPTON	PA	2.80	2.61	2.38	2.16	1.93	1.70
NORTHUMBERLAND	PA	2.60	2.46	2.22	1.99	1.75	1.51
PERRY	PA	2.60	2.58	2.29	2.01	1.72	1.43
PHILADELPHIA	PA	3.00	2.83	2.56	2.30	2.03	1.77
PIKE	PA	2.80	2.74	2.48	2.23	1.97	1.71
POTTER	PA	2.30	2.09	1.90	1.72	1.53	1.35
SCHUYLKILL	PA	2.80	2.51	2.26	2.02	1.77	1.53
SNYDER	PA	2.60	2.43	2.19	1.96	1.72	1.49
SOMERSET	PA	2.30	2.20	2.05	1.91	1.76	1.61
SULLIVAN	PA	2.60	2.33	2.10	1.88	1.65	1.43
SUSQUEHANNA	PA	2.60	2.44	2.19	1.93	1.68	1.42
TIOGA	PA	2.30	2.16	1.96	1.77	1.57	1.38
UNION	PA	2.60	2.42	2.19	1.97	1.74	1.51
VENANGO	PA	2.10	1.87	1.74	1.62	1.49	1.36
WARREN	PA	2.10	1.85	1.70	1.55	1.40	1.25
WASHINGTON	PA	2.10	1.92	1.84	1.75	1.67	1.59
WAYNE	PA	2.60	2.47	2.25	2.02	1.80	1.57
WESTMORELAND	PA	2.30	1.91	1.83	1.74	1.66	1.57
WYOMING	PA	2.60	2.39	2.16	1.92	1.69	1.46
YORK	PA	2.80	2.72	2.40	2.09	1.77	1.46
BRISTOL	RI	3.25	3.07	2.89	2.72	2.54	2.37
KENT	RI	3.25	3.06	2.89	2.71	2.54	2.36
NEWPORT	RI	3.25	3.07	2.89	2.72	2.54	2.37
PROVIDENCE	RI	3.25	3.06	2.87	2.69	2.50	2.32
WASHINGTON	RI	3.25	3.06	2.88	2.70	2.52	2.34
ABBEVILLE	SC	3.10	2.92	2.75	2.59	2.42	2.26
AIKEN	SC	3.30	3.07	2.90	2.74	2.57	2.41
ALLENDALE	SC	3.30	3.10	2.96	2.83	2.69	2.56
ANDERSON	SC	3.10	2.90	2.73	2.55	2.38	2.20
BAMBERG	SC	3.30	3.09	2.94	2.80	2.65	2.51
BARNWELL	SC	3.30	3.08	2.93	2.78	2.63	2.48
BEAUFORT	SC	3.30	3.14	3.05	2.95	2.86	2.77
BERKELEY	SC	3.30	3.11	2.98	2.86	2.73	2.61
CALHOUN	SC	3.30	3.06	2.90	2.73	2.57	2.40
CHARLESTON	SC	3.30	3.12	3.01	2.89	2.78	2.67
CHEROKEE	SC	3.10	2.86	2.63	2.41	2.18	1.96
CHESTER	SC	3.10	2.88	2.68	2.47	2.27	2.07
CHESTERFIELD	SC	3.30	3.02	2.81	2.61	2.40	2.19
CLARENDON	SC	3.30	3.08	2.92	2.77	2.61	2.46
COLLETON	SC	3.30	3.11	2.99	2.86	2.74	2.62
DARLINGTON	SC	3.30	3.05	2.86	2.68	2.49	2.31
DILLON	SC	3.30	3.06	2.89	2.72	2.55	2.38
DORCHESTER	SC	3.30	3.11	2.98	2.86	2.73	2.61
EDGEFIELD	SC	3.30	3.05	2.87	2.69	2.51	2.33
FAIRFIELD	SC	3.30	3.02	2.81	2.59	2.38	2.17
FLORENCE	SC	3.30	3.07	2.90	2.74	2.57	2.41
GEORGETOWN	SC	3.30	3.11	3.00	2.88	2.77	2.65
GREENVILLE	SC	3.10	2.88	2.68	2.49	2.29	2.09
GREENWOOD	SC	3.10	2.91	2.75	2.58	2.42	2.25
HAMPTON	SC	3.30	3.11	2.99	2.88	2.76	2.64
HORRY	SC	3.30	3.11	2.98	2.86	2.73	2.61
JASPER	SC	3.30	3.13	3.03	2.94	2.84	2.74
KERSHAW	SC	3.30	3.03	2.83	2.62	2.42	2.22

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
LANCASTER	SC	3.10	2.88	2.68	2.48	2.28	2.08
LAURENS	SC	3.10	2.90	2.72	2.53	2.35	2.17
LEE	SC	3.30	3.05	2.87	2.68	2.50	2.32
LEXINGTON	SC	3.30	3.04	2.85	2.66	2.47	2.28
MARION	SC	3.10	2.93	2.78	2.63	2.48	2.33
MARLBORO	SC	3.30	3.08	2.92	2.77	2.61	2.46
MCCORMICK	SC	3.30	3.04	2.84	2.65	2.45	2.26
NEWBERRY	SC	3.30	3.02	2.81	2.61	2.40	2.19
OCONEE	SC	3.10	2.90	2.72	2.55	2.37	2.19
ORANGEBURG	SC	3.30	3.07	2.92	2.76	2.61	2.45
PICKENS	SC	3.10	2.89	2.70	2.51	2.32	2.13
RICHLAND	SC	3.30	3.04	2.85	2.66	2.47	2.28
SALUDA	SC	3.30	3.04	2.85	2.65	2.46	2.27
SPARTANBURG	SC	3.10	2.87	2.66	2.46	2.25	2.04
SUMTER	SC	3.30	3.06	2.89	2.71	2.54	2.37
UNION	SC	3.10	2.88	2.68	2.47	2.27	2.07
WILLIAMSBURG	SC	3.30	3.10	2.96	2.83	2.69	2.56
YORK	SC	3.10	2.86	2.64	2.41	2.19	1.97
AURORA	SD	1.70	1.41	1.32	1.22	1.13	1.04
BEADLE	SD	1.70	1.41	1.31	1.22	1.12	1.03
BENNETT	SD	1.70	1.39	1.27	1.16	1.04	0.93
BON HOMME	SD	1.75	1.42	1.34	1.26	1.18	1.10
BROOKINGS	SD	1.70	1.34	1.28	1.22	1.17	1.11
BROWN	SD	1.70	1.15	1.11	1.06	1.02	0.97
BRULE	SD	1.70	1.40	1.31	1.21	1.12	1.02
BUFFALO	SD	1.70	1.29	1.22	1.15	1.07	1.00
BUTTE	SD	1.65	1.14	1.08	1.03	0.97	0.91
CAMPBELL	SD	1.65	1.08	1.05	1.01	0.98	0.95
CHARLES MIX	SD	1.75	1.41	1.32	1.24	1.15	1.06
CLARK	SD	1.70	1.41	1.31	1.22	1.12	1.03
CLAY	SD	1.75	1.43	1.37	1.30	1.24	1.17
CODINGTON	SD	1.70	1.41	1.32	1.22	1.13	1.04
CORSON	SD	1.65	1.08	1.04	1.01	0.97	0.94
CUSTER	SD	1.80	1.82	1.59	1.36	1.13	0.90
DAVISON	SD	1.70	1.41	1.33	1.24	1.16	1.07
DAY	SD	1.70	1.16	1.12	1.07	1.03	0.99
DEUEL	SD	1.70	1.41	1.32	1.24	1.15	1.06
DEWEY	SD	1.65	1.12	1.08	1.03	0.99	0.94
DOUGLAS	SD	1.75	1.41	1.32	1.24	1.15	1.06
EDMUNDS	SD	1.70	1.15	1.10	1.05	1.00	0.95
FALL RIVER	SD	1.80	1.83	1.60	1.38	1.15	0.93
FAULK	SD	1.70	1.21	1.15	1.09	1.02	0.96
GRANT	SD	1.70	1.16	1.13	1.09	1.06	1.02
GREGORY	SD	1.75	1.40	1.31	1.21	1.12	1.02
HAAKON	SD	1.70	1.11	1.06	1.01	0.97	0.92
HAMLIN	SD	1.70	1.29	1.23	1.18	1.12	1.06
HAND	SD	1.70	1.27	1.20	1.13	1.07	1.00
HANSON	SD	1.70	1.42	1.33	1.25	1.16	1.08
HARDING	SD	1.65	1.71	1.52	1.33	1.14	0.95
HUGHES	SD	1.70	1.20	1.14	1.08	1.02	0.96
HUTCHINSON	SD	1.75	1.42	1.34	1.26	1.18	1.10
HYDE	SD	1.70	1.24	1.18	1.12	1.05	0.99
JACKSON	SD	1.70	1.38	1.27	1.15	1.04	0.92
JERAULD	SD	1.70	1.41	1.31	1.22	1.12	1.03
JONES	SD	1.70	1.21	1.15	1.08	1.02	0.95
KINGSBURY	SD	1.70	1.41	1.33	1.24	1.16	1.07
LAKE	SD	1.70	1.42	1.34	1.27	1.19	1.11
LAWRENCE	SD	1.80	1.82	1.59	1.36	1.13	0.90
LINCOLN	SD	1.75	1.44	1.38	1.31	1.25	1.19
LYMAN	SD	1.70	1.23	1.17	1.10	1.04	0.98
MARSHALL	SD	1.70	1.42	1.35	1.27	1.20	1.12
MCCOOK	SD	1.70	1.15	1.10	1.05	1.00	0.95
MCPHERSON	SD	1.70	1.15	1.10	1.06	1.01	0.96
MEADE	SD	1.65	1.78	1.56	1.33	1.11	0.89
MELLETTE	SD	1.70	1.39	1.28	1.16	1.05	0.94
MINER	SD	1.70	1.42	1.33	1.25	1.16	1.08
MINNEHAHA	SD	1.70	1.44	1.37	1.31	1.24	1.18
MOODY	SD	1.70	1.43	1.36	1.28	1.21	1.14
PENNINGTON	SD	1.80	1.81	1.58	1.34	1.11	0.87
PERKINS	SD	1.65	1.71	1.51	1.32	1.12	0.93

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
POTTER	SD	1.70	1.20	1.14	1.08	1.01	0.95
ROBERTS	SD	1.70	1.15	1.11	1.06	1.02	0.97
SANBORN	SD	1.70	1.41	1.32	1.23	1.14	1.05
SHANNON	SD	1.80	1.82	1.60	1.37	1.15	0.92
SPINK	SD	1.70	1.40	1.30	1.20	1.10	1.00
STANLEY	SD	1.70	1.20	1.13	1.07	1.00	0.94
SULLY	SD	1.70	1.18	1.12	1.07	1.01	0.96
TODD	SD	1.70	1.39	1.28	1.18	1.07	0.96
TRIPP	SD	1.70	1.40	1.30	1.19	1.09	0.99
TURNER	SD	1.75	1.43	1.36	1.30	1.23	1.16
UNION	SD	1.75	1.44	1.38	1.32	1.26	1.20
WALWORTH	SD	1.70	1.15	1.10	1.04	0.99	0.94
YANKTON	SD	1.75	1.42	1.34	1.27	1.19	1.11
ZIEBACH	SD	1.65	1.42	1.30	1.17	1.05	0.92
ANDERSON	TN	2.80	2.58	2.39	2.21	2.02	1.83
BEDFORD	TN	2.60	2.44	2.27	2.11	1.94	1.78
BENTON	TN	2.60	2.46	2.31	2.17	2.02	1.88
BLEDSOE	TN	2.60	2.46	2.32	2.18	2.04	1.90
BLOUNT	TN	2.80	2.61	2.45	2.29	2.13	1.97
BRADLEY	TN	2.80	2.64	2.50	2.37	2.23	2.10
CAMPBELL	TN	2.80	2.56	2.35	2.15	1.94	1.73
CANNON	TN	2.60	2.43	2.26	2.09	1.92	1.75
CARROLL	TN	2.60	2.47	2.34	2.20	2.07	1.94
CARTER	TN	2.80	2.57	2.37	2.17	1.97	1.77
CHEATHAM	TN	2.60	2.37	2.20	2.02	1.85	1.67
CHESTER	TN	2.80	2.49	2.38	2.28	2.17	2.06
CLAIBORNE	TN	2.80	2.57	2.37	2.16	1.96	1.76
CLAY	TN	2.60	2.36	2.17	1.98	1.79	1.60
COCKE	TN	2.80	2.59	2.42	2.24	2.07	1.89
COFFEE	TN	2.60	2.45	2.30	2.14	1.99	1.84
CROCKETT	TN	2.60	2.49	2.38	2.28	2.17	2.06
CUMBERLAND	TN	2.80	2.58	2.39	2.20	2.01	1.82
DAVIDSON	TN	2.60	2.37	2.19	2.01	1.83	1.65
DE KALB	TN	2.60	2.47	2.34	2.22	2.09	1.96
DECATUR	TN	2.60	2.43	2.25	2.08	1.90	1.73
DICKSON	TN	2.60	2.39	2.23	2.06	1.90	1.74
DYER	TN	2.60	2.49	2.38	2.26	2.15	2.04
FAYETTE	TN	2.80	2.67	2.57	2.48	2.38	2.28
FENTRESS	TN	2.60	2.37	2.20	2.02	1.85	1.67
FRANKLIN	TN	2.80	2.59	2.42	2.24	2.07	1.89
GIBSON	TN	2.60	2.48	2.36	2.23	2.11	1.99
GILES	TN	2.80	2.58	2.39	2.21	2.02	1.83
GRAINGER	TN	2.80	2.58	2.39	2.21	2.02	1.83
GREENE	TN	2.80	2.58	2.40	2.21	2.03	1.84
GRUNDY	TN	2.60	2.47	2.33	2.20	2.06	1.93
HAMBLEN	TN	2.80	2.58	2.40	2.21	2.03	1.84
HAMILTON	TN	2.80	2.64	2.50	2.37	2.23	2.10
HANCOCK	TN	2.80	2.57	2.37	2.16	1.96	1.76
HARDEMAN	TN	2.80	2.65	2.53	2.42	2.30	2.18
HARDIN	TN	2.80	2.62	2.47	2.33	2.18	2.03
HAWKINS	TN	2.80	2.58	2.38	2.19	1.99	1.80
HAYWOOD	TN	2.60	2.59	2.48	2.37	2.26	2.15
HENDERSON	TN	2.60	2.48	2.35	2.23	2.10	1.98
HENRY	TN	2.60	2.41	2.27	2.14	2.00	1.86
HICKMAN	TN	2.60	2.44	2.28	2.11	1.95	1.79
HOUSTON	TN	2.60	2.40	2.25	2.09	1.94	1.79
HUMPHREYS	TN	2.60	2.45	2.29	2.14	1.98	1.83
JACKSON	TN	2.60	2.37	2.19	2.00	1.82	1.64
JEFFERSON	TN	2.80	2.59	2.41	2.24	2.06	1.88
JOHNSON	TN	2.80	2.56	2.36	2.15	1.95	1.74
KNOX	TN	2.80	2.59	2.42	2.24	2.07	1.89
LAKE	TN	2.60	2.43	2.31	2.19	2.07	1.95
LAUDERDALE	TN	2.60	2.59	2.48	2.36	2.25	2.14
LAWRENCE	TN	2.80	2.59	2.41	2.24	2.06	1.88
LEWIS	TN	2.60	2.45	2.30	2.14	1.99	1.84
LINCOLN	TN	2.80	2.58	2.39	2.21	2.02	1.83
LOUDON	TN	2.80	2.60	2.44	2.27	2.11	1.94
MACON	TN	2.80	2.62	2.47	2.33	2.18	2.03
MADISON	TN	2.80	2.63	2.50	2.36	2.23	2.09
MARION	TN	2.60	2.36	2.17	1.97	1.78	1.59

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
MARSHALL	TN	2.60	2.49	2.39	2.28	2.18	2.07
MAURY	TN	2.80	2.62	2.46	2.31	2.15	2.00
MCMINN	TN	2.60	2.44	2.27	2.11	1.94	1.78
MCNAIRY	TN	2.60	2.44	2.27	2.11	1.94	1.78
MEIGS	TN	2.80	2.61	2.45	2.30	2.14	1.98
MONROE	TN	2.80	2.62	2.47	2.32	2.17	2.02
MONTGOMERY	TN	2.60	2.38	2.21	2.05	1.88	1.71
MOORE	TN	2.80	2.58	2.39	2.21	2.02	1.83
MORGAN	TN	2.80	2.57	2.37	2.18	1.98	1.78
OBION	TN	2.60	2.42	2.30	2.17	2.05	1.92
OVERTON	TN	2.60	2.37	2.20	2.02	1.85	1.67
PERRY	TN	2.60	2.46	2.32	2.18	2.04	1.90
PICKETT	TN	2.60	2.36	2.17	1.97	1.78	1.59
POLK	TN	2.80	2.64	2.51	2.38	2.25	2.12
PUTNAM	TN	2.60	2.42	2.24	2.06	1.88	1.70
RHEA	TN	2.80	2.60	2.44	2.27	2.11	1.94
ROANE	TN	2.80	2.59	2.42	2.24	2.07	1.89
ROBERTSON	TN	2.60	2.37	2.19	2.00	1.82	1.64
RUTHERFORD	TN	2.60	2.42	2.24	2.07	1.89	1.71
SCOTT	TN	2.80	2.41	2.23	2.04	1.86	1.67
SEQUATCHIE	TN	2.80	2.61	2.45	2.29	2.13	1.97
SEVIER	TN	2.80	2.60	2.43	2.27	2.10	1.93
SHELBY	TN	2.80	2.69	2.61	2.54	2.46	2.38
SMITH	TN	2.60	2.37	2.19	2.01	1.83	1.65
STEWART	TN	2.60	2.40	2.25	2.10	1.95	1.80
SULLIVAN	TN	2.80	2.57	2.37	2.16	1.96	1.76
SUMNER	TN	2.60	2.36	2.18	1.99	1.81	1.62
TIPTON	TN	2.80	2.61	2.52	2.42	2.33	2.24
TROUSDALE	TN	2.60	2.36	2.18	1.99	1.81	1.62
UNICOI	TN	2.80	2.58	2.39	2.19	2.00	1.81
UNION	TN	2.80	2.58	2.39	2.19	2.00	1.81
VAN BUREN	TN	2.60	2.45	2.30	2.16	2.01	1.86
WARREN	TN	2.60	2.44	2.28	2.13	1.97	1.81
WASHINGTON	TN	2.80	2.57	2.38	2.18	1.99	1.79
WAYNE	TN	2.80	2.60	2.44	2.27	2.11	1.94
WEAKLEY	TN	2.60	2.42	2.29	2.17	2.04	1.91
WHITE	TN	2.60	2.43	2.27	2.10	1.94	1.77
WILLIAMSON	TN	2.60	2.42	2.24	2.05	1.87	1.69
WILSON	TN	2.60	2.37	2.19	2.02	1.84	1.66
ANDERSON	TX	3.15	3.04	2.77	2.50	2.23	1.96
ANDREWS	TX	2.40	2.70	2.46	2.21	1.97	1.72
ANGELINA	TX	3.15	3.10	2.86	2.61	2.37	2.13
ARANSAS	TX	3.65	3.49	3.29	3.08	2.88	2.68
ARCHER	TX	2.80	2.63	2.35	2.07	1.79	1.51
ARMSTRONG	TX	2.40	2.29	2.10	1.90	1.71	1.51
ATASCOSA	TX	3.45	2.70	2.60	2.51	2.41	2.31
AUSTIN	TX	3.60	3.44	3.18	2.93	2.67	2.41
BAILEY	TX	2.40	2.26	2.03	1.80	1.57	1.34
BANDERA	TX	3.30	2.66	2.52	2.37	2.23	2.09
BASTROP	TX	3.30	3.20	2.93	2.67	2.40	2.14
BAYLOR	TX	2.60	2.64	2.37	2.10	1.83	1.56
BEE	TX	3.65	3.45	3.21	2.98	2.74	2.50
BELL	TX	3.15	3.05	2.79	2.52	2.26	2.00
BEXAR	TX	3.45	3.30	3.03	2.75	2.48	2.20
BLANCO	TX	3.30	2.63	2.46	2.29	2.12	1.95
BORDEN	TX	2.40	2.70	2.45	2.19	1.94	1.69
BOSQUE	TX	3.15	3.02	2.73	2.45	2.16	1.87
BOWIE	TX	3.00	2.79	2.51	2.22	1.94	1.65
BRAZORIA	TX	3.60	3.48	3.26	3.03	2.81	2.59
BRAZOS	TX	3.30	3.16	2.96	2.77	2.57	2.37
BREWSTER	TX	2.40	2.13	2.06	1.99	1.92	1.85
BRISCOE	TX	2.40	2.30	2.11	1.91	1.72	1.53
BROOKS	TX	3.65	3.59	3.36	3.12	2.89	2.66
BROWN	TX	2.80	2.72	2.48	2.25	2.01	1.78
BURLESON	TX	3.30	3.14	2.93	2.71	2.50	2.28
BURNET	TX	3.30	3.15	2.84	2.52	2.21	1.90
CALDWELL	TX	3.45	3.29	3.00	2.70	2.41	2.12
CALHOUN	TX	3.65	3.47	3.25	3.04	2.82	2.60
CALLAHAN	TX	2.80	2.70	2.46	2.21	1.97	1.72
CAMERON	TX	3.65	3.67	3.43	3.19	2.95	2.71

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
CAMP	TX	3.00	2.85	2.54	2.23	1.92	1.61
CARSON	TX	2.40	2.29	2.10	1.90	1.71	1.51
CASS	TX	3.00	2.81	2.54	2.27	2.00	1.73
CASTRO	TX	2.40	2.28	2.07	1.85	1.64	1.43
CHAMBERS	TX	3.60	3.46	3.23	2.99	2.76	2.52
CHEROKEE	TX	3.15	3.03	2.76	2.48	2.21	1.93
CHILDRESS	TX	2.40	2.30	2.11	1.91	1.72	1.53
CLAY	TX	2.80	2.62	2.34	2.05	1.77	1.48
COCHRAN	TX	2.40	2.27	2.05	1.83	1.61	1.39
COKE	TX	2.60	2.72	2.48	2.25	2.01	1.78
COLEMAN	TX	2.80	2.72	2.49	2.25	2.02	1.79
COLLIN	TX	3.00	2.84	2.51	2.19	1.86	1.54
COLLINGSWORTH	TX	2.40	2.29	2.10	1.90	1.71	1.51
COLORADO	TX	3.60	3.44	3.18	2.92	2.66	2.40
COMAL	TX	3.45	3.29	2.99	2.70	2.40	2.11
COMANCHE	TX	2.80	3.00	2.69	2.37	2.06	1.75
CONCHO	TX	2.80	2.45	2.29	2.14	1.98	1.83
COOKE	TX	3.00	2.82	2.48	2.13	1.79	1.45
CORYELL	TX	3.15	3.03	2.75	2.47	2.19	1.91
COTTLE	TX	2.40	2.31	2.12	1.94	1.75	1.57
CRANE	TX	2.40	2.13	2.05	1.98	1.90	1.83
CROCKETT	TX	2.60	2.30	2.20	2.11	2.01	1.91
CROSBY	TX	2.40	2.31	2.14	1.96	1.79	1.61
CULBERSON	TX	2.40	2.08	1.95	1.83	1.70	1.58
DALLAM	TX	2.40	2.29	2.10	1.90	1.71	1.51
DALLAS	TX	3.00	2.86	2.57	2.27	1.98	1.68
DAWSON	TX	2.40	2.70	2.45	2.19	1.94	1.69
DE WITT	TX	2.40	2.28	2.07	1.85	1.64	1.43
DEAF SMITH	TX	3.00	2.81	2.46	2.10	1.75	1.40
DELTA	TX	3.00	2.84	2.51	2.19	1.86	1.54
DENTON	TX	3.60	3.34	3.11	2.87	2.64	2.40
DICKENS	TX	2.40	2.34	2.19	2.03	1.88	1.73
DIMMIT	TX	3.45	2.70	2.60	2.49	2.39	2.29
DONLEY	TX	2.40	2.30	2.10	1.91	1.71	1.52
DUVAL	TX	3.65	3.57	3.32	3.08	2.83	2.58
EASTLAND	TX	2.80	2.70	2.45	2.21	1.96	1.71
ECTOR	TX	2.40	2.72	2.49	2.25	2.02	1.79
EDWARDS	TX	2.80	2.49	2.37	2.26	2.14	2.03
EL PASO	TX	3.00	2.89	2.62	2.35	2.08	1.81
ELLIS	TX	2.25	2.15	1.95	1.75	1.55	1.35
ERATH	TX	3.00	2.99	2.68	2.36	2.05	1.73
FALLS	TX	3.15	3.07	2.82	2.58	2.33	2.09
FANNIN	TX	3.00	2.81	2.46	2.12	1.77	1.42
FAYETTE	TX	3.60	3.42	3.14	2.86	2.58	2.30
FISHER	TX	2.60	2.70	2.45	2.21	1.96	1.71
FLOYD	TX	2.40	2.30	2.12	1.93	1.75	1.56
FOARD	TX	2.60	2.67	2.39	2.12	1.84	1.56
FORT BEND	TX	3.60	3.46	3.23	2.99	2.76	2.52
FRANKLIN	TX	3.00	2.83	2.50	2.16	1.83	1.50
FREESTONE	TX	3.15	3.05	2.80	2.54	2.29	2.03
FRIO	TX	3.45	2.70	2.60	2.49	2.39	2.29
GAINES	TX	2.40	2.31	2.13	1.95	1.77	1.59
GALVESTON	TX	3.60	3.48	3.25	3.03	2.80	2.58
GARZA	TX	2.40	2.32	2.16	1.99	1.83	1.66
GILLESPIE	TX	3.30	2.63	2.46	2.30	2.13	1.96
GLASSCOCK	TX	2.60	2.72	2.49	2.27	2.04	1.81
GOLIAD	TX	3.65	3.45	3.21	2.98	2.74	2.50
GONZALES	TX	3.45	3.32	3.06	2.79	2.53	2.27
GRAY	TX	2.40	2.29	2.09	1.90	1.70	1.50
GRAYSON	TX	3.00	2.82	2.47	2.13	1.78	1.44
GREGG	TX	3.00	2.89	2.62	2.34	2.07	1.80
GRIMES	TX	3.30	3.16	2.97	2.77	2.58	2.38
GUADALUPE	TX	3.45	3.29	3.01	2.72	2.44	2.15
HALE	TX	2.40	2.30	2.10	1.91	1.71	1.52
HALL	TX	2.40	2.30	2.11	1.91	1.72	1.53
HAMILTON	TX	3.15	3.01	2.71	2.42	2.12	1.82
HANSFORD	TX	2.40	2.28	2.07	1.87	1.66	1.45
HARDEMAN	TX	2.60	2.63	2.36	2.08	1.81	1.53
HARDIN	TX	3.60	3.44	3.19	2.93	2.68	2.42
HARRIS	TX	3.60	3.46	3.22	2.99	2.75	2.51

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
HARRISON	TX	3.00	2.89	2.63	2.36	2.10	1.83
HARTLEY	TX	2.40	2.29	2.09	1.90	1.70	1.50
HASKELL	TX	2.60	2.68	2.42	2.15	1.89	1.62
HAYS	TX	3.45	3.27	2.95	2.64	2.32	2.01
HEMPHILL	TX	2.40	2.28	2.08	1.87	1.67	1.46
HENDERSON	TX	3.00	3.02	2.73	2.43	2.14	1.85
HIDALGO	TX	3.65	3.66	3.40	3.15	2.89	2.64
HILL	TX	3.15	3.02	2.73	2.45	2.16	1.87
HOCKLEY	TX	2.40	2.29	2.10	1.90	1.71	1.51
HOOD	TX	3.00	2.87	2.58	2.29	2.00	1.71
HOPKINS	TX	3.00	2.81	2.47	2.12	1.78	1.43
HOUSTON	TX	3.15	3.09	2.84	2.58	2.33	2.08
HOWARD	TX	2.40	2.71	2.48	2.24	2.01	1.77
HUDSPETH	TX	2.25	2.18	2.01	1.83	1.66	1.49
HUNT	TX	3.00	2.86	2.56	2.27	1.97	1.67
HUTCHINSON	TX	2.40	2.29	2.09	1.89	1.69	1.49
IRION	TX	2.60	2.29	2.18	2.08	1.97	1.86
JACK	TX	2.80	2.66	2.38	2.09	1.81	1.52
JACKSON	TX	3.60	3.37	3.16	2.95	2.74	2.53
JASPER	TX	3.30	3.14	2.94	2.73	2.53	2.33
JEFF DAVIS	TX	2.40	2.09	1.99	1.88	1.78	1.67
JEFFERSON	TX	3.60	3.46	3.22	2.97	2.73	2.49
JIM HOGG	TX	3.65	2.83	2.76	2.70	2.63	2.56
JIM WELLS	TX	3.65	3.58	3.34	3.09	2.85	2.61
JOHNSON	TX	3.00	2.88	2.60	2.31	2.03	1.75
JONES	TX	2.60	2.69	2.44	2.18	1.93	1.67
KARNES	TX	3.65	3.43	3.17	2.91	2.65	2.39
KAUFMAN	TX	3.00	2.87	2.58	2.29	2.00	1.71
KENDALL	TX	3.30	2.65	2.50	2.35	2.20	2.05
KENEDY	TX	3.65	3.60	3.38	3.16	2.94	2.72
KENT	TX	2.60	2.69	2.43	2.18	1.92	1.66
KERR	TX	3.30	2.64	2.48	2.33	2.17	2.01
KIMBLE	TX	2.80	2.47	2.33	2.20	2.06	1.93
KING	TX	2.60	2.68	2.41	2.14	1.87	1.60
KINNEY	TX	3.30	2.66	2.52	2.37	2.23	2.09
KLEBERG	TX	3.65	3.60	3.38	3.15	2.93	2.71
KNOX	TX	2.60	2.68	2.41	2.13	1.86	1.59
LA SALLE	TX	3.00	2.81	2.46	2.12	1.77	1.42
LAMAR	TX	2.40	2.28	2.07	1.85	1.64	1.43
LAMB	TX	3.15	3.02	2.74	2.45	2.17	1.88
LAMPASAS	TX	3.45	2.71	2.62	2.52	2.43	2.34
LAVACA	TX	3.60	3.34	3.09	2.85	2.60	2.36
LEE	TX	3.30	3.21	2.95	2.70	2.44	2.19
LEON	TX	3.15	3.10	2.86	2.63	2.39	2.15
LIBERTY	TX	3.60	3.45	3.19	2.94	2.68	2.43
LIMESTONE	TX	3.15	3.06	2.81	2.55	2.30	2.05
LIPSCOMB	TX	2.40	2.28	2.07	1.85	1.64	1.43
LIVE OAK	TX	3.65	3.46	3.22	2.99	2.75	2.52
LLANO	TX	3.30	2.62	2.44	2.25	2.07	1.89
LOVING	TX	2.40	2.09	1.98	1.88	1.77	1.66
LUBBOCK	TX	2.40	2.31	2.13	1.96	1.78	1.60
LYNN	TX	2.40	2.32	2.15	1.97	1.80	1.63
MADISON	TX	2.80	2.45	2.29	2.14	1.98	1.83
MARION	TX	3.15	3.05	2.79	2.52	2.26	2.00
MARTIN	TX	3.45	2.72	2.64	2.57	2.49	2.41
MASON	TX	3.30	3.14	2.92	2.69	2.47	2.25
MATAGORDA	TX	3.00	2.88	2.60	2.33	2.05	1.77
MAVERICK	TX	2.40	2.71	2.47	2.24	2.00	1.76
MCCULLOCH	TX	2.80	2.46	2.32	2.18	2.04	1.90
MCLENNAN	TX	3.60	3.38	3.19	2.99	2.80	2.60
MCMULLEN	TX	3.30	2.67	2.55	2.42	2.30	2.17
MEDINA	TX	3.30	2.68	2.56	2.43	2.31	2.19
MENARD	TX	2.80	2.46	2.32	2.17	2.03	1.89
MIDLAND	TX	2.40	2.72	2.49	2.27	2.04	1.81
MILAM	TX	3.30	3.12	2.87	2.63	2.38	2.14
MILLS	TX	2.80	3.01	2.71	2.41	2.11	1.81
MITCHELL	TX	2.60	2.71	2.47	2.23	1.99	1.75
MONTAGUE	TX	2.80	2.62	2.33	2.03	1.74	1.45
MONTGOMERY	TX	3.60	3.45	3.19	2.94	2.68	2.43
MOORE	TX	2.40	2.29	2.09	1.90	1.70	1.50

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
MORRIS	TX	3.00	2.85	2.55	2.24	1.94	1.63
MOTLEY	TX	2.40	2.31	2.12	1.94	1.75	1.57
NACOGDOCHES	TX	3.15	3.07	2.81	2.54	2.28	2.01
NAVARRO	TX	3.15	3.03	2.75	2.47	2.19	1.91
NEWTON	TX	3.30	3.14	2.94	2.75	2.55	2.35
NOLAN	TX	2.60	2.71	2.47	2.22	1.98	1.74
NUECES	TX	3.65	3.59	3.37	3.14	2.92	2.69
OCHILTREE	TX	2.40	2.28	2.07	1.86	1.65	1.44
OLDHAM	TX	2.40	2.29	2.09	1.88	1.68	1.48
ORANGE	TX	3.60	3.46	3.22	2.97	2.73	2.49
PALO PINTO	TX	2.80	2.69	2.43	2.16	1.90	1.64
PANOLA	TX	3.00	2.92	2.68	2.43	2.19	1.95
PARKER	TX	3.00	2.85	2.54	2.23	1.92	1.61
PARMER	TX	2.40	2.26	2.03	1.80	1.57	1.34
PECOS	TX	2.40	2.13	2.05	1.98	1.90	1.83
POLK	TX	3.30	3.13	2.92	2.70	2.49	2.28
POTTER	TX	2.40	2.29	2.10	1.90	1.71	1.51
PRESIDIO	TX	2.40	2.11	2.01	1.92	1.82	1.73
RAINS	TX	3.00	2.84	2.52	2.20	1.88	1.56
RANDALL	TX	2.40	2.29	2.09	1.90	1.70	1.50
REAGAN	TX	2.60	2.29	2.18	2.08	1.97	1.86
REAL	TX	3.30	2.65	2.51	2.36	2.22	2.07
RED RIVER	TX	3.00	2.83	2.49	2.16	1.82	1.49
REEVES	TX	2.40	2.09	1.99	1.88	1.78	1.67
REFUGIO	TX	3.65	3.47	3.26	3.04	2.83	2.61
ROBERTS	TX	2.40	2.29	2.09	1.88	1.68	1.48
ROBERTSON	TX	3.30	3.13	2.90	2.68	2.45	2.22
ROCKWALL	TX	3.00	2.85	2.54	2.24	1.93	1.62
RUNNELS	TX	2.80	2.72	2.49	2.25	2.02	1.79
RUSK	TX	3.00	2.91	2.66	2.40	2.15	1.90
SABINE	TX	3.15	3.12	2.89	2.67	2.44	2.22
SAN AUGUSTINE	TX	3.15	3.11	2.87	2.64	2.40	2.17
SAN JACINTO	TX	3.30	3.43	3.15	2.88	2.60	2.33
SAN PATRICIO	TX	3.65	3.58	3.35	3.11	2.88	2.64
SAN SABA	TX	2.80	2.45	2.30	2.14	1.99	1.84
SCHLEICHER	TX	2.80	2.46	2.32	2.17	2.03	1.89
SCURRY	TX	2.60	2.70	2.45	2.20	1.95	1.70
SHACKELFORD	TX	2.80	2.69	2.44	2.18	1.93	1.67
SHELBY	TX	3.15	3.09	2.83	2.58	2.32	2.07
SHERMAN	TX	2.40	2.29	2.08	1.88	1.67	1.47
SMITH	TX	3.00	2.90	2.64	2.38	2.12	1.86
SOMERVELL	TX	3.00	2.88	2.60	2.33	2.05	1.77
STARR	TX	3.65	2.83	2.76	2.70	2.63	2.56
STEPHENS	TX	2.80	2.69	2.43	2.18	1.92	1.66
STERLING	TX	2.60	2.72	2.49	2.27	2.04	1.81
STONEWALL	TX	2.60	2.69	2.43	2.17	1.91	1.65
SUTTON	TX	2.80	2.47	2.33	2.20	2.06	1.93
SWISHER	TX	2.40	2.29	2.09	1.89	1.69	1.49
TARRANT	TX	3.00	2.86	2.57	2.27	1.98	1.68
TAYLOR	TX	2.60	2.71	2.46	2.22	1.97	1.73
TERRELL	TX	2.60	2.30	2.20	2.11	2.01	1.91
TERRY	TX	2.40	2.31	2.13	1.95	1.77	1.59
THROCKMORTON	TX	2.80	2.68	2.41	2.15	1.88	1.61
TITUS	TX	3.00	2.84	2.52	2.20	1.88	1.56
TOM GREEN	TX	2.80	2.73	2.50	2.28	2.05	1.83
TRAVIS	TX	3.30	3.16	2.85	2.55	2.24	1.94
TRINITY	TX	3.30	3.11	2.88	2.64	2.41	2.18
TYLER	TX	3.30	3.13	2.92	2.72	2.51	2.30
UPSHUR	TX	3.00	2.87	2.58	2.29	2.00	1.71
UPTON	TX	2.40	2.13	2.06	2.00	1.93	1.86
UVALDE	TX	3.30	2.66	2.53	2.39	2.26	2.12
VAL VERDE	TX	2.80	2.48	2.36	2.24	2.12	2.00
VAN ZANDT	TX	3.00	2.88	2.59	2.31	2.02	1.74
VICTORIA	TX	3.65	3.46	3.22	2.99	2.75	2.52
WALKER	TX	3.30	3.15	2.94	2.74	2.53	2.32
WALLER	TX	3.60	3.45	3.19	2.94	2.68	2.43
WARD	TX	2.40	2.11	2.02	1.94	1.85	1.76
WASHINGTON	TX	3.30	3.43	3.16	2.90	2.63	2.36
WEBB	TX	3.45	2.73	2.65	2.58	2.50	2.43
WHARTON	TX	3.60	3.37	3.15	2.94	2.72	2.51

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
WHEELER	TX	2.40	2.29	2.09	1.89	1.69	1.49
WICHITA	TX	2.80	2.63	2.35	2.06	1.78	1.50
WILBARGER	TX	2.60	2.63	2.35	2.08	1.80	1.52
WILLACY	TX	3.65	3.67	3.42	3.18	2.93	2.69
WILLIAMSON	TX	3.30	3.16	2.87	2.57	2.28	1.98
WILSON	TX	3.45	3.32	3.06	2.81	2.55	2.29
WINKLER	TX	2.40	2.10	2.01	1.91	1.82	1.72
WISE	TX	3.00	2.83	2.50	2.16	1.83	1.50
WOOD	TX	3.00	2.85	2.54	2.24	1.93	1.62
YOAKUM	TX	2.40	2.30	2.10	1.91	1.71	1.52
YOUNG	TX	2.80	2.67	2.39	2.12	1.84	1.56
ZAPATA	TX	3.65	2.82	2.75	2.67	2.60	2.52
ZAVALA	TX	3.30	2.68	2.56	2.45	2.33	2.21
BEAVER	UT	1.60	1.58	1.56	1.54	1.52	1.50
BOX ELDER	UT	1.90	1.73	1.55	1.38	1.20	1.03
CACHE	UT	1.90	1.73	1.56	1.38	1.21	1.04
CARBON	UT	1.90	1.78	1.66	1.53	1.41	1.29
DAGGETT	UT	1.90	1.77	1.64	1.50	1.37	1.24
DAVIS	UT	1.90	1.74	1.58	1.41	1.25	1.09
DUCHESNE	UT	1.90	1.76	1.62	1.49	1.35	1.21
EMERY	UT	1.90	1.80	1.70	1.59	1.49	1.39
GARFIELD	UT	1.60	1.60	1.60	1.60	1.60	1.60
GRAND	UT	1.90	1.84	1.79	1.73	1.68	1.62
IRON	UT	1.60	1.60	1.61	1.61	1.62	1.62
JUAB	UT	1.90	1.75	1.60	1.46	1.31	1.16
KANE	UT	1.60	1.62	1.63	1.65	1.66	1.68
MILLARD	UT	1.90	1.78	1.67	1.55	1.44	1.32
MORGAN	UT	1.90	1.74	1.57	1.41	1.24	1.08
PIUTE	UT	1.60	1.58	1.56	1.54	1.52	1.50
RICH	UT	1.90	1.73	1.56	1.39	1.22	1.05
SALT LAKE	UT	1.90	1.74	1.57	1.41	1.24	1.08
SAN JUAN	UT	1.60	1.63	1.66	1.68	1.71	1.74
SANPETE	UT	1.90	1.77	1.64	1.52	1.39	1.26
SEVIER	UT	1.90	1.81	1.72	1.62	1.53	1.44
SUMMIT	UT	1.90	1.74	1.58	1.41	1.25	1.09
TOOELE	UT	1.90	1.74	1.57	1.41	1.24	1.08
UINTAH	UT	1.90	1.79	1.68	1.57	1.46	1.35
UTAH	UT	1.90	1.73	1.55	1.38	1.20	1.03
WASATCH	UT	1.90	1.73	1.56	1.39	1.22	1.05
WASHINGTON	UT	1.60	1.63	1.65	1.68	1.70	1.73
WAYNE	UT	1.60	1.59	1.57	1.56	1.54	1.53
WEBER	UT	1.90	1.73	1.57	1.40	1.24	1.07
ACCOMACK	VA	3.00	2.98	2.73	2.49	2.24	1.99
ALBEMARLE	VA	2.80	2.66	2.38	2.11	1.83	1.56
ALEXANDRIA CITY	VA	3.00	2.75	2.46	2.18	1.89	1.61
ALLEGHANY	VA	2.80	2.67	2.41	2.14	1.88	1.62
AMELIA	VA	3.10	2.82	2.56	2.30	2.04	1.78
AMHERST	VA	2.80	2.68	2.43	2.18	1.93	1.68
APPOMATTOX	VA	2.80	2.69	2.45	2.20	1.96	1.72
ARLINGTON	VA	3.00	2.74	2.45	2.17	1.88	1.59
AUGUSTA	VA	2.80	2.66	2.39	2.12	1.85	1.58
BATH	VA	2.80	2.67	2.41	2.14	1.88	1.62
BEDFORD	VA	2.80	2.68	2.43	2.17	1.92	1.67
BEDFORD CITY	VA	2.80	2.68	2.43	2.17	1.92	1.67
BLAND	VA	2.80	2.68	2.43	2.19	1.94	1.69
BOTETOURT	VA	2.80	2.67	2.41	2.14	1.88	1.62
BRISTOL CITY	VA	2.80	2.56	2.35	2.15	1.94	1.73
BRUNSWICK	VA	3.10	2.86	2.64	2.42	2.20	1.98
BUCHANAN	VA	2.80	2.56	2.35	2.13	1.92	1.71
BUCKINGHAM	VA	2.80	2.80	2.52	2.24	1.96	1.68
BUENA VISTA CITY	VA	2.80	2.67	2.41	2.16	1.90	1.64
CAMPBELL	VA	2.80	2.69	2.45	2.20	1.96	1.72
CAROLINE	VA	3.10	2.80	2.53	2.25	1.98	1.70
CARROLL	VA	2.80	2.69	2.45	2.20	1.96	1.72
CHARLES CITY	VA	3.10	2.84	2.60	2.37	2.13	1.89
CHARLOTTE	VA	3.10	2.83	2.57	2.32	2.06	1.81
CHARLOTTESVILLE CITY	VA	2.80	2.66	2.38	2.11	1.83	1.56
CHESAPEAKE CITY	VA	3.20	3.02	2.80	2.59	2.37	2.16
CHESTERFIELD	VA	3.10	2.83	2.58	2.33	2.08	1.83
CLARKE	VA	2.80	2.77	2.46	2.15	1.84	1.53

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
CLIFTON FORGE CITY	VA	2.80	2.67	2.41	2.15	1.89	1.63
COLONIAL HEIGHTS CITY	VA	3.10	2.84	2.60	2.35	2.11	1.87
COVINGTON CITY	VA	2.80	2.67	2.41	2.14	1.88	1.62
CRAIG	VA	2.80	2.67	2.41	2.15	1.89	1.63
CULPEPER	VA	2.80	2.78	2.48	2.17	1.87	1.57
CUMBERLAND	VA	2.80	2.80	2.53	2.25	1.98	1.70
DANVILLE CITY	VA	2.80	2.71	2.49	2.26	2.04	1.82
DICKENSON	VA	2.80	2.56	2.35	2.13	1.92	1.71
DINWIDDIE	VA	3.10	2.84	2.61	2.37	2.14	1.90
EMPORIA CITY	VA	3.00	2.87	2.66	2.45	2.24	2.08
ESSEX	VA	3.10	2.94	2.65	2.36	2.07	1.78
FAIRFAX	VA	3.00	2.74	2.45	2.17	1.88	1.59
FAIRFAX CITY	VA	3.00	2.74	2.45	2.16	1.87	1.58
FALLS CHURCH CITY	VA	3.00	2.74	2.45	2.16	1.87	1.58
FAUQUIER	VA	3.00	2.78	2.47	2.17	1.86	1.56
FLOYD	VA	2.80	2.68	2.43	2.19	1.94	1.69
FLUVANNA	VA	2.80	2.79	2.50	2.21	1.92	1.63
FRANKLIN	VA	2.80	2.68	2.43	2.19	1.94	1.69
FRANKLIN CITY	VA	3.00	2.74	2.45	2.16	1.87	1.58
FREDERICK	VA	3.00	2.74	2.45	2.16	1.87	1.58
FREDERICKSBURG CITY	VA	2.80	2.79	2.50	2.22	1.93	1.64
GALAX CITY	VA	2.80	2.69	2.45	2.21	1.97	1.73
GILES	VA	2.80	2.68	2.43	2.17	1.92	1.67
GLOUCESTER	VA	3.20	2.98	2.73	2.48	2.23	1.98
GOOCHLAND	VA	3.10	2.80	2.52	2.25	1.97	1.69
GRAYSON	VA	2.80	2.69	2.45	2.21	1.97	1.73
GREENE	VA	2.80	2.65	2.38	2.10	1.83	1.55
GREENSVILLE	VA	3.10	2.87	2.65	2.44	2.22	2.01
HALIFAX	VA	3.10	2.71	2.49	2.28	2.06	1.84
HAMPTON CITY	VA	3.20	3.00	2.77	2.54	2.31	2.08
HANOVER	VA	3.10	2.82	2.55	2.29	2.02	1.76
HARRISONBURG CITY	VA	2.80	2.65	2.38	2.10	1.83	1.55
HENRICO	VA	3.10	2.82	2.56	2.30	2.04	1.78
HENRY	VA	2.80	2.82	2.55	2.29	2.02	1.76
HIGHLAND	VA	2.80	2.67	2.40	2.14	1.87	1.61
HOPEWELL CITY	VA	3.10	2.84	2.60	2.37	2.13	1.89
ISLE OF WIGHT	VA	3.20	3.00	2.76	2.53	2.29	2.06
JAMES CITY	VA	3.10	2.98	2.72	2.47	2.21	1.96
KING AND QUEEN	VA	3.10	2.95	2.67	2.39	2.11	1.83
KING GEORGE	VA	3.10	2.80	2.53	2.25	1.98	1.70
KING WILLIAM	VA	3.10	2.82	2.56	2.31	2.05	1.79
LANCASTER	VA	3.10	2.96	2.69	2.42	2.15	1.88
LEE	VA	2.80	2.56	2.36	2.15	1.95	1.74
LEXINGTON CITY	VA	2.80	2.67	2.41	2.15	1.89	1.63
LOUDOUN	VA	3.00	2.71	2.41	2.12	1.82	1.53
LOUISA	VA	2.80	2.79	2.50	2.21	1.92	1.63
LUNENBURG	VA	3.10	2.84	2.59	2.35	2.10	1.86
LYNCHBURG CITY	VA	2.80	2.69	2.45	2.20	1.96	1.72
MADISON	VA	2.80	2.77	2.47	2.16	1.86	1.55
MANASSAS CITY	VA	3.00	2.72	2.43	2.15	1.86	1.58
MANASSAS PARK CITY	VA	3.00	2.78	2.48	2.18	1.88	1.58
MARTINSVILLE CITY	VA	2.80	2.70	2.46	2.23	1.99	1.76
MATHEWS	VA	3.20	2.98	2.73	2.48	2.23	1.98
MECKLENBURG	VA	3.10	2.85	2.62	2.38	2.15	1.92
MIDDLESEX	VA	3.10	2.96	2.70	2.43	2.17	1.90
MONTGOMERY	VA	2.80	2.68	2.42	2.17	1.91	1.66
NELSON	VA	2.80	2.67	2.41	2.14	1.88	1.62
NEW KENT	VA	3.10	2.83	2.59	2.34	2.10	1.85
NEWPORT NEWS CITY	VA	3.20	2.99	2.75	2.52	2.28	2.04
NORFOLK CITY	VA	3.20	3.01	2.79	2.56	2.34	2.12
NORTHAMPTON	VA	3.00	2.99	2.75	2.52	2.28	2.04
NORTHUMBERLAND	VA	3.10	2.80	2.57	2.33	2.10	1.87
NORTON CITY	VA	2.80	2.56	2.35	2.15	1.94	1.73
NOTTOWAY	VA	3.10	2.83	2.59	2.34	2.10	1.85
ORANGE	VA	2.80	2.78	2.48	2.18	1.88	1.58
PAGE	VA	2.80	2.77	2.47	2.16	1.86	1.55
PATRICK	VA	2.80	2.69	2.46	2.22	1.99	1.75
PETERSBURG CITY	VA	3.10	2.84	2.61	2.37	2.14	1.90
PITTSYLVANIA	VA	2.80	2.70	2.47	2.24	2.01	3.00
POQUOSON CITY	VA	3.20	2.99	2.75	2.52	2.28	2.04

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
PORTSMOUTH CITY	VA	3.20	3.01	2.79	2.56	2.34	2.12
POWHATAN	VA	3.10	2.81	2.54	2.27	2.00	3.10
PRINCE EDWARD	VA	3.10	2.82	2.55	2.29	2.02	1.76
PRINCE GEORGE	VA	3.10	2.85	2.61	2.38	2.14	1.91
PRINCE WILLIAM	VA	3.00	2.72	2.44	2.15	1.87	1.59
PULASKI	VA	2.80	2.68	2.43	2.18	1.93	1.68
RADFORD CITY	VA	2.80	2.68	2.43	2.17	1.92	1.67
RAPPAHANNOCK	VA	2.80	2.77	2.47	2.16	1.86	1.55
RICHMOND	VA	3.10	2.95	2.66	2.38	2.09	1.81
RICHMOND CITY	VA	3.10	2.82	2.56	2.30	2.04	1.78
ROANOKE	VA	2.80	2.67	2.41	2.14	1.88	1.62
ROANOKE CITY	VA	2.80	2.67	2.41	2.15	1.89	1.63
ROCKBRIDGE	VA	2.80	2.67	2.41	2.15	1.89	1.63
ROCKINGHAM	VA	2.80	2.65	2.38	2.10	1.83	1.55
RUSSELL	VA	2.80	2.56	2.35	2.13	1.92	1.71
SALEM CITY	VA	2.80	2.79	2.50	2.20	1.91	1.62
SCOTT	VA	2.80	2.57	2.37	2.16	1.96	1.76
SHENANDOAH	VA	2.80	2.77	2.47	2.16	1.86	1.55
SMYTH	VA	2.80	2.69	2.44	2.20	1.95	1.71
SOUTH BOSTON CITY	VA	3.10	2.70	2.48	2.25	2.03	1.80
SOUTHAMPTON	VA	3.10	2.88	2.67	2.47	2.26	2.06
SPOTSYLVANIA	VA	2.80	2.79	2.50	2.21	1.92	1.63
STAFFORD	VA	3.00	2.79	2.50	2.21	1.92	1.63
STAUNTON CITY	VA	2.80	2.66	2.39	2.11	1.84	1.57
SUFFOLK CITY	VA	3.20	3.01	2.79	2.56	2.34	2.12
SURRY	VA	3.10	2.86	2.64	2.42	2.20	1.98
SUSSEX	VA	3.10	2.87	2.65	2.44	2.22	2.01
TAZEWELL	VA	2.80	2.56	2.34	2.13	1.91	1.70
VIRGINIA BEACH CITY	VA	3.20	3.01	2.80	2.58	2.37	2.15
WARREN	VA	2.80	2.77	2.46	2.16	1.85	1.54
WASHINGTON	VA	2.80	2.56	2.35	2.14	1.93	1.72
WAYNESBORO CITY	VA	2.80	2.66	2.39	2.11	1.84	1.57
WESTMORELAND	VA	3.10	2.82	2.56	2.29	2.03	1.77
WILLIAMSBURG CITY	VA	3.10	2.86	2.63	2.41	2.18	1.96
WINCHESTER CITY	VA	2.80	2.77	2.46	2.15	1.84	1.53
WISE	VA	2.80	2.56	2.35	2.15	1.94	1.73
WYTHE	VA	2.80	2.68	2.44	2.19	1.95	1.70
YORK	VA	3.20	2.98	2.74	2.49	2.25	2.00
ADDISON	VT	2.60	2.38	2.19	1.99	1.80	1.61
BENNINGTON	VT	2.80	2.52	2.32	2.13	1.93	1.73
CALEDONIA	VT	2.60	2.41	2.22	2.03	1.84	1.65
CHITTENDEN	VT	2.60	2.34	2.16	1.97	1.79	1.61
ESSEX	VT	2.60	2.36	2.18	1.99	1.81	1.62
FRANKLIN	VT	2.40	2.24	2.07	1.91	1.74	1.58
GRAND ISLE	VT	2.40	2.21	2.05	1.90	1.74	1.58
LAMOILLE	VT	2.60	2.34	2.16	1.97	1.79	1.61
ORANGE	VT	2.60	2.42	2.24	2.06	1.88	1.70
ORLEANS	VT	2.40	2.32	2.14	1.95	1.77	1.59
RUTLAND	VT	2.60	2.44	2.24	2.03	1.83	1.62
WASHINGTON	VT	2.60	2.37	2.19	2.01	1.83	1.65
WINDHAM	VT	2.80	2.76	2.53	2.30	2.07	1.84
WINDSOR	VT	2.60	2.69	2.45	2.20	1.96	1.71
ADAMS	WA	1.75	1.58	1.41	1.25	1.08	0.91
ASOTIN	WA	1.75	1.60	1.45	1.29	1.14	0.99
BENTON	WA	1.75	1.59	1.43	1.27	1.11	0.95
CHELAN	WA	1.75	1.58	1.41	1.23	1.06	0.89
CLALLAM	WA	1.90	1.58	1.41	1.24	1.07	0.90
CLARK	WA	1.90	1.71	1.52	1.33	1.14	0.95
COLUMBIA	WA	1.75	1.59	1.43	1.27	1.11	0.95
COWLITZ	WA	1.90	1.71	1.53	1.34	1.16	0.97
DOUGLAS	WA	1.75	1.58	1.40	1.23	1.05	0.88
FERRY	WA	1.90	1.70	1.49	1.29	1.08	0.88
FRANKLIN	WA	1.75	1.59	1.43	1.26	1.10	0.94
GARFIELD	WA	1.75	1.59	1.43	1.28	1.12	0.96
GRANT	WA	1.75	1.58	1.41	1.24	1.07	0.90
GRAYS HARBOR	WA	1.90	1.72	1.53	1.35	1.16	0.98
ISLAND	WA	1.90	1.70	1.50	1.29	1.09	0.89
JEFFERSON	WA	1.90	1.59	1.43	1.27	1.11	0.95
KING	WA	1.90	1.72	1.54	1.36	1.18	1.00
KITSAP	WA	1.90	1.72	1.54	1.36	1.18	1.00

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
KITTITAS	WA	1.75	1.59	1.43	1.26	1.10	0.94
KLICKITAT	WA	1.75	1.59	1.43	1.28	1.12	0.96
LEWIS	WA	1.90	1.72	1.53	1.35	1.16	0.98
LINCOLN	WA	1.90	1.70	1.49	1.29	1.08	0.88
MASON	WA	1.90	1.72	1.54	1.35	1.17	0.99
OKANOGAN	WA	1.75	1.57	1.39	1.22	1.04	0.86
PACIFIC	WA	1.90	1.72	1.54	1.35	1.17	0.99
PEND OREILLE	WA	1.90	1.71	1.51	1.32	1.12	0.93
PIERCE	WA	1.90	1.72	1.54	1.36	1.18	1.00
SAN JUAN	WA	1.90	1.57	1.38	1.20	1.01	0.83
SKAGIT	WA	1.90	1.68	1.46	1.24	1.02	0.80
SKAMANIA	WA	1.90	1.71	1.52	1.34	1.15	0.96
SNOHOMISH	WA	1.90	1.70	1.50	1.31	1.11	0.91
SPOKANE	WA	1.90	1.70	1.50	1.29	1.09	0.89
STEVENS	WA	1.90	1.70	1.50	1.29	1.09	0.89
THURSTON	WA	1.90	1.72	1.54	1.35	1.17	0.99
WAHKIAKUM	WA	1.90	1.72	1.54	1.35	1.17	0.99
WALLA WALLA	WA	1.75	1.59	1.43	1.27	1.11	0.95
WHATCOM	WA	1.90	1.63	1.42	1.21	1.00	0.79
WHITMAN	WA	1.90	1.71	1.52	1.32	1.13	0.94
YAKIMA	WA	1.75	1.59	1.43	1.27	1.11	0.95
ADAMS	WI	1.70	1.11	1.11	1.12	1.12	1.13
ASHLAND	WI	1.70	1.10	1.10	1.10	1.10	1.10
BARRON	WI	1.70	1.11	1.11	1.12	1.12	1.13
BAYFIELD	WI	1.70	1.11	1.12	1.14	1.15	1.16
BROWN	WI	1.75	1.14	1.16	1.19	1.21	1.23
BUFFALO	WI	1.70	1.10	1.11	1.11	1.12	1.12
BURNETT	WI	1.70	1.14	1.15	1.15	1.16	1.16
CALUMET	WI	1.75	1.17	1.20	1.24	1.27	1.30
CHIPPEWA	WI	1.70	1.10	1.10	1.11	1.11	1.11
CLARK	WI	1.70	1.05	1.06	1.08	1.09	1.10
COLUMBIA	WI	1.75	1.15	1.15	1.16	1.16	1.17
CRAWFORD	WI	1.75	1.14	1.14	1.14	1.14	1.14
DANE	WI	1.75	1.20	1.19	1.19	1.18	1.17
DODGE	WI	1.75	1.17	1.21	1.24	1.28	1.31
DOOR	WI	1.75	1.10	1.11	1.11	1.12	1.12
DOUGLAS	WI	1.70	1.16	1.18	1.19	1.21	1.23
DUNN	WI	1.70	1.10	1.10	1.10	1.10	1.10
EAU CLAIRE	WI	1.70	1.10	1.11	1.11	1.12	1.12
FLORENCE	WI	1.70	1.09	1.03	0.98	0.92	0.86
FOND DU LAC	WI	1.75	1.17	1.20	1.24	1.27	1.30
FOREST	WI	1.70	1.07	1.03	1.00	0.96	0.93
GRANT	WI	1.75	1.15	1.15	1.16	1.16	1.17
GREEN	WI	1.75	1.21	1.22	1.22	1.23	1.23
GREEN LAKE	WI	1.70	1.15	1.16	1.18	1.19	1.20
IOWA	WI	1.75	1.14	1.14	1.15	1.15	1.15
IRON	WI	1.70	1.13	1.11	1.09	1.07	1.05
JACKSON	WI	1.70	1.06	1.08	1.10	1.12	1.14
JEFFERSON	WI	1.75	1.31	1.30	1.30	1.29	1.29
JUNEAU	WI	1.70	1.11	1.11	1.12	1.12	1.13
KENOSHA	WI	1.75	1.34	1.38	1.41	1.45	1.48
KEWAUNEE	WI	1.75	1.13	1.16	1.20	1.23	1.26
LA CROSSE	WI	1.70	1.12	1.14	1.15	1.17	1.19
LAFAYETTE	WI	1.75	1.15	1.17	1.18	1.20	1.21
LANGLADE	WI	1.70	1.03	1.02	1.00	0.99	0.98
LINCOLN	WI	1.70	1.03	1.03	1.02	1.02	1.01
MANITOWOC	WI	1.75	1.19	1.24	1.29	1.34	1.39
MARATHON	WI	1.70	1.04	1.05	1.05	1.06	1.06
MARINETTE	WI	1.70	1.04	1.02	1.01	0.99	0.98
MARQUETTE	WI	1.70	1.11	1.12	1.13	1.14	1.15
MENOMINEE	WI	1.70	1.04	1.03	1.03	1.02	1.02
MILWAUKEE	WI	1.75	1.34	1.37	1.41	1.44	1.47
MONROE	WI	1.70	1.11	1.12	1.13	1.14	1.15
OCONTO	WI	1.70	1.04	1.05	1.05	1.06	1.06
ONEIDA	WI	1.70	1.03	1.02	1.00	0.99	0.98
OUTAGAMIE	WI	1.75	1.10	1.11	1.11	1.12	1.12
OZAUKEE	WI	1.75	1.21	1.28	1.35	1.42	1.49
PEPIN	WI	1.70	1.10	1.10	1.10	1.10	1.10
PIERCE	WI	1.70	1.13	1.12	1.12	1.11	1.10
POLK	WI	1.70	1.14	1.14	1.14	1.14	1.14

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
PORTAGE	WI	1.70	1.05	1.06	1.06	1.07	1.08
PRICE	WI	1.70	1.05	1.05	1.06	1.06	1.07
RACINE	WI	1.75	1.34	1.37	1.39	1.42	1.45
RICHLAND	WI	1.75	1.14	1.14	1.14	1.14	1.14
ROCK	WI	1.75	1.30	1.29	1.29	1.28	1.27
RUSK	WI	1.70	1.10	1.10	1.11	1.11	1.11
SAUK	WI	1.75	1.14	1.14	1.13	1.13	1.13
SAWYER	WI	1.70	1.11	1.11	1.12	1.12	1.13
SHAWANO	WI	1.70	1.04	1.04	1.05	1.05	1.05
SHEBOYGAN	WI	1.75	1.21	1.29	1.36	1.44	1.51
ST. CROIX	WI	1.70	1.13	1.13	1.12	1.12	1.11
TAYLOR	WI	1.70	1.05	1.06	1.06	1.07	1.08
TREMPEALEAU	WI	1.70	1.11	1.12	1.13	1.14	1.15
VERNON	WI	1.75	1.14	1.15	1.15	1.16	1.16
VILAS	WI	1.70	1.08	1.05	1.03	1.00	0.98
WALWORTH	WI	1.75	1.32	1.33	1.35	1.36	1.37
WASHBURN	WI	1.70	1.11	1.12	1.14	1.15	1.16
WASHINGTON	WI	1.75	1.19	1.25	1.30	1.36	1.41
WAUKESHA	WI	1.75	1.33	1.34	1.36	1.37	1.39
WAUPACA	WI	1.75	1.10	1.09	1.09	1.08	1.08
WAUSHARA	WI	1.70	1.10	1.11	1.11	1.12	1.12
WINNEBAGO	WI	1.75	1.15	1.16	1.16	1.17	1.18
WOOD	WI	1.70	1.05	1.06	1.08	1.09	1.10
BARBOUR	WV	2.30	1.93	1.86	1.79	1.72	1.65
BERKELEY	WV	2.60	1.85	1.76	1.66	1.57	1.47
BOONE	WV	2.20	2.10	2.01	1.93	1.84	1.75
BRAXTON	WV	2.20	1.94	1.87	1.81	1.74	1.68
BROOKE	WV	2.10	1.92	1.85	1.77	1.70	1.62
CABELL	WV	2.20	2.09	1.99	1.90	1.80	1.70
CALHOUN	WV	2.20	2.02	1.94	1.85	1.77	1.68
CLAY	WV	2.20	2.09	2.00	1.90	1.81	1.71
DODDRIDGE	WV	2.10	1.93	1.86	1.78	1.71	1.64
FAYETTE	WV	2.20	2.09	2.00	1.90	1.81	1.71
GILMER	WV	2.20	2.02	1.93	1.85	1.76	1.67
GRANT	WV	2.60	1.92	1.84	1.76	1.68	1.60
GREENBRIER	WV	2.20	2.55	2.33	2.10	1.88	1.66
HAMPSHIRE	WV	2.60	1.91	1.83	1.74	1.66	1.57
HANCOCK	WV	2.10	1.92	1.84	1.75	1.67	1.59
HARDY	WV	2.60	1.92	1.83	1.75	1.66	1.58
HARRISON	WV	2.10	1.93	1.86	1.79	1.72	1.65
JACKSON	WV	2.20	2.09	1.99	1.88	1.78	1.68
JEFFERSON	WV	2.60	1.90	1.80	1.70	1.60	1.50
KANAWHA	WV	2.20	2.10	2.02	1.93	1.85	1.76
LEWIS	WV	2.10	1.93	1.86	1.80	1.73	1.66
LINCOLN	WV	2.20	2.10	2.01	1.91	1.82	1.73
LOGAN	WV	2.20	2.10	2.00	1.91	1.81	1.72
MARION	WV	2.80	2.56	2.35	2.13	1.92	1.71
MARSHALL	WV	2.10	1.93	1.86	1.78	1.71	1.64
MASON	WV	2.10	1.92	1.85	1.77	1.70	1.62
MCDOWELL	WV	2.20	2.09	1.98	1.88	1.77	1.67
MERCER	WV	2.80	2.55	2.34	2.12	1.91	1.69
MINERAL	WV	2.60	1.92	1.84	1.76	1.68	1.60
MINGO	WV	2.20	2.09	2.00	1.90	1.81	1.71
MONONGALIA	WV	2.10	1.93	1.85	1.78	1.70	1.63
MONROE	WV	2.20	2.55	2.32	2.10	1.87	1.65
MORGAN	WV	2.60	1.82	1.74	1.66	1.58	1.50
NICHOLAS	WV	2.20	2.09	1.99	1.89	1.79	1.69
OHIO	WV	2.10	1.92	1.84	1.77	1.69	1.61
PENDLETON	WV	2.60	1.92	1.84	1.76	1.68	1.60
PLEASANTS	WV	2.20	2.01	1.91	1.80	1.70	1.60
POCAHONTAS	WV	2.20	2.54	2.32	2.09	1.87	1.64
PRESTON	WV	2.30	1.93	1.86	1.78	1.71	1.64
PUTNAM	WV	2.20	2.10	2.01	1.91	1.82	1.73
RALEIGH	WV	2.20	2.09	2.00	1.90	1.81	1.71
RANDOLPH	WV	2.30	1.93	1.85	1.78	1.70	1.63
RITCHIE	WV	2.20	2.01	1.92	1.82	1.73	1.63
ROANE	WV	2.20	2.09	1.99	1.89	1.79	1.69
SUMMERS	WV	2.20	2.55	2.33	2.11	1.89	1.67
TAYLOR	WV	2.30	1.93	1.86	1.79	1.72	1.65
TUCKER	WV	2.30	1.92	1.85	1.77	1.70	1.62

COUNTY/PARISH	STATE	OPTION 1A DIFFERENTIAL	OPTION 1B DIFFERENTIAL (Per Year)				
			1999	2000	2001	2002	2003 & beyond
TYLER	WV	2.10	1.93	1.85	1.78	1.70	1.63
UPSHUR	WV	2.30	1.93	1.86	1.79	1.72	1.65
WAYNE	WV	2.20	2.09	1.99	1.89	1.79	1.69
WEBSTER	WV	2.20	1.93	1.86	1.80	1.73	1.66
WETZEL	WV	2.10	1.93	1.85	1.78	1.70	1.63
WIRT	WV	2.20	2.02	1.93	1.84	1.75	1.66
WOOD	WV	2.20	2.01	1.91	1.82	1.72	1.62
WYOMING	WV	2.20	2.10	2.00	1.91	1.81	1.72
ALBANY	WY	1.90	1.86	1.68	1.49	1.31	1.12
BIG HORN	WY	1.60	1.65	1.49	1.34	1.18	1.03
CAMPBELL	WY	1.65	1.84	1.63	1.41	1.20	0.99
CARBON	WY	1.90	1.67	1.53	1.40	1.26	1.13
CONVERSE	WY	1.70	1.84	1.63	1.43	1.22	1.01
CROOK	WY	1.65	1.83	1.61	1.38	1.16	0.94
FREMONT	WY	1.60	1.49	1.37	1.26	1.14	1.03
GOSHEN	WY	1.90	1.85	1.64	1.44	1.23	1.03
HOT SPRINGS	WY	1.60	1.48	1.36	1.25	1.13	1.01
JOHNSON	WY	1.65	1.64	1.48	1.33	1.17	1.01
LARAMIE	WY	2.45	1.86	1.67	1.48	1.29	1.10
LINCOLN	WY	1.60	1.49	1.37	1.26	1.14	1.03
NATRONA	WY	1.70	1.65	1.49	1.34	1.18	1.03
NIOBRARA	WY	1.70	1.84	1.62	1.41	1.19	0.98
PARK	WY	1.60	1.47	1.34	1.21	1.08	0.95
PLATTE	WY	1.90	1.85	1.65	1.46	1.26	1.06
SHERIDAN	WY	1.60	1.65	1.50	1.35	1.20	1.05
SUBLETTE	WY	1.60	1.48	1.37	1.25	1.14	1.02
SWEETWATER	WY	1.90	1.51	1.42	1.33	1.24	1.15
TETON	WY	1.60	1.46	1.33	1.19	1.06	0.92
UINTA	WY	1.90	1.50	1.40	1.31	1.21	1.11
WASHAKIE	WY	1.60	1.64	1.49	1.33	1.18	1.02
WESTON	WY	1.70	1.82	1.59	1.36	1.13	0.90

§ 1000.53 Announcement of class prices and component prices.

On or before the 5th day of the month, the market administrator shall announce for each Federal milk marketing order in 7 CFR, chapter X the following applicable prices:

- (a) For the following month:
 - (1) The Class I price;
 - (2) The Class I skim milk price;
 - (3) The Class I butterfat price;
- (b) For the preceding month:
 - (1) The Class II price;
 - (2) The Class III price;
 - (3) The Class IV price;
 - (4) The Class II skim milk price;
 - (5) The Class III skim milk price;
 - (6) The Class IV skim milk price;
 - (7) The butterfat price;
 - (8) The nonfat solids price;
 - (9) The protein price;
 - (10) The other solids price; and
 - (11) The somatic cell adjustment rate.

§ 1000.54 Equivalent price.

If for any reason a price or pricing constituent required for computing class prices or for other purposes is not available as prescribed in any Federal milk order, the market administrator shall use a price or pricing constituent determined by the Deputy Administrator, Dairy Programs,

Agricultural Marketing Service, to be equivalent to the price or pricing constituent that is required.

Subpart H—Payments for Milk

§ 1000.70 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the producer-settlement fund into which the market administrator shall deposit all payments made by handlers pursuant to §§ ____.71, ____.76, and ____.77 of each Federal milk order in 7 CFR, chapter X, and out of which the market administrator shall make all payments pursuant to §§ ____.72 and ____.77 of each Federal milk order in 7 CFR, chapter X. Payments due any handler shall be offset by any payments due from that handler.

§ 1000.71 Payments to the producer-settlement fund.

Each handler shall make a payment to the producer-settlement fund in a manner that provides receipt of the funds by the market administrator no later than the date specified in § ____.71 of each order in 7 CFR, chapter X. Payment shall be the amount, if any, by which the amount specified in (a) of this

section exceeds the amount specified in (b) or (c) of this section:

- (a) The total value of milk of the handler for the month as determined pursuant to § ____.60 of the order; and
- (b) For orders in 7 CFR, chapter X with component pricing, the sum of:
 - (1) An amount obtained by multiplying the total hundredweight of producer milk as determined pursuant to § 1000.44(c) by the producer price differential, adjusted pursuant to § ____.75 of the order;
 - (2) An amount obtained by multiplying the pounds of protein, other solids, and butterfat contained in producer milk by the protein, other solids, and butterfat prices, respectively;
 - (3) The total value of the somatic cell adjustment to producer milk; and
 - (4) An amount obtained by multiplying the pounds of skim milk and butterfat for which a value was computed pursuant to § ____.60(i) of the order by the producer price differential as adjusted pursuant to § ____.75 of the order for the location of the plant from which received; or
- (c) For orders in 7 CFR, chapter X with skim milk and butterfat pricing, the sum of the value at the uniform prices for skim milk and butterfat, adjusted for plant location, of the

handler's receipts of producer milk; and the value at the uniform price as adjusted pursuant to § _____.75 of the order applicable at the location of the plant from which received of other source milk for which a value is computed pursuant to § _____.60(e) of the order.

§ 1000.72 Payments from the producer-settlement fund.

No later than one day after the date of payment receipt required under § 1000.71, the market administrator shall pay to each handler the amount, if any, by which the amount computed pursuant to § 1000.71(b) or (c), as the case may be, exceeds the amount computed pursuant to § 1000.71(a). If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete the payments as soon as the funds are available.

§ 1000.76 Payments by a handler operating a partially regulated distributing plant.

On or before the 25th day after the end of the month, the operator of a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund the amount computed pursuant to paragraph (a) of this section or, if the handler submits the information specified in §§ _____.30(b) and _____.31(b) of the order, the handler may elect to pay the amount computed pursuant to paragraph (b) of this section:

(a) The payment under this paragraph shall be an amount resulting from the following computations:

(1) From the plant's route disposition in the marketing area:

(i) Subtract receipts of fluid milk products classified as Class I milk from pool plants and plants fully regulated under other Federal orders in 7 CFR, chapter X, except that subtracted under a similar provision of another Federal milk order in 7 CFR, chapter X;

(ii) Subtract receipts of fluid milk products from another nonpool plant that is not a plant fully regulated under another Federal order in 7 CFR, chapter X to the extent that an equivalent amount of fluid milk products disposed of to the nonpool plant by handlers fully regulated under any Federal order in 7 CFR, chapter X is classified and priced as Class I milk and is not used as an offset for any payment obligation under any order; and

(iii) Subtract the pounds of reconstituted milk made from nonfluid milk products which are then disposed

of as route disposition in the marketing area;

(2) For orders in 7 CFR, chapter X with multiple component pricing, multiply the remaining pounds by the amount by which the Class I differential price exceeds the producer price differential, both prices to be applicable at the location of the partially regulated distributing plant except that neither the adjusted Class I differential price nor the adjusted producer price differential shall be less than zero;

(3) For orders in 7 CFR, chapter X with skim milk and butterfat pricing, multiply the remaining pounds by the amount by which the Class I price exceeds the uniform price, both prices to be applicable at the location of the partially regulated distributing plant except that neither the adjusted Class I price nor the adjusted uniform price differential shall be less than the lowest announced class price; and

(4) Add the amount obtained from multiplying the pounds of labeled reconstituted milk included in paragraph (a)(1)(iii) of this section by any positive difference between the Class I price applicable at the location of the partially regulated distributing plant less \$1.00 and the Class IV price. For any reconstituted milk that is not so labeled, the Class I price shall not be reduced by \$1.00. Alternatively, for such disposition, payments may be made to the producer-settlement fund of the order regulating the producer milk used to produce the nonfluid milk ingredients at the positive difference between the Class I price applicable under the other Federal order in 7 CFR, chapter X at the location of the plant where the nonfluid milk ingredients were processed and the Class IV price. This payment option shall apply only if a majority of the total milk received at the plant that processed the nonfluid milk ingredients is regulated under one or more Federal orders in 7 CFR, chapter X and payment may only be made to the producer-settlement fund of the order pricing a plurality of the milk used to produce the nonfluid milk ingredients. This payment option shall not apply if the source of the nonfluid ingredients used in reconstituted fluid milk products cannot be determined by the market administrator.

(b) The payment under this paragraph shall be the amount resulting from the following computations:

(1) Determine the value that would have been computed pursuant to § _____.60 of the order for the partially regulated distributing plant if the plant had been a pool plant, subject to the following modifications:

(i) Fluid milk products and bulk fluid cream products received at the plant from a pool plant or a plant fully regulated under another Federal order shall be allocated at the partially regulated distributing plant to the same class in which such products were classified at the fully regulated plant;

(ii) Fluid milk products and bulk fluid cream products transferred from the partially regulated distributing plant to a pool plant or a plant fully regulated under another Federal order in 7 CFR, chapter X shall be classified at the partially regulated distributing plant in the class to which allocated at the fully regulated plant. Such transfers shall be computed to the extent possible to those receipts at the partially regulated distributing plant from the pool plant and plants fully regulated under other Federal orders in 7 CFR, chapter X that are classified in the corresponding class pursuant to paragraph (b)(1)(i) of this section. Any such transfers remaining after the above allocation which are in Class I and for which a value is computed pursuant to § _____.60 of the order for the partially regulated distributing plant shall be priced at the statistical uniform price or uniform price, whichever is applicable, of the respective order regulating the handling of milk at the receiving plant, with such statistical uniform price or uniform price adjusted to the location of the nonpool plant (but not to be less than the lowest announced class price of the respective order); and

(iii) If the operator of the partially regulated distributing plant so requests, the handler's value of milk determined pursuant to § _____.60 of the order shall include a value of milk determined for each nonpool plant that is not a plant fully regulated under another Federal order in 7 CFR, chapter X which serves as a supply plant for the partially regulated distributing plant by making shipments to the partially regulated distributing plant during the month equivalent to the requirements of Section 7(c) of the order, subject to the following conditions:

(A) The operator of the partially regulated distributing plant submits with its reports filed pursuant to §§ _____.30(b) and _____.31(b) of the order similar reports for each such nonpool supply plant;

(B) The operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat received at the plant which are made available if requested by the market administrator for verification purposes; and

(C) The value of milk determined pursuant to § _____.60 for the

unregulated supply plant shall be determined in the same manner prescribed for computing the obligation of the partially regulated distributing plant; and

(2) From the partially regulated distributing plant's value of milk computed pursuant to paragraph (b)(1) of this section, subtract:

(i) The gross payments by the operator of the partially regulated distributing plant for milk received at the plant during the month that would have been producer milk had the plant been fully regulated;

(ii) If paragraph (b)(1)(iii) of this section applies, the gross payments by the operator of such nonpool supply plant for milk received at the plant during the month that would have been producer milk if the plant had been fully regulated; and

(iii) The payments by the operator of the partially regulated distributing plant to the producer-settlement fund of another Federal order in 7 CFR, chapter X under which the plant is also a partially regulated distributing plant and like payments by the operator of the nonpool supply plant if paragraph (b)(1)(iii) of this section applies.

(c) Any handler may elect partially regulated distributing plant status for any plant with respect to receipts of nonfluid milk ingredients assigned to Class I use under § 1000.43(d). Payments may be made to the producer-settlement fund of the order regulating the producer milk used to produce the nonfluid milk ingredients at the positive difference between the Class I price applicable under the other order at the location of the plant where the nonfluid milk ingredients were processed and the Class IV price. This payment option shall apply only if a majority of the total milk received at the plant that processed the nonfluid milk ingredients is regulated under one or more Federal orders in 7 CFR, chapter X and payment may only be made to the producer-settlement fund of the order pricing a plurality of the milk used to produce the nonfluid milk ingredients. This payment option shall not apply if the source of the nonfluid ingredients used in reconstituted fluid milk products cannot be determined by the market administrator.

§ 1000.77 Adjustment of accounts.

Whenever audit by the market administrator of any handler's reports, books, records, or accounts, or other verification discloses errors resulting in money due the market administrator from a handler, or due a handler from the market administrator, or due a producer or cooperative association

from a handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments as set forth in the provisions under which the error(s) occurred.

§ 1000.78 Charges on overdue accounts.

Any unpaid obligation due the market administrator, producers, or cooperative associations from a handler pursuant to the provisions of the order shall be increased 1.0 percent each month beginning with the day following the date such obligation was due under the order. Any remaining amount due shall be increased at the same rate on the corresponding day of each succeeding month until paid. The amounts payable pursuant to this section shall be computed monthly on each unpaid obligation and shall include any unpaid charges previously computed pursuant to this section. The late charges shall accrue to the administrative assessment fund. For the purpose of this section, any obligation that was determined at a date later than prescribed by the order because of a handler's failure to submit a report to the market administrator when due shall be considered to have been payable by the date it would have been due if the report had been filed when due.

Subpart I—Administrative Assessment and Marketing Service Deduction

§ 1000.85 Assessment for order administration.

On or before the payment receipt date specified under § _____.71 of each Federal milk order in 7 CFR, chapter X, each handler shall pay to the market administrator its pro rata share of the expense of administration of the order at a rate specified by the market administrator that is no more than 5 cents per hundredweight with respect to:

(a) Receipts of producer milk (including the handler's own production) other than such receipts by a handler described in § 1000.9(c) that were delivered to pool plants of other handlers;

(b) Receipts from a handler described in § 1000.9(c);

(c) Receipts of concentrated fluid milk products from unregulated supply plants and receipts of nonfluid milk products assigned to Class I use pursuant to § 1000.43(d) and other source milk allocated to Class I pursuant to § 1000.44(a)(3) and (8) and the corresponding steps of § 1000.44(b), except other source milk that is excluded from the computations

pursuant to § _____.60(d) and (e) of Parts 1005, 1006, and 1007 or § _____.60(h) and (i) of Parts 1001, 1030, 1032, 1033, 1124, 1126, 1131, and 1134 in 7 CFR, chapter X; and

(d) Route disposition in the marketing area from a partially regulated distributing plant that exceeds the skim milk and butterfat subtracted pursuant to § 1000.76(a)(1)(i) and (ii).

§ 1000.86 Deduction for marketing services.

(a) Except as provided in paragraph (b) of this section, each handler in making payments to producers for milk (other than milk of such handler's own production) pursuant to § _____.73 of each Federal milk order in 7 CFR, chapter X, shall deduct an amount specified by the market administrator that is no more than 7 cents per hundredweight and shall pay the amount deducted to the market administrator not later than the payment receipt date specified under § _____.71 of each Federal milk order in 7 CFR, chapter X. The money shall be used by the market administrator to verify or establish weights, samples and tests of producer milk and provide market information for producers who are not receiving such services from a cooperative association. The services shall be performed in whole or in part by the market administrator or an agent engaged by and responsible to the market administrator;

(b) In the case of producers for whom the market administrator has determined that a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall make deductions from the payments to be made to producers as may be authorized by the membership agreement or marketing contract between the cooperative association and the producers. On or before the 15th day after the end of the month, such deductions shall be paid to the cooperative association rendering the services accompanied by a statement showing the amount of any deductions and the amount of milk for which the deduction was computed for each producer. These deductions shall be made in lieu of the deduction specified in paragraph (a) of this section.

Subpart J—Miscellaneous Provisions

§ 1000.90 Dates.

If a date required for a report, payment, or announcement contained in a Federal milk order in 7 CFR, chapter X falls on a Saturday, Sunday, or national holiday, such report, payment,

or announcement will be on the next day that the market administrator's office is open for public business.

§§ 1000.91—1000.92 [Reserved]

§ 1000.93 OMB control number assigned pursuant to the Paperwork Reduction Act.

The information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of Title 44 U.S.C. chapter 35 and have been assigned OMB control number 0581-0032.

PART 1001—MILK IN THE NORTHEAST MARKETING AREA

Subpart—Order Regulating Handling

General Provisions

Sec.

1001.1 General Provisions.

Definitions

1001.2 Northeast marketing area.
1001.3 Route disposition.
1001.4 Plant.
1001.5 Distributing plant.
1001.6 Supply plant.
1001.7 Pool plant.
1001.8 Nonpool plant.
1001.9 Handler.
1001.10 Producer-handler.
1001.11 [Reserved]
1001.12 Producer.
1001.13 Producer milk.
1001.14 Other source milk.
1001.15 Fluid milk product.
1001.16 Fluid cream product.
1001.17 [Reserved]
1001.18 Cooperative association.
1001.19 Commercial food processing establishment.

Handler Reports

1001.30 Reports of receipts and utilization.
1001.31 Payroll reports.
1001.32 Other reports.

Classification of Milk

1001.40 Classes of utilization.
1001.41 [Reserved]
1001.42 Classification of transfers and diversions.
1001.43 General classification rules.
1001.44 Classification of producer milk.
1001.45 Market administrator's reports and announcements concerning classification.

Class Prices

1001.50 Class prices and component prices.
1001.51 Class I differential and price.
1001.52 Adjusted Class I differentials.
1001.53 Announcement of class prices and component prices.
1001.54 Equivalent price.

Producer Price Differential

1001.60 Handler's value of milk.
1001.61 Computation of producer price differential.
1001.62 Announcement of producer prices.

Payments for Milk

1001.70 Producer-settlement fund.
1001.71 Payments to the producer-settlement fund.
1001.72 Payments from the producer-settlement fund.
1001.73 Payments to producers and to cooperative associations.
1001.74 [Reserved]
1001.75 Plant location adjustments for producer milk and nonpool milk.
1001.76 Payments by a handler operating a partially regulated distributing plant.
1001.77 Adjustment of accounts.
1001.78 Charges on overdue accounts.

Administrative Assessment and Marketing Service Deduction

1001.85 Assessment for order administration.
1001.86 Deduction for marketing services.
Authority: 7 U.S.C. 601-674.

Subpart—Order Regulating Handling

General Provisions

§ 1001.1 General provisions.

The terms, definitions, and provisions in part 1000 of this chapter apply to and are hereby made a part of this order.

Definitions

§ 1001.2 Northeast marketing area.

The marketing area means all the territory within the bounds of the following states and political subdivisions, including all piers, docks and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments if any part thereof is within any of the listed states or political subdivisions:

Connecticut, Delaware, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont and District of Columbia

All of the States of Connecticut, Delaware, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont and the District of Columbia.

Maryland Counties and City

All of the State of Maryland except the counties of Allegany and Garrett.

New York Counties and Cities

All counties within the State of New York except Chautauqua, Allegany (except the township Hume) and Cattaraugus (except the township Yorkshire).

Pennsylvania Counties

Adams, Bucks, Chester, Cumberland, Dauphin, Delaware, Franklin, Fulton, Juniata, Lancaster, Lebanon, Montgomery, Perry, Philadelphia, and York.

Virginia Counties and Cities

Counties of Arlington, Fairfax, Loudoun, and Prince William, and cities of Alexandria,

Fairfax, Falls Church, Manassas, and Manassas Park.

§ 1001.3 Route disposition.

See § 1000.3 of this chapter.

§ 1001.4 Plant.

(a) Except as provided in paragraph (b) of this section, plant means the land, buildings, facilities, and equipment constituting a single operating unit or establishment at which milk or milk products are received, processed, or packaged, including a facility described in paragraph (b)(2) of this section if the facility receives the milk of more than one dairy farmer.

(b) Plant shall not include:

(1) A separate building without stationary storage tanks that is used only as a reload point for transferring bulk milk from one tank truck to another or a separate building used only as a distribution point for storing packaged fluid milk products in transit for route disposition; or

(2) An on-farm facility operated as part of a single dairy farm entity for the separation of cream and skim milk; or

(3) Bulk reload points where milk is transferred from one tank truck to another while en route from a dairy farmer's farms to a plant. If stationary storage tanks are used for transferring milk at the premises, the operator of the facility shall make an advance written request to the market administrator that the facility shall be treated as a reload point. The cooling of milk, collection of samples, and washing and sanitizing of tank trucks at the premises shall not disqualify it as a bulk reload point.

§ 1001.5 Distributing plant.

See § 1000.5 of this chapter.

§ 1001.6 Supply plant.

See § 1000.6 of this chapter.

§ 1001.7 Pool plant.

Pool plant means a plant, unit of plants, or a system of plants as specified in paragraphs (a) through (f) of this section. The pooling standards described in paragraphs (c) and (f) of this section are subject to modification pursuant to paragraph (g) of this section:

(a) A distributing plant from which during the month total route disposition is equal to 25 percent or more of the total quantity of bulk fluid milk products physically received at the plant; and route disposition in the marketing area is at least 25 percent of total route disposition. For purposes of this section, packaged fluid milk products that are transferred to a distributing plant shall be considered as route disposition from the transferring plant, rather than the receiving plant,

for the single purpose of qualifying the transferring plant as a pool distributing plant.

(b) A distributing plant located in the marketing area at which the majority of milk received is processed into aseptically packaged fluid milk products unless there are no sales from the plant into any marketing area and the plant operator in writing requests nonpool plant status for the plant for the month.

(c) A supply plant from which fluid milk products are transferred or diverted to plants described in paragraph (a) or (b) of this section subject to the following additional conditions:

(1) During the months of August through December, such shipments must equal not less than 10 percent of the total quantity of bulk milk that is physically received at the plant during the month;

(2) During the months of September through November, such shipments must equal not less than 20 percent of the total quantity of bulk milk that is physically received at the plant during the month;

(3) A plant which meets the shipping requirements of this paragraph during each of the months of August through December shall be a pool plant during the following months of January through July unless the milk received at the plant fails to meet the requirements of a duly constituted regulatory agency, the plant fails to meet a shipping requirement instituted pursuant to paragraph (f) of this section, or the plant operator requests nonpool status for the plant. The shipping requirement for any plant which has not met the requirements of paragraphs (c)(1) and (c)(2) of this section must equal not less than 10 percent of the total quantity of bulk milk that is physically received at the plant during each of the months of January through July in order for the plant to be a pool plant in each of those months; and

(4) If milk is delivered directly from producers' farms that are located outside of the states included in the marketing area or outside Maine or West Virginia, such producers must be grouped by state into units and each such unit must independently meet the shipping requirements of this paragraph.

(d) [Reserved]

(e) Two or more plants operated by the same handler and located in the marketing area qualified for pool status as a unit by meeting the total and in-area route distribution requirements specified in paragraph (a) of this section

and subject to the following additional requirements:

(1) At least one of the plants in the unit qualifies as a pool plant pursuant to paragraph (a) of this section;

(2) Other plants in the unit must process only Class I or Class II products and must be located in a pricing zone providing the same or a lower Class I price than the price applicable at the distributing plant included in the unit; and

(3) A written request to form a unit, or to add or remove plants from a unit, or to cancel a unit, must be filed with the market administrator prior to the first day of the month for which unit formation it is to be effective.

(f) Two or more supply plants operated by the same handler, or by one or more cooperative associations, qualified for pooling as a system of supply plants by meeting the applicable percentage requirements of paragraph (c) of this section in the same manner as a single plant and subject to the following additional requirements:

(1) A written notification to the market administrator listing the plants to be included in the system prior to the first day of August that a system of supply plants will be effective for the period of September 1 through August 31 of the following year. The listed plants included in the system shall also be in the sequence in which they shall qualify for pool plant status based on the minimum deliveries required. If the deliveries made are insufficient to qualify the entire system for pooling, the last listed plant shall be excluded from the system, followed by the plant next-to-last on the list, and continuing in this sequence until remaining listed plants have met the minimum shipping requirements; and

(2) Each plant that qualifies as a pool plant within a system shall continue each month as a plant in the system through the following August unless the plant subsequently fails to qualify for pooling, the handler submits a written notification to the market administrator prior to the first day of the month that the plant be deleted from the system, or that the system be discontinued. Any plant that has been so deleted from the system, or that has failed to qualify as a pool plant in any month, will not be part of the system for the remaining months through August. No plant may be added in any subsequent month through the following August to a system that qualifies in September.

(g) The applicable shipping percentages of paragraphs (c) and (f) of this section may be increased or decreased by the market administrator if the market administrator finds that such

adjustment is necessary to encourage needed shipments or to prevent uneconomic shipments. Before making such a finding, the market administrator shall investigate the need for adjustment either on the market administrator's own initiative or at the request of interested parties. If the investigation shows that an adjustment of the shipping percentages might be appropriate, the market administrator shall issue a notice stating that an adjustment is being considered and invite data, views and arguments. If the market administrator determines that an adjustment to the shipping percentages is necessary, the market administrator shall notify the industry within one day of the effective date of such adjustment.

(h) The term pool plant shall not apply to the following plants:

(1) A producer-handler plant;

(2) An exempt plant as defined in § 1000.8(e);

(3) A plant qualified pursuant to paragraph (a) of this section that is located within the marketing area if the plant also meets the pooling requirements of another Federal order and more than 50 percent of its route distribution has been in such other Federal order marketing area for three consecutive months;

(4) A plant qualified pursuant to paragraph (a) of this section which is not located within any Federal order marketing area that meets the pooling requirements of another Federal order and has had greater sales in such other Federal order's marketing area for 3 consecutive months;

(5) A plant qualified pursuant to paragraph (a) of this section that is located in another Federal order marketing area if the plant meets the pooling requirements of such other Federal order and does not have a majority of its route distribution in this marketing area for 3 consecutive months or if the plant is required to be regulated under such other Federal order without regard to its route disposition in any other Federal order marketing area;

(6) A plant qualified pursuant to paragraph (c) of this section which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made to plants regulated under the other Federal order than are made to plants regulated under this order, or the plant has automatic pooling status under the other Federal order; and

(7) That portion of a pool plant designated as a "nonpool plant" that is physically separate and operated separately from the pool portion of such plant. The designation of a portion of a regulated plant as a nonpool plant must

be requested in writing by the handler and must be approved by the market administrator.

§ 1001.8 Nonpool plant.

See § 1000.8 of this chapter.

§ 1001.9 Handler.

See § 1000.9 of this chapter.

§ 1001.10 Producer-handler.

Except as provided in paragraph (g) of this section, *producer-handler* means a person who:

(a) Operates a dairy farm and a distributing plant from which there is monthly route disposition in excess of 150,000 pounds during the month;

(b) Receives no fluid milk products from sources other than own farm production, pool handlers, and plants fully regulated under another Federal order.

(c) Receives at its plant or acquires for route disposition no more than 150,000 pounds of fluid milk products from handlers fully regulated under any Federal order. This limitation shall not apply if the producer-handler's own farm production is less than 150,000 pounds during the month.

(d) Disposes of no other source milk as Class I milk except by increasing the nonfat milk solids content of the fluid milk products received from own-farm production or pool handlers;

(e) Disposes of no fluid milk products using the distribution system of another handler except for direct deliveries to retail outlets or to a pool handler's plant;

(f) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce all Class I milk handled (excluding receipts from handlers fully regulated under any Federal order) and the processing, packaging, and distribution operations are the producer-handler's own enterprise and at its own risk; and

(g) Producer-handler shall not include any producer who also operates a distributing plant if the producer-handler so requests that the two be operated as separate entities with the distributing plant regulated under § 1001.7(a) and the farm operated as a producer under § 1001.12.

§ 1001.11 [Reserved]

§ 1001.12 Producer.

(a) Except as provided in paragraph (b) of this section, *producer* means any person who produces milk approved by a duly constituted regulatory agency for fluid consumption as Grade A milk and whose milk (or components of milk) is:

(1) Received at a pool plant directly from the producer or diverted by the plant operator in accordance with § 1001.13; or

(2) Received by a handler described in § 1000.9(c).

(b) Producer shall not include:

(1) A producer-handler as defined in any Federal order;

(2) A dairy farmer whose milk is received at an exempt plant, excluding producer milk diverted to the exempt plant pursuant to § 1001.13(d);

(3) A dairy farmer whose milk is received by diversion at a pool plant from a handler regulated under another Federal order if the other Federal order designates the dairy farmer as a producer under that order and that milk is allocated by request to a utilization other than Class I;

(4) A dairy farmer whose milk is reported as diverted to a plant fully regulated under another Federal order with respect to that portion of the milk so diverted that is assigned to Class I under the provisions of such other order; and

(5) For any month of December through June, any dairy farmer whose milk is received at a pool plant or by a cooperative association handler described in § 1000.9(c) if the pool plant operator or the cooperative association caused milk from the same farm to be delivered to any plant as other than producer milk, as defined under this order or any other Federal milk order, during the same month, either of the 2 preceding months, or during any of the preceding months of July through November; and

(6) For any month of July through November, any dairy farmer whose milk is received at a pool plant or by a cooperative association handler described in § 1000.9(c) if the pool plant operator or the cooperative association caused milk from the same farm to be delivered to any plant as other than producer milk, as defined under this order or any other Federal milk order, during the same month.

§ 1001.13 Producer milk.

Producer milk means the skim milk (or the skim equivalent of components of skim milk) and butterfat contained in milk of a producer that is:

(a) Received by the operator of a pool plant directly from a producer or from a handler described in § 1000.9(c). Any milk picked up from the producer's farm tank in a tank truck under the control of the operator of a pool plant or a handler described in § 1000.9(c) but which is not received at a plant until the following month shall be considered as having been received by the handler

during the month in which it is picked up at the producer's farm. All milk received pursuant to this paragraph shall be priced at the location of the plant where it is first physically received;

(b) Received by a handler described in § 1000.9(c) in excess of the quantity delivered to pool plants subject to the following conditions:

(1) The producers whose farms are outside of the states included in the marketing area or outside of Maine or West Virginia shall be organized into state units and each such unit shall be reported separately; and

(2) For pooling purposes, each state unit so reported must satisfy the shipping standards specified for a supply plant pursuant to § 1001.7(c);

(c) Diverted by a proprietary pool plant operator to another pool plant. Milk so diverted shall be priced at the location of the plant to which diverted; or

(d) Diverted by the operator of a pool plant or by a handler described in § 1000.9(c) to a nonpool plant, subject to the following conditions:

(1) Milk of a dairy farmer shall not be eligible for diversion unless milk of such dairy farmer was physically received as producer milk at a pool plant and the dairy farmer has continuously retained producer status since that time. If a dairy farmer loses producer status under this order (except as a result of a temporary loss of Grade A approval), the dairy farmer's milk shall not be eligible for diversion until milk of the dairy farmer has been physically received as producer milk at a pool plant;

(2) [Reserved]

(3) Diverted milk shall be priced at the location of the plant to which diverted; and

(4) [Reserved]

§ 1001.14 Other source milk.

See § 1000.14 of this chapter.

§ 1001.15 Fluid milk product.

See § 1000.15 of this chapter.

1001.16 Fluid cream product.

See § 1000.16 of this chapter.

§ 1001.17 [Reserved]

§ 1001.18 Cooperative association.

See § 1000.18 of this chapter.

§ 1001.19 Commercial food processing establishment.

See § 1000.19 of this chapter.

Handler Reports

§ 1001.30 Reports of receipts and utilization.

Each handler shall report monthly so that the market administrator's office receives the report on or before the 9th day after the end of the month, in the detail and on prescribed forms, as follows:

(a) Each pool plant operator and each handler described in § 1000.9(c), shall report for each of its operations the following information:

(1) Product pounds, pounds of butterfat, pounds of protein, pounds of nonfat solids other than protein (other solids), and the value of the somatic cell adjustment contained in or represented by:

(i) Receipts of producer milk, including producer milk diverted by the reporting handler; and

(ii) Receipts of milk from handlers described in § 1000.9(c);

(2) Product pounds and pounds of butterfat contained in:

(i) Receipts of fluid milk products and bulk fluid cream products from other pool plants;

(ii) Receipts of other source milk; and

(iii) Inventories at the beginning and end of the month of fluid milk products and bulk fluid cream products; and

(3) The utilization or disposition of all milk and milk products required to be reported pursuant to this paragraph; and

(4) Such other information with respect to the receipts and utilization of skim milk, butterfat, milk protein, other nonfat solids, and somatic cell information as the market administrator may prescribe.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section. Receipts of milk that would have been producer milk if the plant had been fully regulated shall be reported in lieu of producer milk. The report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

(c) Each handler not specified in paragraphs (a) or (b) of this section shall report with respect to its receipts and utilization of milk and milk products in such manner as the market administrator may prescribe.

§ 1001.31 Payroll reports.

(a) On or before the 22nd day after the end of each month, each handler described in § 1000.9(a) and (c) shall report to the market administrator its producer payroll for the month, in detail prescribed by the market administrator,

showing for each producer the information specified in § 1001.73(e);

(b) Each handler operating a partially regulated distributing plant who elects to make payment pursuant to § 1000.76(b) shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in the same manner as prescribed for reports required by paragraph (a) of this section.

§ 1001.32 Other reports.

In addition to the reports required pursuant to §§ 1001.30 and 1001.31, each handler shall report any information the market administrator deems necessary to verify or establish each handler's obligation under the order.

Classification of Milk

§ 1001.40 Classes of utilization.

See § 1000.40 of this chapter.

§ 1001.41 [Reserved]

§ 1001.42 Classification of transfers and diversions.

See § 1000.42 of this chapter.

§ 1001.43 General classification rules.

See § 1000.43 of this chapter.

§ 1001.44 Classification of producer milk.

See § 1000.44 of this chapter.

§ 1001.45 Market administrator's reports and announcements concerning classification.

See § 1000.45 of this chapter.

Class Prices

§ 1001.50 Class prices and component prices.

See § 1000.50 of this chapter.

§ 1001.51 Class I differential and price.

The Class I differential shall be the differential established for Suffolk County, Massachusetts, which is reported in § 1000.52. The Class I price shall be the price computed pursuant to § 1000.50(a) for Suffolk County, Massachusetts.

§ 1001.52 Adjusted Class I differentials.

See § 1000.52 of this chapter.

§ 1001.53 Announcement of class and component prices.

See § 1000.53 of this chapter.

§ 1001.54 Equivalent price.

See § 1000.54 of this chapter.

Producer Price Differential

§ 1001.60 Handler's value of milk.

For the purpose of computing a handler's obligation for producer milk,

the market administrator shall determine for each month the value of milk of each handler with respect to each of the handler's pool plants and of each handler described in § 1000.9(c) as follows:

(a) *Class I value.* (1) Multiply the pounds of skim milk in Class I as determined pursuant to § 1000.44(a) by the applicable Class I skim milk price; and

(2) Add an amount obtained by multiplying the total pounds of butterfat in Class I as determined pursuant to § 1000.44 (b) by the Class I butterfat price.

(b) *Class II value.* (1) Add an amount obtained by multiplying the hundredweight of milk in Class II as determined pursuant to § 1000.44(a) by 70 cents;

(2) Add an amount obtained by multiplying the pounds of skim milk in Class II as determined pursuant to § 1000.44(a) by the average nonfat solids content of producer skim milk received by the handler, and multiplying the resulting pounds of nonfat solids by the nonfat solids price; and

(3) Add an amount obtained by multiplying the pounds of butterfat in Class II as determined pursuant to § 1000.44(b) by the butterfat price.

(c) *Class III value.* (1) Add an amount obtained by multiplying the pounds of skim milk in Class III as determined pursuant to § 1000.44(a) by the average protein content of producer skim milk received by the handler, and multiplying the resulting pounds of protein by the protein price;

(2) Add an amount obtained by multiplying the pounds of skim milk in Class III as determined pursuant to § 1000.44(a) by the average other solids content of producer skim milk received by the handler, and multiplying the resulting pounds of other solids by the other solids price; and

(3) Add an amount obtained by multiplying the pounds of butterfat in Class III as determined pursuant to § 1000.44(b) by the butterfat price.

(d) *Class IV value.* (1) Add an amount obtained by multiplying the pounds of skim milk in Class IV as determined pursuant to § 1000.44(a) by the average nonfat solids content of producer skim milk received by the handler, and multiplying the resulting pounds of nonfat solids by the nonfat solids price; and

(2) Add an amount obtained by multiplying the pounds of butterfat in Class IV as determined pursuant to § 1000.44(b) by the butterfat price.

(e) Add an adjustment for somatic cell content as determined by multiplying the value reported pursuant to

§ 1001.30(a)(1) by the percentage of the total producer milk allocated to Class II, Class III, and Class IV pursuant to § 1000.44(c).

(f) Add the amounts obtained from multiplying the pounds of skim milk and butterfat overage assigned to each class pursuant to § 1000.43(b)(2) by the respective class skim milk prices and the respective class butterfat prices (Class I butterfat price for Class I and the butterfat price for all other classes) applicable at the location of the pool plant;

(g) Add the amount obtained from multiplying the difference between the Class III price for the preceding month and the Class I price applicable at the location of the pool plant or the Class II price, as the case may be, for the current month by the hundredweight of skim milk and butterfat subtracted from Class I and Class II pursuant to § 1000.44(a)(7) and the corresponding step of § 1000.44(b);

(h) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat assigned to Class I pursuant to § 1000.43(d) and the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(3)(i) through (iii) and the corresponding step of § 1000.44(b), excluding receipts of bulk fluid cream products from a plant regulated under other Federal orders and bulk concentrated fluid milk products from pool plants, plants regulated under other Federal orders, and unregulated supply plant;

(i) Add the amount obtained from multiplying the difference between the Class I price and the Class III price applicable at the location of the nearest unregulated supply plants from which an equivalent volume was received by the pounds of skim milk and butterfat in receipts of concentrated fluid milk products assigned to Class I pursuant to §§ 1000.43(d) and 1000.44(a)(3)(i) and the pounds of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(8) and the corresponding step of § 1000.44(b), excluding such skim milk and butterfat in receipts of fluid milk products from an unregulated supply plant to the extent that an equivalent amount of skim milk or butterfat disposed of to such plant by handlers fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order;

(j) Subtract, for reconstituted milk made from receipts of nonfluid milk products, an amount computed by

multiplying \$1.00 (but not more than the difference between the Class I price applicable at the location of the pool plant and the Class IV price) by the hundredweight of skim milk and butterfat contained in receipts of nonfluid milk products that are allocated to Class I use pursuant to § 1000.43(d); and

(k) Exclude, for pricing purposes under this section, receipts of nonfluid milk products that are distributed as labeled reconstituted milk for which payments are made to the producer-settlement fund of another Federal order under § 1000.76(a)(5) or (c).

§ 1001.61 Computation of producer price differential.

For each month the market administrator shall compute a producer price differential per hundredweight. If the unreserved balance in the producer-settlement fund to be included in the computation is less than 2 cents per hundredweight of producer milk on all reports, the report of any handler who has not made payments required pursuant to § 1001.71 for the preceding month shall not be included in the computation of the producer price differential. The report of such handler shall not be included in the computation for succeeding months until the handler has made full payment of outstanding monthly obligations. Subject to the aforementioned conditions, the market administrator shall compute the producer price differential in the following manner:

(a) Combine into one total the values computed pursuant to § 1001.60 for all handlers required to file reports prescribed in § 1001.30;

(b) Subtract the total of the values obtained by multiplying each handler's total pounds of protein, other solids, and butterfat contained in the milk for which an obligation was computed pursuant to § 1001.60 by the protein price, other solids price, and the butterfat price, respectively, and the total value of the somatic cell adjustment pursuant to § 1001.60(e);

(c) Add an amount equal to the sum of the location adjustments computed pursuant to § 1001.75;

(d) Add an amount equal to not less than one-half of the unobligated balance in the producer-settlement fund;

(e) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(1) The total hundredweight of producer milk; and

(2) The total hundredweight for which a value is computed pursuant to § 1001.60(i); and

(f) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (e) of this section. The result, rounded to the nearest cent, shall be known as the *producer price differential* for the month.

§ 1001.62 Announcement of producer prices.

On or before the 13th day after the end of the month, the market administrator shall announce the following prices and information:

- (a) The producer price differential;
- (b) The protein price;
- (c) The other solids price;
- (d) The butterfat price;
- (e) The somatic cell adjustment rate;
- (f) The average butterfat, nonfat solids, protein, and other solids content of producer milk; and
- (g) The statistical uniform price for milk containing 3.5 percent butterfat.

Payments for Milk

§ 1001.70 Producer-settlement fund.

See § 1000.70 of this chapter.

§ 1001.71 Payments to the producer-settlement fund.

The payments to the producer-settlement fund specified in § 1000.71 are due no later than the 15th day after the end of the month.

§ 1001.72 Payments from the producer-settlement fund.

See § 1000.72 of this chapter.

§ 1001.73 Payments to producers and to cooperative associations.

(a) Each pool plant operator that is not paying a cooperative association for producer milk shall pay each producer as follows:

(1) *Partial payment.* For each producer who has not discontinued shipments as of the 23rd day of the month, payment shall be made so that it is received by the producer on or before the 26th day of the month for milk received during the first 15 days of the month at not less than the lowest announced class price for the preceding month, less proper deductions authorized in writing by the producer;

(2) *Final payment.* For milk received during the month, payment shall be made so that it is received by each producer no later than the day after the payment date required in § 1000.72 in an amount computed as follows:

(i) Multiply the hundredweight of producer milk received times the producer price differential for the month as adjusted pursuant to § 1001.75;

(ii) Multiply the pounds of butterfat received times the butterfat price for the month;

(iii) Multiply the pounds of protein received times the protein price for the month;

(iv) Multiply the pounds of other solids received times the other solids price for the month;

(v) Multiply the hundredweight of milk received times the somatic cell adjustment for the month;

(vi) Add the amounts computed in paragraph (a)(2)(i) through (v) of this section, and from that sum:

(A) Subtract the partial payment made pursuant to paragraph (a)(1) of this section;

(B) Subtract the deduction for marketing services pursuant to § 1000.86;

(C) Add or subtract for errors made in previous payments to the producer; and

(D) Subtract proper deductions authorized in writing by the producer.

(b) One day before partial and final payments are due pursuant to paragraph (a) of this section, each pool plant operator shall pay a cooperative association for milk received as follows:

(1) *Partial payment to a cooperative association.* For bulk milk/skimmed milk received during the first 15 days of the month from a cooperative association in any capacity, except as the operator of a pool plant, the payment shall be equal to the hundredweight of milk received multiplied by the lowest announced class price for the preceding month;

(2) *Partial payment to a cooperative association for milk transferred from its pool plant.* For bulk milk/skimmed milk products received during the first 15 days of the month from a cooperative association in its capacity as the operator of a pool plant, the partial payment shall be at the pool plant operator's estimated use value of the milk using the most recent class prices available, adjusted for butterfat value and plant location;

(3) *Final payment to a cooperative association for milk transferred from its pool plant.* Following the classification of bulk fluid milk products and bulk fluid cream products received during the month from a cooperative association in its capacity as the operator of a pool plant, the final payment for such receipts shall be determined as follows:

(i) Multiply the hundredweight of Class I skim milk by the Class I skim milk price for the month;

(ii) Multiply the pounds of Class I butterfat by the Class I butterfat price for the month;

(iii) Multiply the hundredweight of Class II skim milk by the Class II differential price for the month;

(iv) Multiply the pounds of nonfat solids received in Class II and Class IV milk times the nonfat solids price for the month;

(v) Multiply the pounds of butterfat in Class II, III, and IV milk times the butterfat price for the month;

(vi) Multiply the pounds of protein received in Class III milk times the protein price for the month;

(vii) Multiply the pounds of other solids received in Class III milk times the other solids price for the month;

(viii) Multiply the hundredweight of Class II, Class III, and Class IV milk received times the somatic cell adjustment;

(ix) Add together the amounts computed in paragraph (b)(3)(i) through (viii) of this section and from that sum deduct any payment made pursuant to paragraph (b)(2) of this section.

(4) *Final payment to a cooperative association for bulk milk received directly from producers' farms.* For bulk milk received from a cooperative association during the month, including the milk of producers who are not members of such association and who the market administrator determines have authorized the cooperative association to collect payment for their milk, the final payment for such milk shall be an amount equal to the sum of the individual payments otherwise payable for such milk pursuant to paragraph (a)(2) of this section.

(c) If a handler has not received full payment from the market administrator pursuant to § 1001.72 by the payment date specified in paragraph (a) or (b) of this section, the handler may reduce payments pursuant to paragraphs (a) and (b) of this section, but by not more than the amount of the underpayment. The payments shall be completed on the next scheduled payment date after receipt of the balance due from the market administrator.

(d) If a handler claims that a required payment to a producer cannot be made because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, the payment shall be made to the producer-settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make the required payment from the producer-settlement fund to the handler or to the lawful claimant as the case may be.

(e) In making payments to producers pursuant to this section, each pool plant operator shall furnish each producer, except a producer whose milk was received from a cooperative association handler described in § 1000.9(a) or (c), a supporting statement in such form that it may be retained by the recipient which shall show:

(1) The name, address, Grade A identifier assigned by a duly constituted regulatory agency, and the payroll number of the producer;

(2) The month and dates that milk was received from the producer, including the daily and total pounds of milk received;

(3) The total pounds of butterfat, protein, and other solids contained in the producer's milk;

(4) The somatic cell count of the producer's milk;

(5) The minimum rate or rates at which payment to the producer is required pursuant to this order;

(6) The rate used in making payment if the rate is other than the applicable minimum rate;

(7) The amount, or rate per hundredweight, or rate per pound of component, and the nature of each deduction claimed by the handler; and

(8) The net amount of payment to the producer or cooperative association.

§ 1001.74 [Reserved]

§ 1001.75 Plant location adjustments for producer milk and nonpool milk.

(a) The producer price differential for producer milk shall be adjusted according to the location of the plant at which the milk was physically received by subtracting from the price the amount by which the Class I price specified in § 1001.50 exceeds the Class I price at the plant's location. If the Class I price at the plant location exceeds the Class I price specified in § 1001.50, the difference shall be added to the producer price differential; and

(b) The producer price differential applicable for other source milk shall be adjusted following the procedure specified in paragraph (a) of this section, except that the adjusted producer price differential shall not be less than zero.

§ 1001.76 Payments by a handler operating a partially regulated distributing plant.

See § 1000.76 of this chapter.

§ 1001.77 Adjustment of accounts.

See § 1000.77 of this chapter.

§ 1001.78 Charges on overdue accounts.

See § 1000.78 of this chapter.

Administrative Assessment and Marketing Service Deduction

§ 1001.85 Assessment for order administration.

See § 1000.85 of this chapter.

§ 1001.86 Deduction for marketing services.

See § 1000.86 of this chapter.

PART 1005—MILK IN THE APPALACHIAN MARKETING AREA

Subpart—Order Regulating Handling

General Provisions

Sec.

1005.1 General provisions.

Definitions

- 1005.2 Appalachian marketing area.
- 1005.3 Route disposition.
- 1005.4 Plant.
- 1005.5 Distributing plant.
- 1005.6 Supply plant.
- 1005.7 Pool plant.
- 1005.8 Nonpool plant.
- 1005.9 Handler.
- 1005.10 Producer-handler.
- 1005.11 [Reserved]
- 1005.12 Producer.
- 1005.13 Producer milk.
- 1005.14 Other source milk.
- 1005.15 Fluid milk product.
- 1005.16 Fluid cream product.
- 1005.17 [Reserved]
- 1005.18 Cooperative association.
- 1005.19 Commercial food processing establishment.

Handler Reports

- 1005.30 Reports of receipts and utilization.
- 1005.31 Payroll reports.
- 1005.32 Other reports.

Classification of Milk

- 1005.40 Classes of utilization.
- 1005.41 [Reserved]
- 1005.42 Classification of transfers and diversions.
- 1005.43 General classification rules.
- 1005.44 Classification of producer milk.
- 1005.45 Market administrator's reports and announcements concerning classification.

Class Prices

- 1005.50 Class prices, component prices, Class I differential and price.
- 1005.51 [Reserved]
- 1005.52 Adjusted Class I differentials.
- 1005.53 Announcement of class prices and component prices.
- 1005.54 Equivalent price.

Uniform Prices

- 1005.60 Handler's value of milk.
- 1005.61 Computation of uniform price, uniform butterfat price and uniform skim milk price.
- 1005.62 Announcement of uniform price, uniform butterfat price and uniform skim milk price.

Payments for Milk

- 1005.70 Producer-settlement fund.

- 1005.71 Payments to the producer-settlement fund.
- 1005.72 Payments from the producer-settlement fund.
- 1005.73 Payments to producers and to cooperative associations.
- 1005.74 [Reserved]
- 1005.75 Plant location adjustments for producer milk and nonpool milk.
- 1005.76 Payments by a handler operating a partially regulated distributing plant.
- 1005.77 Adjustment of accounts.
- 1005.78 Charges on overdue accounts.

Marketwide Service Payments

- 1005.80 Transportation credit balancing fund.
- 1005.81 Payments to the transportation credit balancing fund.
- 1005.82 Payments from the transportation credit balancing fund.

Administrative Assessment and Marketing Service Deduction

- 1005.85 Assessment for order administration.
- 1005.86 Deduction for marketing services.

Authority: 7 U.S.C. 601–674.

Subpart—Order Regulating Handling

General Provisions

§ 1005.1 General provisions.

The terms, definitions, and provisions in part 1000 of this chapter apply to and are hereby made a part of this order.

Definitions

§ 1005.2 Appalachian marketing area.

The marketing area means all the territory within the bounds of the following states and political subdivisions, including all piers, docks and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments if any part thereof is within any of the listed states or political subdivisions:

Georgia Counties

Catoosa, Chattooga, Dade, Fannin, Murray, Walker, and Whitfield.

Indiana Counties

Clark, Crawford, Daviess, Dubois, Floyd, Gibson, Greene, Harrison, Knox, Martin, Orange, Perry, Pike, Posey, Scott, Spencer, Sullivan, Vanderburgh, Warrick, and Washington.

Kentucky Counties

Adair, Anderson, Bath, Bell, Bourbon, Boyle, Breathitt, Breckinridge, Bullitt, Butler, Carroll, Carter, Casey, Clark, Clay, Clinton, Cumberland, Daviess, Edmonson, Elliott, Estill, Fayette, Fleming, Franklin, Gallatin, Garrard, Grayson, Green, Hancock, Hardin, Harlan, Hart, Henderson, Henry, Hopkins, Jackson, Jefferson, Jessamine, Knott, Knox, Larue, Laurel, Lee, Leslie, Letcher, Lincoln,

Madison, Marion, McCreary, McLean, Meade, Menifee, Mercer, Montgomery, Morgan, Muhlenberg, Nelson, Nicholas, Ohio, Oldham, Owen, Owsley, Perry, Powell, Pulaski, Rockcastle, Rowan, Russell, Scott, Shelby, Spencer, Taylor, Trimble, Union, Washington, Wayne, Webster, Whitley, Wolfe, and Woodford.

North Carolina and South Carolina

All of the States of North Carolina and South Carolina.

Tennessee Counties

Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Cumberland, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Marion, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sequatchie, Sevier, Sullivan, Unicoi, Union, and Washington.

Virginia Counties and Cities

Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, Washington, and Wise, and cities of Bristol and Norton.

West Virginia Counties

McDowell and Mercer.

§ 1005.3 Route disposition.

See § 1000.3 of this chapter.

§ 1005.4 Plant.

See § 1000.4 of this chapter.

§ 1005.5 Distributing plant.

See § 1000.5 of this chapter.

§ 1005.6 Supply plant.

See § 1000.6 of this chapter.

§ 1005.7 Pool plant.

Pool plant means a plant specified in paragraphs (a) through (d) of this section, or a unit of plants as specified in paragraph (e) of this section, but excluding a plant specified in paragraph (g) of this section. The pooling standards described in paragraphs (a), (c), and (d) of this section are subject to modification pursuant to paragraph (f) of this section:

(a) A distributing plant from which during the month the total route disposition is equal to 50 percent or more of the total quantity of fluid milk products physically received at such plant and route disposition in the marketing area is at least 10 percent of such receipts. Packaged fluid milk products that are transferred to a distributing plant shall be considered as route disposition from the transferring plant, rather than the receiving plant, for the purpose of determining the transferring plant's pool status under this paragraph.

(b) Any distributing plant located in the marketing area which during the month processed a majority of its milk receipts into aseptically packaged fluid

milk products. If the plant had no route disposition in the marketing area during the month, the plant operator may request nonpool status for the plant.

(c) A supply plant from which 50 percent of the total quantity of milk that is physically received during the month from dairy farmers and handlers described in § 1000.9(c) is transferred to pool distributing plants.

(d) A plant located within the marketing area or in the State of Virginia that is operated by a cooperative association if pool plant status under this paragraph is requested for such plant by the cooperative association and during the month at least 60 percent of the producer milk of members of such cooperative association is delivered directly from farms to pool distributing plants or is transferred to such plants as a fluid milk product from the cooperative's plant.

(e) Two or more plants operated by the same handler and that are located within the marketing area may qualify for pool status as a unit by meeting the total and in-area route disposition requirements specified in paragraph (a) of this section and the following additional requirements:

(1) At least one of the plants in the unit must qualify as a pool plant pursuant to paragraph (a) of this section;

(2) Other plants in the unit must process only Class I or Class II products and must be located in a pricing zone providing the same or a lower Class I price than the price applicable at the distributing plant included in the unit pursuant to paragraph (e)(1) of this section; and

(3) A written request to form a unit, or to add or remove plants from a unit, must be filed with the market administrator prior to the first day of the month for which it is to be effective.

(f) The applicable percentages in paragraphs (a), (c), and (d) of this section may be increased or decreased up to 10 percentage points by the market administrator if the market administrator finds that such revision is necessary to assure orderly marketing and efficient handling of milk in the marketing area. Before making such a finding, the market administrator shall investigate the need for the revision either on the market administrator's own initiative or at the request of interested parties if the request is made in writing at least 15 days prior to the date for which the requested revision is desired effective. If the investigation shows that a revision might be appropriate, the market administrator shall issue a notice stating that the revision is being considered and inviting written data, views, and

arguments. Any decision to revise an applicable percentage must be issued in writing at least one day before the effective date.

(g) The term pool plant shall not apply to the following plants:

(1) A producer-handler plant;

(2) An exempt plant as defined in § 1000.8(e);

(3) A plant qualified pursuant to paragraph (a) of this section which is not located within any Federal order marketing area, meets the pooling requirements of another Federal order, and has had greater route disposition in such other Federal order marketing area for 3 consecutive months;

(4) A plant qualified pursuant to paragraph (a) of this section which is located in another Federal order marketing area, meets the pooling standards of the other Federal order, and has not had a majority of its route disposition in this marketing area for 3 consecutive months or is locked into pool status under such other Federal order without regard to its route disposition in any other Federal order marketing area;

(5) A plant qualified pursuant to paragraph (c) of this section which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made to plants regulated under such other order than are made to plants regulated under this order, or such plant has automatic pooling status under such other order; and

(6) That portion of a pool plant designated as a "nonpool plant" that is physically separate and operated separately from the pool portion of such plant. The designation of a portion of a regulated plant as a nonpool plant must be requested in writing by the handler and must be approved by the market administrator.

§ 1005.8 Nonpool plant.

See § 1000.8 of this chapter.

§ 1005.9 Handler.

See § 1000.9 of this chapter.

§ 1005.10 Producer-handler.

Producer-handler means a person who:

(a) Operates a dairy farm and a distributing plant from which there is monthly route disposition in excess of 150,000 pounds per month, unless the person requests that the two be operated as separate entities with the distributing plant regulated under § 1005.7(a) and the farm operated as a producer under § 1005.12;

(b) Receives no fluid milk products, and acquires no fluid milk products for

route disposition, from sources other than own farm production;

(c) Disposes of no other source milk as Class I milk except by increasing the nonfat milk solids content of the fluid milk products received from own farm production;

(d) Disposes of no fluid milk products using the distribution system of another handler; and

(e) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce all Class I milk handled, and the processing, packaging, and distribution operations, are the producer-handler's own enterprise and are operated at the producer-handler's own risk.

§ 1005.11 [Reserved]

§ 1005.12 Producer.

(a) Except as provided in paragraph (b) of this section, *producer* means any person who produces milk approved by a duly constituted regulatory agency for fluid consumption as Grade A milk and whose milk (or components of milk) is:

(1) Received at a pool plant directly from the producer or diverted by the plant operator in accordance with § 1005.13; or

(2) Received by a handler described in § 1000.9(c).

(b) Producer shall not include:

(1) A producer-handler as defined in any Federal order;

(2) A dairy farmer whose milk is received at an exempt plant, excluding producer milk diverted to the exempt plant pursuant to § 1005.13(d);

(3) A dairy farmer whose milk is received by diversion at a pool plant from a handler regulated under another Federal order if the other Federal order designates the dairy farmer as a producer under that order and that milk is allocated by request to a utilization other than Class I; and

(4) A dairy farmer whose milk is reported as diverted to a plant fully regulated under another order with respect to that portion of the milk so diverted that is assigned to Class I under the provisions of such other order.

§ 1005.13 Producer milk.

Producer milk means the skim milk (or the skim equivalent of components of skim milk) and butterfat contained in milk of a producer that is:

(a) Received by the operator of a pool plant directly from a producer or a handler described in § 1000.9(c). Any milk picked up from the producer's farm tank in a tank truck under the control of the operator of a pool plant or a handler described in § 1000.9(c) but

which is not received at a plant until the following month shall be considered as having been received by the handler during the month in which it is picked up at the producer's farm. All milk received pursuant to this paragraph shall be priced at the location of the plant where it is first physically received;

(b) Received by a handler described in § 1000.9(c) in excess of the quantity delivered to pool plants;

(c) Diverted by a pool plant operator to another pool plant. Milk so diverted shall be priced at the location of the plant to which diverted; or

(d) Diverted by the operator of a pool plant or a handler described in § 1000.9(c) to a nonpool plant, subject to the following conditions:

(1) In any month of July through December, not less than 6 days' production of the producer whose milk is diverted is physically received at a pool plant during the month;

(2) In any month of January through June, not less than 2 days' production of the producer whose milk is diverted is physically received at a pool plant during the month;

(3) The total quantity of milk so diverted during the month by a cooperative association shall not exceed 25 percent during the months of July through November, January, and February, and 40 percent during the months of December and March through June, of the producer milk that the cooperative association caused to be delivered to, and physically received at, pool plants during the month;

(4) The operator of a pool plant that is not a cooperative association may divert any milk that is not under the control of a cooperative association that diverts milk during the month pursuant to paragraph (d) of this section. The total quantity of milk so diverted during the month shall not exceed 25 percent during the months of July through November, January, and February, and 40 percent during the months of December and March through June, of the producer milk physically received at such plant (or such unit of plants in the case of plants that pool as a unit pursuant to § 1005.7(d)) during the month, excluding the quantity of producer milk received from a handler described in § 1000.9(c);

(5) Any milk diverted in excess of the limits prescribed in paragraphs (d)(3) and (4) of this section shall not be producer milk. If the diverting handler or cooperative association fails to designate the dairy farmers' deliveries that will not be producer milk, no milk diverted by the handler or cooperative association shall be producer milk;

(6) Diverted milk shall be priced at the location of the plant to which diverted; and

(7) The delivery day requirements and the diversion percentages in paragraphs (d)(1) through (4) of this section may be increased or decreased by the market administrator if the market administrator finds that such revision is necessary to assure orderly marketing and efficient handling of milk in the marketing area. Before making such a finding, the market administrator shall investigate the need for the revision either on the market administrator's own initiative or at the request of interested persons. If the investigation shows that a revision might be appropriate, the market administrator shall issue a notice stating that the revision is being considered and inviting written data, views, and arguments. Any decision to revise an applicable percentage must be issued in writing at least one day before the effective date.

§ 1005.14 Other source milk.

See § 1000.14 of this chapter.

§ 1005.15 Fluid milk product.

See § 1000.15 of this chapter.

§ 1005.16 Fluid cream product.

See § 1000.16 of this chapter.

§ 1005.17 [Reserved]

§ 1005.18 Cooperative association.

See § 1000.18 of this chapter.

§ 1005.19 Commercial food processing establishment.

See § 1000.19 of this chapter.

Handler Reports

§ 1005.30 Reports of receipts and utilization.

Each handler shall report monthly so that the market administrator's office receives the report on or before the 7th day after the end of the month, in the detail and on prescribed forms, as follows:

(a) With respect to each of its pool plants, the quantities of skim milk and butterfat contained in or represented by:

(1) Receipts of producer milk, including producer milk diverted by the plant operator to other plants;

(2) Receipts of milk from handlers described in § 1000.9(c);

(3) Receipts of fluid milk products and bulk fluid cream products from other pool plants;

(4) Receipts of other source milk;

(5) Receipts of bulk milk from a plant regulated under another Federal order, except Federal Order 1007, for which a transportation credit is requested pursuant to § 1005.82;

(6) Receipts of producer milk described in § 1005.82(c)(2), including the identity of the individual producers whose milk is eligible for the transportation credit pursuant to that paragraph and the date that such milk was received;

(7) For handlers submitting transportation credit requests, transfers of bulk milk to nonpool plants, including the dates that such milk was transferred;

(8) Inventories at the beginning and end of the month of fluid milk products and bulk fluid cream products; and

(9) The utilization or disposition of all milk and milk products required to be reported pursuant to this paragraph.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section. Receipts of milk that would have been producer milk if the plant had been fully regulated shall be reported in lieu of producer milk. The report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

(c) Each handler described in § 1000.9(c) shall report:

(1) The quantities of all skim milk and butterfat contained in receipts of milk from producers;

(2) The utilization or disposition of all such receipts; and

(3) With respect to milk for which a cooperative association is requesting a transportation credit pursuant to § 1005.82, all of the information required in paragraph (a)(5), (a)(6), and (a)(7) of this section.

(d) Each handler not specified in paragraphs (a) through (c) of this section shall report with respect to its receipts and utilization of milk and milk products in such manner as the market administrator may prescribe.

§ 1005.31 Payroll reports.

(a) On or before the 20th day after the end of each month, each handler described in § 1000.9(a) and (c) shall report to the market administrator its producer payroll for the month, in detail prescribed by the market administrator, showing for each producer the information specified in § 1005.73(e).

(b) Each handler operating a partially regulated distributing plant who elects to make payment pursuant to § 1000.76(b) shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in the same manner as prescribed for reports required by paragraph (a) of this section.

§ 1005.32 Other reports.

(a) On or before the 20th day after the end of each month, each handler described in § 1000.9(a) and (c) shall report to the market administrator any adjustments to transportation credit requests as reported pursuant to § 1005.30(a)(5), (6), and (7).

(b) In addition to the reports required pursuant to §§ 1005.30, 31, and 32(a), each handler shall report any information the market administrator deems necessary to verify or establish each handler's obligation under the order.

Classification of Milk**§ 1005.40 Classes of utilization.**

See § 1000.40 of this chapter.

§ 1005.41 [Reserved]**§ 1005.42 Classification of transfers and diversions.**

See § 1000.42 of this chapter.

§ 1005.43 General classification rules.

See § 1000.43 of this chapter.

§ 1005.44 Classification of producer milk.

See § 1000.44 of this chapter.

§ 1005.45 Market administrator's reports and announcements concerning classification.

See § 1000.45 of this chapter.

Class Prices**§ 1005.50 Class prices, component prices, Class I differential and price.**

Class prices and component prices are described in § 1000.50. The Class I differential shall be the differential established for Mecklenburg County, North Carolina, which is reported in § 1000.52. The Class I price shall be the price computed pursuant to § 1000.50(a) for Mecklenburg County, North Carolina.

§ 1005.51 [Reserved]**§ 1005.52 Adjusted Class I differentials.**

See § 1000.52 of this chapter.

§ 1005.53 Announcement of class prices and component prices.

See § 1000.53 of this chapter.

§ 1005.54 Equivalent price.

See § 1000.54 of this chapter.

Uniform Price**§ 1005.60 Handler's value of milk.**

For the purpose of computing the uniform price, the market administrator shall determine for each month the value of milk of each handler with respect to each of the handler's pool plants and of each handler described in § 1000.9(c) as follows:

(a) Multiply the pounds of skim milk and butterfat in producer milk that were classified in each class pursuant to § 1000.44(c) by the applicable skim milk and butterfat prices, and add the resulting amounts;

(b) Add the amounts obtained from multiplying the pounds of skim milk and butterfat overage assigned to each class pursuant to § 1000.43(b)(2) by the respective skim milk and butterfat prices applicable at the location of the pool plant;

(c) Add the amount obtained from multiplying the difference between the Class III price for the preceding month and the Class I price applicable at the location of the pool plant or the Class II price, as the case may be, for the current month by the hundredweight of skim milk and butterfat subtracted from Class I and Class II pursuant to § 1000.44(a)(7) and the corresponding step of § 1000.44(b);

(d) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat assigned to Class I pursuant to § 1000.43(d) and the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(3)(i) through (iii) and the corresponding step of § 1000.44(b), excluding receipts of bulk fluid cream products from a plant regulated under other Federal orders and bulk concentrated fluid milk products from pool plants, plants regulated under other Federal orders, and unregulated supply plants;

(e) Add the amount obtained from multiplying the Class I price applicable at the location of the nearest unregulated supply plants from which an equivalent volume was received by the pounds of skim milk and butterfat in receipts of concentrated fluid milk products assigned to Class I pursuant to § 1000.43(d) and § 1000.44(a)(3)(i) and the pounds of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(8) and the corresponding step of § 1000.44(b), excluding such skim milk and butterfat in receipts of fluid milk products from an unregulated supply plant to the extent that an equivalent amount of skim milk or butterfat disposed of to such plant by handlers fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order;

(f) Subtract, for reconstituted milk made from receipts of nonfluid milk products, an amount computed by multiplying \$1.00 (but not more than the difference between the Class I price

applicable at the location of the pool plant and the Class IV price) by the hundredweight of skim milk and butterfat contained in receipts of nonfluid milk products that are allocated to Class I use pursuant to § 1000.43(e); and

(g) Exclude, for pricing purposes under this section, receipts of nonfluid milk products that are distributed as labeled reconstituted milk for which payments are made to the producer-settlement fund of another Federal order under § 1000.76(a)(5) or (c).

§ 1005.61 Computation of uniform price, uniform butterfat price and uniform skim milk price.

(a) *Uniform price.* For each month the market administrator shall compute the uniform price per hundredweight. If the unreserved balance in the producer-settlement fund to be included in the computation is less than 2 cents per hundredweight of producer milk on all reports, the report of any handler who has not made payments required pursuant to § 1005.71 for the preceding month shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until the handler has made full payment of outstanding monthly obligations. Subject to the aforementioned conditions, the market administrator shall compute the uniform price in the following manner:

(1) Combine into one total the values computed pursuant to § 1005.60 for all handlers required to file reports prescribed in § 1005.30;

(2) Add an amount equal to the sum of the location adjustments computed pursuant to § 1005.75;

(3) Add an amount equal to not less than one-half of the unobligated balance in the producer-settlement fund;

(4) Add or subtract, as the case may be, to obtain an all-producer milk test of 3.5 percent butterfat, the value of the required pounds of butterfat times the uniform butterfat price computed in paragraph (b) of this section;

(5) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(i) The total hundredweight of producer milk; and

(ii) The total hundredweight for which a value is computed pursuant to § 1005.60(f); and

(6) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (e) of this section. The result, rounded to the nearest cent, shall be known as the "uniform price" for the month.

(b) *Uniform butterfat price.* The uniform butterfat price per pound,

rounded to the nearest one-hundredth cent, shall be obtained by multiplying the pounds of butterfat in producer milk allocated to each class pursuant to § 1000.44(b) by the respective class butterfat prices (Class I butterfat price for Class I and the butterfat price for all other classes) and dividing the sum of such values by the total pounds of such butterfat.

(c) *Uniform skim milk price.* The uniform skim milk price per hundredweight, rounded to the nearest cent, shall be the uniform price for the month pursuant to paragraph (a) of this section less the uniform butterfat price for the month pursuant to paragraph (b) of this section multiplied by 3.5 pounds of butterfat, with the result divided by .965.

§ 1005.62 Announcement of uniform price, uniform butterfat price and uniform skim milk price.

On or before the 11th day after the end of the month, the market administrator shall announce the following prices and information:

(a) The uniform price pursuant to § 1005.61 for such month;

(b) The uniform butterfat price pursuant to § 1005.61(b) for such month; and

(c) The uniform skim milk price pursuant to § 1005.61(c) for such month.

Payments for Milk

§ 1005.70 Producer-settlement fund.

See § 1000.70 of this chapter.

§ 1005.71 Payments to the producer-settlement fund.

The payments to the producer-settlement fund specified in § 1000.71 are due no later than the 12th day after the end of the month.

§ 1005.72 Payments from the producer-settlement fund.

See § 1000.72 of this chapter.

§ 1005.73 Payments to producers and to cooperative associations.

(a) Each pool plant operator that is not paying a cooperative association for producer milk shall pay each producer as follows:

(1) *Partial payment.* For each producer who has not discontinued shipments as of the 23rd day of the month, payment shall be made so that it is received by the producer on or before the 26th day of the month for milk received during the first 15 days of the month at not less than the 90 percent of the preceding month's uniform price, adjusted for plant location pursuant to § 1005.75 and proper deductions authorized in writing by the producer;

(2) *Final payment.* For milk received during the month, payment shall be made so that it is received by each producer one day after the payment date required in § 1000.72 an amount computed as follows:

(i) Multiply the hundredweight of producer milk received times the uniform price for the month as adjusted pursuant to § 1005.75;

(ii) Multiply the hundredweight of producer skim milk received times the uniform skim milk price for the month;

(iii) Multiply the pounds of butterfat received times the uniform butterfat price for the month;

(iv) Add the amounts computed in paragraph (a)(2)(i), (ii), and (iii) of the section, and from that sum:

(A) Subtract the partial payment made pursuant to paragraph (a)(1) of this section;

(B) Subtract the deduction for marketing services pursuant to § 1000.86;

(C) Add or subtract for errors made in previous payments to the producer; and

(D) Subtract proper deductions authorized in writing by the producer.

(b) One day before partial and final payments are due pursuant to paragraph (a) of this section, each pool plant operator shall pay a cooperative association for milk received as follows:

(1) *Partial payment to a cooperative association.* For bulk milk/skimmed milk received during the first 15 days of the month from a cooperative association in any capacity, except as the operator of a pool plant, the payment shall be equal to the hundredweight of milk received multiplied by 90 percent of the preceding month's uniform price, adjusted for plant location pursuant to § 1005.75;

(2) *Partial payment to a cooperative association for milk transferred from its pool plant.* For bulk fluid milk products and bulk fluid cream products received during the first 15 days of the month from a cooperative association in its capacity as the operator of a pool plant, the partial payment shall be at the pool plant operator's estimated use value of the milk using the most recent class prices available, adjusted for butterfat value and plant location;

(3) *Final payment to a cooperative association for milk transferred from its pool plant.* For bulk fluid milk products and bulk fluid cream products received during the month from a cooperative association in its capacity as the operator of a pool plant, the final payment shall be the classified value of such milk as determined by multiplying the pounds of milk assigned to each class pursuant to § 1000.44 by the class

prices for the month, adjusted for plant location and butterfat value, and subtracting from this sum the partial payment made pursuant to paragraph (b)(2) of this section.

(4) *Final payment to a cooperative association for bulk milk received directly from producers' farms.* For bulk milk received from a cooperative association during the month, including the milk of producers who are not members of such association and who the market administrator determines have authorized the cooperative association to collect payment for their milk, the final payment for such milk shall be an amount equal to the sum of the individual payments otherwise payable for such milk pursuant to paragraph (a)(2) of this section.

(c) If a handler has not received full payment from the market administrator pursuant to § 1005.72 by the payment date specified in paragraph (a) or (b) of this section, the handler may reduce payments pursuant to paragraphs (a) and (b) of this section, but by not more than the amount of the underpayment. The payments shall be completed on the next scheduled payment date after receipt of the balance due from the market administrator.

(d) If a handler claims that a required payment to a producer cannot be made because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, the payment shall be made to the producer-settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make the required payment from the producer-settlement fund to the handler or to the lawful claimant as the case may be.

(e) In making payments to producers pursuant to this section, each pool plant operator shall furnish each producer, except a producer whose milk was received from a handler described in § 1000.9(a) or (c), a supporting statement in such form that it may be retained by the recipient which shall show:

(1) The name, address, Grade A identifier assigned by a duly constituted regulatory agency, and the payroll number of the producer;

(2) The month and dates that milk was received from the producer, including the daily and total pounds of milk received;

(3) The total pounds of butterfat in the producer's milk;

(4) The minimum rate at which payment to the producer is required pursuant to this order;

(5) The rate used in making payment if the rate is other than the applicable minimum rate;

(6) The amount, or rate per hundredweight, and nature of each deduction claimed by the handler; and

(7) The net amount of payment to the producer or cooperative association.

§ 1005.74 [Reserved]

§ 1005.75 Plant location adjustments for producer milk and nonpool milk.

(a) The uniform price for producer milk shall be adjusted according to the location of the plant at which the milk was physically received by subtracting from the price the amount by which the Class I price specified in § 1005.50 exceeds the Class I price at the plant's location. If the Class I price at the plant location exceeds the Class I price specified in § 1005.50, the difference shall be added to the uniform price; and

(b) The uniform price applicable for other source milk shall be adjusted following the procedure specified in paragraph (a) of this section, except that the adjusted uniform price shall not be less than the lowest announced class price.

§ 1005.76 Payments by a handler operating a partially regulated distributing plant.

See § 1000.76 of this chapter.

§ 1005.77 Adjustment of accounts.

See § 1000.77 of this chapter.

§ 1005.78 Charges on overdue accounts.

See § 1000.78 of this chapter.

Marketwide Service Payments

§ 1005.80 Transportation credit balancing fund.

The market administrator shall maintain a separate fund known as the *Transportation Credit Balancing Fund* into which shall be deposited the payments made by handlers pursuant to § 1005.81 and out of which shall be made the payments due handlers pursuant to § 1005.82. Payments due a handler shall be offset against payments due from the handler.

§ 1005.81 Payments to the transportation credit balancing fund.

(a) On or before the 12th day after the end of the month, each handler operating a pool plant and each handler specified in § 1000.9(a) and (c) shall pay to the market administrator a transportation credit balancing fund assessment determined by multiplying the pounds of Class I producer milk

assigned pursuant to § 1005.44 by \$0.065 per hundredweight or such lesser amount as the market administrator deems necessary to maintain a balance in the fund equal to the total transportation credits disbursed during the prior June-January period. In the event that during any month of the June-January period the fund balance is insufficient to cover the amount of credits that are due, the assessment should be based upon the amount of credits that would have been disbursed had the fund balance been sufficient.

(b) The market administrator shall announce publicly on or before the 5th day of the month the assessment pursuant to paragraph (a) of this section for the following month.

§ 1005.82 Payments from the transportation credit balancing fund.

(a) Payments from the transportation credit balancing fund to handlers and cooperative associations requesting transportation credits shall be made as follows:

(1) On or before the 13th day after the end of each of the months of July through December and any other month in which transportation credits are in effect pursuant to paragraph (b) of this section, the market administrator shall pay to each handler that received, and reported pursuant to § 1005.30(a)(5), bulk milk transferred from a plant fully regulated under another Federal order as described in paragraph (c)(1) of this section or that received, and reported pursuant to § 1005.30(a)(6), milk directly from producers' farms as specified in paragraph (c)(2) of this section, a preliminary amount determined pursuant to paragraph (d) of this section to the extent that funds are available in the transportation credit balancing fund. If an insufficient balance exists to pay all of the credits computed pursuant to this section, the market administrator shall distribute the balance available in the transportation credit balancing fund by reducing payments prorata using the percentage derived by dividing the balance in the fund by the total credits that are due for the month. The amount of credits resulting from this initial proration shall be subject to audit adjustment pursuant to paragraph (a)(2) of this section;

(2) The market administrator shall accept adjusted requests for transportation credits on or before the 20th day of the month following the month for which such credits were requested pursuant to § 1005.32(a). After such date, a preliminary audit will be conducted by the market administrator, who will recalculate any necessary

proration of transportation credit payments for the preceding month pursuant to paragraph (a) of this section. Handlers will be promptly notified of an overpayment of credits based upon this final computation and remedial payments to or from the transportation credit balancing fund will be made on or before the next payment date for the following month;

(3) Transportation credits paid pursuant to paragraph (a)(1) and (2) of this section shall be subject to final verification by the market administrator pursuant to § 1000.77. Adjusted payments to or from the transportation credit balancing fund will remain subject to the final proration established pursuant to paragraph (a)(2) of this section; and

(4) In the event that a qualified cooperative association is the responsible party for whose account such milk is received and written documentation of this fact is provided to the market administrator pursuant to § 1005.30(c)(3) prior to the date payment is due, the transportation credits for such milk computed pursuant to this section shall be made to such cooperative association rather than to the operator of the pool plant at which the milk was received.

(b) The market administrator may extend the period during which transportation credits are in effect (i.e., the transportation credit period) to the months of January and June if a written request to do so is received 15 days prior to the beginning of the month for which the request is made and, after conducting an independent investigation, finds that such extension is necessary to assure the market of an adequate supply of milk for fluid use. Before making such a finding, the market administrator shall notify the Director of the Dairy Division and all handlers in the market that an extension is being considered and invite written data, views, and arguments. Any decision to extend the transportation credit period must be issued in writing prior to the first day of the month for which the extension is to be effective.

(c) Transportation credits shall apply to the following milk:

(1) Bulk milk received from a plant regulated under another Federal order, except Federal Orders 1007, and allocated to Class I milk pursuant to § 1000.44(a)(12); and

(2) Bulk milk received directly from the farms of dairy farmers at pool distributing plants subject to the following conditions:

(i) The quantity of such milk that shall be eligible for the transportation credit shall be determined by

multiplying the total pounds of milk received from producers meeting the conditions of this paragraph by the lower of:

(A) The marketwide estimated Class I utilization of all handlers for the month pursuant to § 1000.45(a); or

(B) The Class I utilization of all producer milk of the pool plant operator receiving the milk after the computations described in § 1000.44;

(ii) The dairy farmer was not a "producer" under this order during more than 2 of the immediately preceding months of January through June and not more than 50 percent of the production of the dairy farmer during those 2 months, in aggregate, was received as producer milk under this order during those 2 months. However, if January and/or June are months in which transportation credits are disbursed pursuant to paragraph (a) of this section, these months shall not be included in the 2-month limit provided in this paragraph; and

(iii) The farm on which the milk was produced is not located within the specified marketing area of this order or the marketing area of Federal Order 1007.

(d) Transportation credits shall be computed as follows:

(1) The market administrator shall subtract from the pounds of milk described in paragraphs (c)(1) and (2) of this section the pounds of bulk milk transferred from the pool plant receiving the supplemental milk if milk was transferred to a nonpool plant on the same calendar day that the supplemental milk was received. For this purpose, the transferred milk shall be subtracted from the most distant load of supplemental milk received, and then in sequence with the next most distant load until all of the transfers have been offset;

(2) With respect to the pounds of milk described in paragraph (c)(1) of this section that remain after the computations described in paragraph (d)(1) of this section, the market administrator shall:

(i) Determine the shortest hard-surface highway distance between the shipping plant and the receiving plant;

(ii) Multiply the number of miles so determined by 0.35 cent;

(iii) Subtract the other order's Class I price applicable at the shipping plant's location from the Class I price applicable at the receiving plant as specified in § 1005.53;

(iv) Subtract any positive difference computed in paragraph (d)(2)(iii) of this section from the amount computed in paragraph (d)(2)(ii) of this section; and

(v) Multiply the remainder computed in paragraph (d)(2)(iv) of this section by the hundredweight of milk described in paragraph (d)(2) of this section.

(3) For the remaining milk described in paragraph (c)(2) of this section after computations described in paragraph (d)(1) of this section, the market administrator shall:

(i) Determine an origination point for each load of milk by locating the nearest city to the last producer's farm from which milk was picked up for delivery to the receiving pool plant.

Alternatively, the milk hauler that is transporting the milk of producers described in paragraph (c)(2) of this section may establish an origination point following the last farm pickup by stopping at the nearest independently-operated truck stop with a certified truck scale and obtaining a weight certificate indicating the weight of the truck and its contents, the date and time of weighing, and the location of the truck stop;

(ii) Determine the shortest hard-surface highway distance between the receiving pool plant and the truck stop or city, as the case may be;

(iii) Subtract 85 miles from the mileage so determined;

(iv) Multiply the remaining miles so computed by 0.35 cent;

(v) If the origination point determined pursuant to paragraph (d)(3)(i) of this section is in a Federal order marketing area, subtract the Class I price applicable at the origination point pursuant to the provisions of such other order (as if the origination point were a plant location) from the Class I price applicable at the distributing plant receiving the milk. If the origination point is not in any Federal order marketing area, determine the Class I price at the origination point based upon the provisions of this order and subtract this price from the Class I price applicable at the distributing plant receiving the milk;

(vi) Subtract any positive difference computed in paragraph (d)(3)(v) of this section from the amount computed in paragraph (d)(3)(iv) of this section; and

(vii) Multiply the remainder computed in paragraph (d)(3)(vi) by the hundredweight of milk described in paragraph (d)(3) of this section.

Administrative Assessment and Marketing Service Deduction

§ 1005.85 Assessment for order administration.

See § 1000.85 of this chapter.

§ 1005.86 Deduction for marketing services.

See § 1000.86 of this chapter.

PART 1006—MILK IN THE FLORIDA MARKETING AREA

Subpart—Order Regulating Handling

General Provisions

Sec.

1006.1 General provisions.

Definitions

1006.2 Florida marketing area.
1006.3 Route disposition.
1006.4 Plant.
1006.5 Distributing plant.
1006.6 Supply plant.
1006.7 Pool plant.
1006.8 Nonpool plant.
1006.9 Handler.
1006.10 Producer-handler.
1006.11 [Reserved]
1006.12 Producer.
1006.13 Producer milk.
1006.14 Other source milk.
1006.15 Fluid milk product.
1006.16 Fluid cream product.
1006.17 [Reserved]
1006.18 Cooperative association.
1006.19 Commercial food processing establishment.

Handler Reports

1006.30 Reports of receipts and utilization.
1006.31 Payroll reports.
1006.32 Other reports.

Classification of Milk

1006.40 Classes of utilization.
1006.41 [Reserved]
1006.42 Classification of transfers and diversions.
1006.43 General classification rules.
1006.44 Classification of producer milk.
1006.45 Market administrator's reports and announcements concerning classification.

Class Prices

1006.50 Class prices, component prices, Class I differential and price.
1006.51 [Reserved]
1006.52 Adjusted Class I differentials.
1006.53 Announcement of class prices and component prices.
1006.54 Equivalent price.

Uniform Prices

1006.60 Handler's value of milk.
1006.61 Computation of uniform price, uniform butterfat price, and uniform skim milk price.
1006.62 Announcement of uniform price, uniform butterfat price, and uniform skim milk price.

Payments for Milk

1006.70 Producer-settlement fund.
1006.71 Payments to the producer-settlement fund.
1006.72 Payments from the producer-settlement fund.
1006.73 Payments to producers and to cooperative associations.
1006.74 [Reserved]
1006.75 Plant location adjustments for producer milk and nonpool milk.
1006.76 Payments by a handler operating a partially regulated distributing plant.

- 1006.77 Adjustment of accounts.
 1006.78 Charges on overdue accounts.

Administrative Assessment and Marketing Service Deduction

- 1006.85 Assessment for order administration.
 1006.86 Deduction for marketing services.

Authority: 7 U.S.C. 601-674.

Subpart—Order Regulating Handling

General Provisions

§ 1006.1 General provisions.

The terms, definitions, and provisions in part 1000 of this chapter apply to and are hereby made a part of this order.

Definitions

§ 1006.2 Florida marketing area.

The marketing area means all the territory within the State of Florida, except the counties of Escambia, Okaloosa, Santa Rosa, and Walton., including all piers, docks and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments if any part thereof is within any of the listed states or political subdivisions.

§ 1006.3 Route disposition.

See § 1000.3 of this chapter.

§ 1006.4 Plant.

See § 1000.4 of this chapter.

§ 1006.5 Distributing plant.

See § 1000.5 of this chapter.

§ 1006.6 Supply plant.

See § 1000.6 of this chapter.

§ 1006.7 Pool plant.

Pool plant means a plant specified in paragraphs (a) through (d) of this section, or a unit of plants as specified in paragraph (e) of this section, but excluding a plant specified in paragraph (g) of this section. The pooling standards described in paragraphs (a), (c), and (d) of this section are subject to modification pursuant to paragraph (f) of this section:

(a) A distributing plant from which during the month the total route disposition is equal to 50 percent or more of the total quantity of fluid milk products physically received at such plant and route disposition in the marketing area is at least 10 percent of such receipts. Packaged fluid milk products that are transferred to a distributing plant shall be considered as route disposition from the transferring plant, rather than the receiving plant, for the purpose of determining the

transferring plant's pool status under this paragraph.

(b) Any distributing plant located in the marketing area which during the month processed a majority of its milk receipts into aseptically packaged fluid milk products. If the plant had no route disposition in the marketing area during the month, the plant operator may request nonpool status for the plant.

(c) A supply plant from which 60 percent of the total quantity of milk that is physically received during the month from dairy farmers and handlers described in § 1000.9(c) is transferred to pool distributing plants.

(d) A plant located within the marketing area that is operated by a cooperative association if pool plant status under this paragraph is requested for such plant by the cooperative association and during the month 60 percent of the producer milk of members of such cooperative association is delivered directly from farms to pool distributing plants or is transferred to such plants as a fluid milk product from the cooperative's plant.

(e) Two or more plants operated by the same handler and that are located within the marketing area may qualify for pool status as a unit by meeting the total and in-area route disposition requirements specified in paragraph (a) of this section and the following additional requirements:

(1) At least one of the plants in the unit must qualify as a pool plant pursuant to paragraph (a) of this section;

(2) Other plants in the unit must process only Class I or Class II products and must be located in a pricing zone providing the same or a lower Class I price than the price applicable at the distributing plant included in the unit pursuant to paragraph (e)(1) of this section; and

(3) A written request to form a unit, or to add or remove plants from a unit, must be filed with the market administrator prior to the first day of the month for which it is to be effective.

(f) The applicable percentages in paragraphs (a), (c), and (d) of this section may be increased or decreased up to 10 percentage points by the market administrator if the market administrator finds that such revision is necessary to assure orderly marketing and efficient handling of milk in the marketing area. Before making such a finding, the market administrator shall investigate the need for the revision either on the market administrator's own initiative or at the request of interested parties if the request is made in writing at least 15 days prior to the date for which the requested revision is desired effective. If the investigation

shows that a revision might be appropriate, the market administrator shall issue a notice stating that the revision is being considered and inviting written data, views, and arguments. Any decision to revise an applicable percentage must be issued in writing at least one day before the effective date.

(g) The term pool plant shall not apply to the following plants:

(1) A producer-handler plant;

(2) An exempt plant as defined in § 1000.8(e);

(3) A plant qualified pursuant to paragraph (a) of this section which is not located within any Federal order marketing area, meets the pooling requirements of another Federal order, and has had greater route disposition in such other Federal order marketing area for 3 consecutive months;

(4) A plant qualified pursuant to paragraph (a) of this section which is located in another Federal order marketing area, meets the pooling standards of the other Federal order, and has not had a majority of its route disposition in this marketing area for 3 consecutive months or is locked into pool status under such other Federal order without regard to its route disposition in any other Federal order marketing area; and

(5) A plant qualified pursuant to paragraph (c) of this section which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made to plants regulated under such other order than are made to plants regulated under this order, or such plant has automatic pooling status under such other order.

§ 1006.8 Nonpool plant.

See § 1000.8 of this chapter.

§ 1006.9 Handler.

See § 1000.9 of this chapter.

§ 1006.10 Producer-handler.

Producer-handler means a person who:

(a) Operates a dairy farm and a distributing plant from which there is monthly route disposition in excess of 150,000 pounds per month, unless the person requests that the two be operated as separate entities with the distributing plant regulated under § 1006.7(a) and the farm operated as a producer under § 1006.12;

(b) Receives no fluid milk products, and acquires no fluid milk products for route disposition, from sources other than own farm production;

(c) Disposes of no other source milk as Class I milk except by increasing the

nonfat milk solids content of the fluid milk products received from own farm production;

(d) Disposes of no fluid milk products using the distribution system of another handler; and

(e) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce all Class I milk handled, and the processing, packaging, and distribution operations, are the producer-handler's own enterprise and are operated at the producer-handler's own risk.

§ 1006.11 [Reserved]

§ 1006.12 Producer.

(a) Except as provided in paragraph (b) of this section, *producer* means any person who produces milk approved by a duly constituted regulatory agency for fluid consumption as Grade A milk and whose milk (or components of milk) is:

(1) Received at a pool plant directly from the producer or diverted by the plant operator in accordance with § 1006.13; or

(2) Received by a handler described in § 1000.9(c).

(b) Producer shall not include:

(1) A producer-handler as defined in any Federal order;

(2) A dairy farmer whose milk is received at an exempt plant, excluding producer milk diverted to the exempt plant pursuant to § 1006.13(d);

(3) A dairy farmer whose milk is received by diversion at a pool plant from a handler regulated under another Federal order if the other Federal order designates the dairy farmer as a producer under that order and that milk is allocated by request to a utilization other than Class I; and

(4) A dairy farmer whose milk is reported as diverted to a plant fully regulated under another Federal order with respect to that portion of the milk so diverted that is assigned to Class I under the provisions of such other order.

§ 1006.13 Producer milk.

Producer milk means the skim milk (or the skim equivalent of components of skim milk) and butterfat contained in milk of a producer that is:

(a) Received by the operator of a pool plant directly from a producer or a handler described in § 1000.9(c). Any milk picked up from the producer's farm tank in a tank truck under the control of the operator of a pool plant or a handler described in § 1000.9(c) but which is not received at a plant until the following month shall be considered as having been received by the handler

during the month in which it is picked up at the producer's farm. All milk received pursuant to this paragraph shall be priced at the location of the plant where it is first physically received;

(b) Received by a handler described in § 1000.9(c) in excess of the quantity delivered to pool plants;

(c) Diverted by a pool plant operator to another pool plant. Milk so diverted shall be priced at the location of the plant to which diverted; or

(d) Diverted by the operator of a pool plant or a handler described in § 1000.9(c) to a nonpool plant, subject to the following conditions:

(1) In any month, not less than 10 days' production of the producer whose milk is diverted is physically received at a pool plant during the month;

(2) The total quantity of milk so diverted during the month by a cooperative association shall not exceed 20 percent during the months of July through November, 25 percent during the months of December through February, and 40 percent during all other months, of the producer milk that the cooperative association caused to be delivered to, and physically received at, pool plants during the month;

(3) The operator of a pool plant that is not a cooperative association may divert any milk that is not under the control of a cooperative association that diverts milk during the month pursuant to paragraph (d) of this section. The total quantity of milk so diverted during the month shall not exceed 20 percent during the months of July through November, 25 percent during the months of December through February, and 40 percent during all other months, of the producer milk physically received at such plant (or such unit of plants in the case of plants that pool as a unit pursuant to § 1006.7(d)) during the month, excluding the quantity of producer milk received from a handler described in § 1000.9(c);

(4) Any milk diverted in excess of the limits prescribed in paragraphs (d)(3) and (4) of this section shall not be producer milk. If the diverting handler or cooperative association fails to designate the dairy farmers' deliveries that will not be producer milk, no milk diverted by the handler or cooperative association shall be producer milk;

(5) Diverted milk shall be priced at the location of the plant to which diverted; and

(6) The delivery day requirements and the diversion percentages in paragraphs (d)(1) through (3) of this section may be increased or decreased by the market administrator if the market administrator finds that such revision is

necessary to assure orderly marketing and efficient handling of milk in the marketing area. Before making such a finding, the market administrator shall investigate the need for the revision either on the market administrator's own initiative or at the request of interested persons. If the investigation shows that a revision might be appropriate, the market administrator shall issue a notice stating that the revision is being considered and inviting written data, views, and arguments. Any decision to revise an applicable percentage must be issued in writing at least one day before the effective date.

§ 1006.14 Other source milk.

See § 1000.14 of this chapter.

§ 1006.15 Fluid milk product.

See § 1000.15 of this chapter.

§ 1006.16 Fluid cream product.

See § 1000.16 of this chapter.

§ 1006.17 [Reserved]

§ 1006.18 Cooperative association.

See § 1000.18 of this chapter.

§ 1006.19 Commercial food processing establishment.

See § 1000.19 of this chapter.

Handler Reports

§ 1006.30 Reports of receipts and utilization.

Each handler shall report monthly so that the market administrator's office receives the report on or before the 7th day after the end of the month, in the detail and on prescribed forms, as follows:

(a) With respect to each of its pool plants, the quantities of skim milk and butterfat contained in or represented by:

(1) Receipts of producer milk, including producer milk diverted by the plant operator to other plants;

(2) Receipts of milk from handlers described in § 1000.9(c);

(3) Receipts of fluid milk products and bulk fluid cream products from other pool plants;

(4) Receipts of other source milk;

(5) Inventories at the beginning and end of the month of fluid milk products and bulk fluid cream products; and

(6) The utilization or disposition of all milk and milk products required to be reported pursuant to this paragraph.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section. Receipts of milk that would have been producer milk if the plant had been

fully regulated shall be reported in lieu of producer milk. The report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

(c) Each handler described in § 1000.9(c) shall report:

(1) The quantities of all skim milk and butterfat contained in receipts of milk from producers; and

(2) The utilization or disposition of all such receipts.

(d) Each handler not specified in paragraphs (a) through (c) of this section shall report with respect to its receipts and utilization of milk and milk products in such manner as the market administrator may prescribe.

§ 1006.31 Payroll reports.

(a) On or before the 20th day after the end of each month, each handler described in § 1000.9 (a) and (c) shall report to the market administrator its producer payroll for the month, in detail prescribed by the market administrator, showing for each producer the information specified in § 1006.73(e).

(b) Each handler operating a partially regulated distributing plant who elects to make payment pursuant to § 1000.76(b) shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in the same manner as prescribed for reports required by paragraph (a) of this section.

§ 1006.32 Other reports.

(a) In addition to the reports required pursuant to §§ 1006.30 and 1006.31, each handler shall report any information the market administrator deems necessary to verify or establish each handler's obligation under the order.

(b) [Reserved]

Classification of Milk

§ 1006.40 Classes of utilization.

See § 1000.40 of this chapter.

§ 1006.41 [Reserved]

§ 1006.42 Classification of transfers and diversions.

See § 1000.42 of this chapter.

§ 1006.43 General classification rules.

See § 1000.43 of this chapter.

§ 1006.44 Classification of producer milk.

See § 1000.44 of this chapter.

§ 1006.45 Market administrator's reports and announcements concerning classification.

See § 1000.45 of this chapter.

Class Prices

§ 1006.50 Class prices, component prices, Class I differential and price.

Class prices and component prices are described in § 1000.50.

The Class I differential shall be the differential established for Hillsborough County, Florida, which is reported in § 1000.52. The Class I price shall be the price computed pursuant to § 1000.50(a) for Hillsborough County, Florida.

§ 1006.51 [Reserved]

§ 1006.52 Adjusted Class I differentials.

See § 1000.52 of this chapter.

§ 1006.53 Announcement of class prices and component prices.

See § 1000.53 of this chapter.

§ 1006.54 Equivalent price.

See § 1000.54 of this chapter.

Uniform Price

§ 1006.60 Handler's value of milk.

For the purpose of computing the uniform price, the market administrator shall determine for each month the value of milk of each handler with respect to each of the handler's pool plants and of each handler described in § 1000.9(c) as follows:

(a) Multiply the pounds of skim milk and butterfat in producer milk that were classified in each class pursuant to § 1000.44(c) by the applicable skim milk and butterfat prices, and add the resulting amounts;

(b) Add the amounts obtained from multiplying the pounds of skim milk and butterfat overage assigned to each class pursuant to § 1000.43 (b)(2) by the respective skim milk and butterfat prices applicable at the location of the pool plant;

(c) Add the amount obtained from multiplying the difference between the Class III price for the preceding month and the Class I price applicable at the location of the pool plant or the Class II price, as the case may be, for the current month by the hundredweight of skim milk and butterfat subtracted from Class I and Class II pursuant to § 1000.44(a)(7) and the corresponding step of § 1000.44(b);

(d) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat assigned to Class I pursuant to § 1000.43(d) and the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(3) (i) through (iii) and the corresponding step of § 1000.44(b), excluding receipts of bulk fluid cream products from a plant

regulated under other Federal orders and bulk concentrated fluid milk products from pool plants, plants regulated under other Federal orders, and unregulated supply plants;

(e) Add the amount obtained from multiplying the Class I price applicable at the location of the nearest unregulated supply plants from which an equivalent volume was received by the pounds of skim milk and butterfat in receipts of concentrated fluid milk products assigned to Class I pursuant to § 1000.43(d) and § 1000.44(a)(3)(i) and the pounds of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(8) and the corresponding step of § 1000.44(b), excluding such skim milk and butterfat in receipts of fluid milk products from an unregulated supply plant to the extent that an equivalent amount of skim milk or butterfat disposed of to such plant by handlers fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order;

(f) Subtract, for reconstituted milk made from receipts of nonfluid milk products, an amount computed by multiplying \$1.00 (but not more than the difference between the Class I price applicable at the location of the pool plant and the Class IV price) by the hundredweight of skim milk and butterfat contained in receipts of nonfluid milk products that are allocated to Class I use pursuant to § 1000.43(e); and

(g) Exclude, for pricing purposes under this section, receipts of nonfluid milk products that are distributed as labeled reconstituted milk for which payments are made to the producer-settlement fund of another Federal order under § 1000.76(a)(5) or (c).

§ 1006.61 Computation of uniform price, uniform butterfat price and uniform skim milk price.

(a) *Uniform price.* For each month the market administrator shall compute the uniform price per hundredweight. If the unreserved balance in the producer-settlement fund to be included in the computation is less than 2 cents per hundredweight of producer milk on all reports, the report of any handler who has not made payments required pursuant to § 1006.71 for the preceding month shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until the handler has made full payment of outstanding monthly obligations. Subject to the aforementioned conditions, the market

administrator shall compute the uniform price in the following manner:

(1) Combine into one total the values computed pursuant to § 1006.60 for all handlers required to file reports prescribed in § 1006.30;

(2) Add an amount equal to the sum of the location adjustments computed pursuant to § 1006.75;

(3) Add an amount equal to not less than one-half of the unobligated balance in the producer-settlement fund;

(4) Add or subtract, as the case may be, to obtain an all-producer milk test of 3.5 percent butterfat, the value of the required pounds of butterfat times the uniform butterfat price computed in paragraph (b) of this section;

(5) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(i) The total hundredweight of producer milk; and

(ii) The total hundredweight for which a value is computed pursuant to § 1006.60(f); and

(6) Subtract not less than 4 cents not more than 5 cents from the price computed pursuant to paragraph (e) of this section. The result, rounded to the nearest cent, shall be known as the "uniform price" for the month.

(b) *Uniform butterfat price.* The uniform butterfat price per pound, rounded to the nearest one-hundredth cent, shall be obtained by multiplying the pounds of butterfat in producer milk allocated to each class pursuant to § 1000.44(b) by the respective class butterfat prices (Class I butterfat price for Class I and the butterfat price for all other classes) and dividing the sum of such values by the total pounds of such butterfat.

(c) *Uniform skim milk price.* The uniform skim milk price per hundredweight, rounded to the nearest cent, shall be the uniform price for the month pursuant to paragraph (a) of this section less the uniform butterfat price for the month pursuant to paragraph (b) of this section multiplied by 3.5 pounds of butterfat, with the result divided by .965.

§ 1006.62 Announcement of uniform price, uniform butterfat price and uniform skim milk price.

On or before the 11th day after the end of the month, the market administrator shall announce the following prices and information:

(a) The uniform price pursuant to § 1006.61 for such month;

(b) The uniform butterfat price pursuant to § 1006.61(b) for such month; and

(c) The uniform skim milk price pursuant to § 1006.61(c) for such month.

Payments for Milk

§ 1006.70 Producer-settlement fund.

See § 1000.70 of this chapter.

§ 1006.71 Payments to the producer-settlement fund.

The payments to the producer-settlement fund specified in § 1000.71 are due no later than the 12th day after the end of the month.

§ 1006.72 Payments from the producer-settlement fund.

See § 1000.72 of this chapter.

§ 1006.73 Payments to producers and to cooperative associations.

(a) Each pool plant operator that is not paying a cooperative association for producer milk shall pay each producer as follows:

(1) *Partial payments.* (i) For each producer who has not discontinued shipments as of the 15th day of the month, payment shall be made so that it is received by the producer on or before the 20th day of the month for milk received during the first 15 days of the month at not less than the 85 percent of the preceding month's uniform price, adjusted for plant location pursuant to § 1006.75 and proper deductions authorized in writing by the producer; and

(ii) For each producer who has not discontinued shipments as of the last day of the month, payment shall be made so that it is received by the producer on or before the 5th day of the following month for milk received from the 16th to the last day of the month at not less than the 85 percent of the preceding month's uniform price, adjusted for plant location pursuant to § 1006.75 and proper deductions authorized in writing by the producer.

(2) *Final payment.* For milk received during the month, payment shall be made so that it is received by each producer one day after the payment date required in § 1000.72 an amount computed as follows:

(i) Multiply the hundredweight of producer milk received times the uniform price for the month as adjusted pursuant to § 1006.75;

(ii) Multiply the hundredweight of producer skim milk received times the uniform skim milk price for the month;

(iii) Multiply the pounds of butterfat received times the uniform butterfat price for the month;

(iv) Add the amounts computed in paragraph (a)(2)(i), (ii), and (iii) of the section, and from that sum:

(A) Subtract the partial payment made pursuant to paragraph (a)(1) of this section;

(B) Subtract the deduction for marketing services pursuant to § 1000.86;

(C) Add or subtract for errors made in previous payments to the producer; and

(D) Subtract proper deductions authorized in writing by the producer.

(b) One day before partial and final payments are due pursuant to paragraph (a) of this section, each pool plant operator shall pay a cooperative association for milk received as follows:

(1) *Partial payment to a cooperative association.* For bulk milk/skimmed milk received during the first 15 days of the month from a cooperative association in any capacity, except as the operator of a pool plant, the payment shall be equal to the hundredweight of milk received multiplied by 90 percent of the preceding month's uniform price, adjusted for plant location pursuant to § 1006.75;

(2) *Partial payment to a cooperative association for milk transferred from its pool plant.* For bulk fluid milk products and bulk fluid cream products received during the first 15 days of the month from a cooperative association in its capacity as the operator of a pool plant, the partial payment shall be at the pool plant operator's estimated use value of the milk using the most recent class prices available, adjusted for butterfat value and plant location;

(3) *Final payment to a cooperative association for milk transferred from its pool plant.* For bulk fluid milk products and bulk fluid cream products received during the month from a cooperative association in its capacity as the operator of a pool plant, the final payment shall be the classified value of such milk as determined by multiplying the pounds of milk assigned to each class pursuant to § 1000.44 by the class prices for the month, adjusted for plant location and butterfat value, and subtracting from this sum the partial payment made pursuant to paragraph (b)(2) of this section.

(4) *Final payment to a cooperative association for bulk milk received directly from producers' farms.* For bulk milk received from a cooperative association during the month, including the milk of producers who are not members of such association and who the market administrator determines have authorized the cooperative association to collect payment for their milk, the final payment for such milk shall be an amount equal to the sum of the individual payments otherwise payable for such milk pursuant to paragraph (a)(2) of this section.

(c) If a handler has not received full payment from the market administrator

pursuant to § 1006.72 by the payment date specified in paragraph (a) or (b) of this section, the handler may reduce payments pursuant to paragraphs (a) and (b) of this section, but by not more than the amount of the underpayment. The payments shall be completed on the next scheduled payment date after receipt of the balance due from the market administrator.

(d) If a handler claims that a required payment to a producer cannot be made because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, the payment shall be made to the producer-settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make the required payment from the producer-settlement fund to the handler or to the lawful claimant as the case may be.

(e) In making payments to producers pursuant to this section, each pool plant operator shall furnish each producer, except a producer whose milk was received from a handler described in § 1000.9(a) or (c), a supporting statement in such form that it may be retained by the recipient which shall show:

(1) The name, address, Grade A identifier assigned by a duly constituted regulatory agency, and the payroll number of the producer;

(2) The month and dates that milk was received from the producer, including the daily and total pounds of milk received;

(3) The total pounds of butterfat in the producer's milk;

(4) The minimum rate at which payment to the producer is required pursuant to this order;

(5) The rate used in making payment if the rate is other than the applicable minimum rate;

(6) The amount, or rate per hundredweight, and nature of each deduction claimed by the handler; and

(7) The net amount of payment to the producer or cooperative association.

§ 1006.74 [Reserved]

§ 1006.75 Plant location adjustments for producer milk and nonpool milk.

(a) The uniform price for producer milk shall be adjusted according to the location of the plant at which the milk was physically received by subtracting from the price the amount by which the Class I price specified in § 1006.50 exceeds the Class I price at the plant's location. If the Class I price at the plant

location exceeds the Class I price specified in § 1006.50, the difference shall be added to the uniform price; and

(b) The uniform price applicable for other source milk shall be adjusted following the procedure specified in paragraph (a) of this section, except that the adjusted uniform price shall not be less than the lowest announced class price.

§ 1006.76 Payments by a handler operating a partially regulated distributing plant.

See § 1000.76 of this chapter.

§ 1006.77 Adjustment of accounts.

See § 1000.77 of this chapter.

§ 1006.78 Charges on overdue accounts.

See § 1000.78 of this chapter.

Administrative Assessment and Marketing Service Deduction

§ 1006.85 Assessment for order administration.

See § 1000.85 of this chapter.

§ 1006.86 Deduction for marketing services.

See § 1000.86 of this chapter.

PART 1007—MILK IN THE SOUTHEAST MARKETING AREA

Subpart—Order Regulating Handling

General Provisions

Sec.

1007.1 General provisions.

Definitions

1007.2 Southeast marketing area.

1007.3 Route disposition.

1007.4 Plant.

1007.5 Distributing plant.

1007.6 Supply plant.

1007.7 Pool plant.

1007.8 Nonpool plant.

1007.9 Handler.

1007.10 Producer-handler.

1007.11 [Reserved]

1007.12 Producer.

1007.13 Producer milk.

1007.14 Other source milk.

1007.15 Fluid milk product.

1007.16 Fluid cream product.

1007.17 [Reserved]

1007.18 Cooperative association.

1007.19 Commercial food processing establishment.

Handler Reports

1007.30 Reports of receipts and utilization.

1007.31 Payroll reports.

1007.32 Other reports.

Classification of Milk

1007.40 Classes of utilization.

1007.41 [Reserved]

1007.42 Classification of transfers and diversions.

1007.43 General classification rules.

1007.44 Classification of producer milk.

1007.45 Market administrator's reports and announcements concerning classification.

Class Prices

1007.50 Class prices, component prices, Class I differential and price.

1007.51 [Reserved]

1007.52 Adjusted Class I differentials.

1007.53 Announcement of class and component prices.

1007.54 Equivalent price.

Uniform Price

1007.60 Handler's value of milk.

1007.61 Computation of uniform price, uniform butterfat price, and uniform skim milk price.

1007.62 Announcement of uniform price, uniform butterfat price, and uniform skim milk price.

Payments for Milk

1007.70 Producer-settlement fund.

1007.71 Payments to the producer-settlement fund.

1007.72 Payments from the producer-settlement fund.

1007.73 Payments to producers and to cooperative associations.

1007.74 [Reserved]

1007.75 Plant location adjustments for producer milk and nonpool milk.

1007.76 Payments by a handler operating a partially regulated distributing plant.

1007.77 Adjustment of accounts.

1007.78 Charges on overdue accounts.

Marketwide Service Payments

1007.80 Transportation credit balancing fund.

1007.81 Payments to the transportation credit balancing fund.

1007.82 Payments from the transportation credit balancing fund.

Administrative Assessment and Marketing Service Deduction

1007.85 Assessment for order administration.

1007.86 Deduction for marketing services.

Authority: 7 U.S.C. 601-674.

Subpart—Order Regulating Handling

General Provisions

§ 1007.1 General provisions.

The terms, definitions, and provisions in part 1000 of this chapter apply to and are hereby made a part of this order.

Definitions

§ 1007.2 Southeast marketing area.

The marketing area means all territory within the bounds of the following states and political subdivisions, including all piers, docks and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments if any part

thereof is within any of the listed states or political subdivisions:

Alabama, Arkansas, Louisiana, and Mississippi

All of the States of Alabama, Arkansas, Louisiana, and Mississippi.

Florida Counties

Escambia, Okaloosa, Santa Rosa, and Walton.

Georgia Counties

All of the State of Georgia except for the counties of Catoosa, Chattooga, Dade, Fannin, Murray, Walker, and Whitfield.

Kentucky Counties

Allen, Ballard, Barren, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Hickman, Livingston, Logan, Lyon, Marshall, McCracken, Metcalfe, Monroe, Simpson, Todd, Trigg, and Warren.

Missouri Counties

Barry, Barton, Bollinger, Butler, Cape Girardeau, Carter, Cedar, Christian, Crawford, Dade, Dallas, Dent, Douglas, Dunklin, Greene, Howell, Iron, Jasper, Laclede, Lawrence, Madsion, McDonald, Mississippi, New Madrid, Newton, Oregon, Ozark, Pemiscot, Perry, Polk, Pulaski, Reynolds, Ripley, Scott, Shannon, St. Francois, Stoddard, Stone, Taney, Texas, Vernon, Washington, Wayne, Webster, and Wright.

Tennessee Counties

All of the State of Tennessee except for the counties of Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Cumberland, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Marion, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sequatchie, Sevier, Sullivan, Unicoi, Union, and Washington.

§ 1007.3 Route disposition.

See § 1000.3 of this chapter.

§ 1007.4 Plant.

See § 1000.4 of this chapter.

§ 1007.5 Distributing plant.

See § 1000.5 of this chapter.

§ 1007.6 Supply plant.

See § 1000.6 of this chapter.

§ 1007.7 Pool plant.

Pool plant means a plant specified in paragraphs (a) through (d) of this section, or a unit of plants as specified in paragraph (e) of this section, but excluding a plant specified in paragraph (g) of this section. The pooling standards described in paragraphs (a), (c), and (d) of this section are subject to modification pursuant to paragraph (f) of this section:

(a) A distributing plant from which during the month the total route disposition is equal to 50 percent or more of the total quantity of fluid milk products physically received at such

plant and route disposition in the marketing area is at least 10 percent of such receipts. Packaged fluid milk products that are transferred to a distributing plant shall be considered as route disposition from the transferring plant, rather than the receiving plant, for the purpose of determining the transferring plant's pool status under this paragraph.

(b) Any distributing plant located in the marketing area which during the month processed a majority of its milk receipts into aseptically packaged fluid milk products. If the plant had no route disposition in the marketing area during the month, the plant operator may request nonpool status for the plant.

(c) A supply plant from which 50 percent of the total quantity of milk that is physically received during the month from dairy farmers and handlers described in § 1000.9(c) is transferred to pool distributing plants.

(d) A plant located within the marketing area that is operated by a cooperative association if pool plant status under this paragraph is requested for such plant by the cooperative association and during the month at least 60 percent of the producer milk of members of such cooperative association is delivered directly from farms to pool distributing plants or is transferred to such plants as a fluid milk product from the cooperative's plant.

(e) Two or more plants operated by the same handler and located within the marketing area may qualify for pool status as a unit by meeting the total and in-area route disposition requirements specified in paragraph (a) of this section and the following additional requirements:

(1) At least one of the plants in the unit must qualify as a pool plant pursuant to paragraph (a) of this section;

(2) Other plants in the unit must process only Class I or Class II products and must be located in a pricing zone providing the same or a lower Class I price than the price applicable at the distributing plant included in the unit pursuant to paragraph (e)(1) of this section; and

(3) A written request to form a unit, or to add or remove plants from a unit, must be filed with the market administrator prior to the first day of the month for which it is to be effective.

(f) The applicable percentages in paragraphs (a), (c), and (d) of this section may be increased or decreased up to 10 percentage points by the market administrator if the market administrator finds that such revision is necessary to assure orderly marketing and efficient handling of milk in the marketing area. Before making such a

finding, the market administrator shall investigate the need for the revision either on the market administrator's own initiative or at the request of interested parties if the request is made in writing at least 15 days prior to the date for which the requested revision is desired effective. If the investigation shows that a revision might be appropriate, the market administrator shall issue a notice stating that the revision is being considered and inviting written data, views, and arguments. Any decision to revise an applicable percentage must be issued in writing at least one day before the effective date.

(g) The term pool plant shall not apply to the following plants:

(1) A producer-handler plant;

(2) An exempt plant as defined in § 1000.8(e);

(3) A plant qualified pursuant to paragraph (a) of this section which is not located within any Federal order marketing area, meets the pooling requirements of another Federal order, and has had greater route disposition in such other Federal order marketing area for 3 consecutive months;

(4) A plant qualified pursuant to paragraph (a) of this section which is located in another Federal order marketing area, meets the pooling standards of the other Federal order, and has not had a majority of its route disposition in this marketing area for 3 consecutive months or is locked into pool status under such other Federal order without regard to its route disposition in any other Federal order marketing area; and

(5) A plant qualified pursuant to paragraph (c) of this section which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made to plants regulated under such other order than are made to plants regulated under this order, or such plant has automatic pooling status under such other order.

§ 1007.8 Nonpool plant.

See § 1000.8 of this chapter.

§ 1007.9 Handler.

See § 1000.9 of this chapter.

§ 1007.10 Producer-handler.

Producer-handler means a person who:

(a) Operates a dairy farm and a distributing plant from which there is monthly route disposition in excess of 150,000 pounds per month, unless the person requests that the two be operated as separate entities with the distributing plant regulated under § 1007.7(a) and

the farm operated as a producer under § 1007.12;

(b) Receives no fluid milk products, and acquires no fluid milk products for route disposition, from sources other than own farm production;

(c) Disposes of no other source milk as Class I milk except by increasing the nonfat milk solids content of the fluid milk products received from own farm production;

(d) Disposes of no fluid milk products using the distribution system of another handler; and

(e) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce all Class I milk handled, and the processing, packaging, and distribution operations, are the producer-handler's own enterprise and are operated at the producer-handler's own risk.

§ 1007.11 [Reserved]

§ 1007.12 Producer.

(a) Except as provided in paragraph (b) of this section, *producer* means any person who produces milk approved by a duly constituted regulatory agency for fluid consumption as Grade A milk and whose milk (or components of milk) is:

(1) Received at a pool plant directly from the producer or diverted by the plant operator in accordance with § 1007.13; or

(2) Received by a handler described in § 1000.9(c).

(b) Producer shall not include:

(1) A producer-handler as defined in any Federal order;

(2) A dairy farmer whose milk is received at an exempt plant, excluding producer milk diverted to the exempt plant pursuant to § 1007.13(d);

(3) A dairy farmer whose milk is received by diversion at a pool plant from a handler regulated under another Federal order if the other Federal order designates the dairy farmer as a producer under that order and that milk is allocated by request to a utilization other than Class I; and

(4) A dairy farmer whose milk is reported as diverted to a plant fully regulated under another Federal order with respect to that portion of the milk so diverted that is assigned to Class I under the provisions of such other order.

§ 1007.13 Producer milk.

Producer milk means the skim milk (or the skim equivalent of components of skim milk) and butterfat contained in milk of a producer that is:

(a) Received by the operator of a pool plant directly from a producer or a

handler described in § 1000.9(c). Any milk picked up from the producer's farm tank in a tank truck under the control of the operator of a pool plant or a handler described in § 1000.9(c) but which is not received at a plant until the following month shall be considered as having been received by the handler during the month in which it is picked up at the producer's farm. All milk received pursuant to this paragraph shall be priced at the location of the plant where it is first physically received;

(b) Received by a handler described in § 1000.9(c) in excess of the quantity delivered to pool plants;

(c) Diverted by a pool plant operator to another pool plant. Milk so diverted shall be priced at the location of the plant to which diverted; or

(d) Diverted by the operator of a pool plant or a handler described in § 1000.9(c) to a nonpool plant, subject to the following conditions:

(1) In any month of January through June, not less than 4 days' production of the producer whose milk is diverted is physically received at a pool plant during the month;

(2) In any month of July through December, not less than 10 days' production of the producer whose milk is diverted is physically received at a pool plant during the month;

(3) The total quantity of milk so diverted during the month by a cooperative association shall not exceed 33 percent during the months of July through December, and 50 percent during the months of January through June, of the producer milk that the cooperative association caused to be delivered to, and physically received at, pool plants during the month;

(4) The operator of a pool plant that is not a cooperative association may divert any milk that is not under the control of a cooperative association that diverts milk during the month pursuant to paragraph (d) of this section. The total quantity of milk so diverted during the month shall not exceed 33 percent during the months of July through December, or 50 percent during the months of January through June, of the producer milk physically received at such plant (or such unit of plants in the case of plants that pool as a unit pursuant to § 1007.7(e)) during the month, excluding the quantity of producer milk received from a handler described in § 1000.9(c);

(5) Any milk diverted in excess of the limits prescribed in paragraphs (d)(3) and (4) of this section shall not be producer milk. If the diverting handler or cooperative association fails to designate the dairy farmers' deliveries

that will not be producer milk, no milk diverted by the handler or cooperative association shall be producer milk;

(6) Diverted milk shall be priced at the location of the plant to which diverted; and

(7) The delivery day requirements and the diversion percentages in paragraphs (d)(1) through (4) of this section may be increased or decreased by the market administrator if the market administrator finds that such revision is necessary to assure orderly marketing and efficient handling of milk in the marketing area. Before making such a finding, the market administrator shall investigate the need for the revision either on the market administrator's own initiative or at the request of interested persons. If the investigation shows that a revision might be appropriate, the market administrator shall issue a notice stating that the revision is being considered and inviting written data, views, and arguments. Any decision to revise an applicable percentage must be issued in writing at least one day before the effective date.

§ 1007.14 Other source milk.

See § 1000.14 of this chapter.

§ 1007.15 Fluid milk product.

See § 1000.15 of this chapter.

§ 1007.16 Fluid cream product.

See § 1000.16 of this chapter.

§ 1007.17 [Reserved]

§ 1007.18 Cooperative association.

See § 1000.18 of this chapter.

§ 1007.19 Commercial food processing establishment.

See § 1000.19 of this chapter.

Handler Reports

§ 1007.30 Reports of receipts and utilization.

Each handler shall report monthly so that the market administrator's office receives the report on or before the 7th day after the end of the month, in the detail and on prescribed forms, as follows:

(a) With respect to each of its pool plants, the quantities of skim milk and butterfat contained in or represented by:

(1) Receipts of producer milk, including producer milk diverted by the plant operator to other plants;

(2) Receipts of milk from handlers described in § 1000.9(c);

(3) Receipts of fluid milk products and bulk fluid cream products from other pool plants;

(4) Receipts of other source milk;

(5) Receipts of bulk milk from a plant regulated under another Federal order,

except Federal Order 1005, for which a transportation credit is requested pursuant to § 1007.82;

(6) Receipts of producer milk described in § 1007.82(c)(2), including the identity of the individual producers whose milk is eligible for the transportation credit pursuant to that paragraph and the date that such milk was received;

(7) For handlers submitting transportation credit requests, transfers of bulk milk to nonpool plants, including the dates that such milk was transferred;

(8) Inventories at the beginning and end of the month of fluid milk products and bulk fluid cream products; and

(9) The utilization or disposition of all milk and milk products required to be reported pursuant to this paragraph.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a)(1), (a)(2), (a)(3), (a)(4), and (a)(8) of this section. Receipts of milk that would have been producer milk if the plant had been fully regulated shall be reported in lieu of producer milk. The report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

(c) Each handler described in § 1000.9(c) shall report:

(1) The quantities of all skim milk and butterfat contained in receipts of milk from producers;

(2) The utilization or disposition of all such receipts; and

(3) With respect to milk for which a cooperative association is requesting a transportation credit pursuant to § 1007.82, all of the information required in paragraph (a)(5), (a)(6), and (a)(7) of this section.

(d) Each handler not specified in paragraphs (a) through (c) of this section shall report with respect to its receipts and utilization of milk and milk products in such manner as the market administrator may prescribe.

§ 1007.31 Payroll reports.

(a) On or before the 20th day after the end of each month, each handler described in § 1000.9(a) and (c) shall report to the market administrator its producer payroll for the month, in detail prescribed by the market administrator, showing for each producer the information specified in § 1007.73(e).

(b) Each handler operating a partially regulated distributing plant who elects to make payment pursuant to § 1000.76(b) shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in

the same manner as prescribed for reports required by paragraph (a) of this section.

§ 1007.32 Other reports.

(a) On or before the 20th day after the end of each month, each handler described in § 1000.9(a) and (c) shall report to the market administrator any adjustments to transportation credit requests as reported pursuant to § 1007.30(a)(5), (6), and (7).

(b) In addition to the reports required pursuant to §§ 1007.30, 31, and 32(a), each handler shall report any information the market administrator deems necessary to verify or establish each handler's obligation under the order.

Classification of Milk

§ 1007.40 Classes of utilization.

See § 1000.40 of this chapter.

§ 1007.41 [Reserved]

§ 1007.42 Classification of transfers and diversions.

See § 1000.42 of this chapter.

§ 1007.43 General classification rules.

See § 1000.43 of this chapter.

§ 1007.44 Classification of producer milk.

See § 1000.44 of this chapter.

§ 1007.45 Market administrator's reports and announcements concerning classification.

See § 1000.45 of this chapter.

Class Prices

§ 1007.50 Class prices, component prices, Class I differential and price.

Class prices and component prices are described in § 1000.50. The Class I differential shall be the differential established for Fulton County, Georgia, which is reported in § 1000.52. The Class I price shall be the price computed pursuant to § 1000.50(a) for Fulton County, Georgia.

§ 1007.51 [Reserved]

§ 1007.52 Adjusted Class I differentials.

See § 1000.52 of this chapter.

§ 1007.53 Announcement of class prices and component prices.

See § 1000.53 of this chapter.

§ 1007.54 Equivalent price.

See § 1000.54 of this chapter.

Uniform Price

§ 1007.60 Handler's value of milk.

For the purpose of computing the uniform price, the market administrator shall determine for each month the value of milk of each handler with

respect to each of the handler's pool plants and of each handler described in § 1000.9(c) as follows:

(a) Multiply the pounds of skim milk and butterfat in producer milk that were classified in each class pursuant to § 1000.44(c) by the applicable skim milk and butterfat prices, and add the resulting amounts;

(b) Add the amounts obtained from multiplying the pounds of skim milk and butterfat overage assigned to each class pursuant to § 1000.43(b)(2) by the respective skim milk and butterfat prices applicable at the location of the pool plant;

(c) Add the amount obtained from multiplying the difference between the Class III price for the preceding month and the Class I price applicable at the location of the pool plant or the Class II price, as the case may be, for the current month by the hundredweight of skim milk and butterfat subtracted from Class I and Class II pursuant to § 1000.44(a)(7) and the corresponding step of § 1000.44(b);

(d) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat assigned to Class I pursuant to § 1000.43(d) and the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(3)(i) through (iii) and the corresponding step of § 1000.44(b), excluding receipts of bulk fluid cream products from a plant regulated under other Federal orders and bulk concentrated fluid milk products from pool plants, plants regulated under other Federal orders, and unregulated supply plants;

(e) Add the amount obtained from multiplying the Class I price applicable at the location of the nearest unregulated supply plants from which an equivalent volume was received by the pounds of skim milk and butterfat in receipts of concentrated fluid milk products assigned to Class I pursuant to § 1000.43(d) and § 1000.44(a)(3)(i) and the pounds of skim milk and butterfat subtracted from Class I pursuant to § 1000.44(a)(8) and the corresponding step of § 1000.44(b), excluding such skim milk and butterfat in receipts of fluid milk products from an unregulated supply plant to the extent that an equivalent amount of skim milk or butterfat disposed of to such plant by handlers fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order;

(f) Subtract, for reconstituted milk made from receipts of nonfluid milk

products, an amount computed by multiplying \$1.00 (but not more than the difference between the Class I price applicable at the location of the pool plant and the Class IV price) by the hundredweight of skim milk and butterfat contained in receipts of nonfluid milk products that are allocated to Class I use pursuant to § 1000.43(e); and

(g) Exclude, for pricing purposes under this section, receipts of nonfluid milk products that are distributed as labeled reconstituted milk for which payments are made to the producer-settlement fund of another Federal order under § 1000.76(a)(5) or (c).

§ 1007.61 Computation of uniform price, uniform butterfat price and uniform skim milk price.

(a) *Uniform price.* For each month the market administrator shall compute the uniform price per hundredweight. If the unreserved balance in the producer-settlement fund to be included in the computation is less than 2 cents per hundredweight of producer milk on all reports, the report of any handler who has not made payments required pursuant to § 1007.71 for the preceding month shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until the handler has made full payment of outstanding monthly obligations. Subject to the aforementioned conditions, the market administrator shall compute the uniform price in the following manner:

(1) Combine into one total the values computed pursuant to § 1007.60 for all handlers required to file reports prescribed in § 1007.30;

(2) Add an amount equal to the sum of the location adjustments computed pursuant to § 1007.75;

(3) Add an amount equal to not less than one-half of the unobligated balance in the producer-settlement fund;

(4) Add or subtract, as the case may be, to obtain an all-producer milk test of 3.5 percent butterfat, the value of the required pounds of butterfat times the uniform butterfat price computed in paragraph (b) of this section;

(5) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(i) The total hundredweight of producer milk; and

(ii) The total hundredweight for which a value is computed pursuant to § 1007.60(f); and

(6) Subtract not less than 4 cents not more than 5 cents from the price computed pursuant to paragraph (e) of this section. The result, rounded to the

nearest cent, shall be known as the "uniform price" for the month.

(b) *Uniform butterfat price.* The uniform butterfat price per pound, rounded to the nearest one-hundredth cent, shall be obtained by multiplying the pounds of butterfat in producer milk allocated to each class pursuant to § 1000.44(b) by the respective class butterfat prices (Class I butterfat price for Class I and the butterfat price for all other classes) and dividing the sum of such values by the total pounds of such butterfat.

(c) *Uniform skim milk price.* The uniform skim milk price per hundredweight, rounded to the nearest cent, shall be the uniform price for the month pursuant to paragraph (a) of this section less the uniform butterfat price for the month pursuant to paragraph (b) of this section multiplied by 3.5 pounds of butterfat, with the result divided by .965.

§ 1007.62 Announcement of uniform price, uniform butterfat price and uniform skim milk price.

On or before the 11th day after the end of the month, the market administrator shall announce the following prices and information:

(a) The uniform price pursuant to § 1007.61 for such month;

(b) The uniform butterfat price pursuant to § 1007.61(b) for such month; and

(c) The uniform skim milk price pursuant to § 1007.61(c) for such month.

Payments for Milk

§ 1007.70 Producer-settlement fund.

See § 1000.70 of this chapter.

§ 1007.71 Payments to the producer-settlement fund.

The payments to the producer-settlement fund specified in § 1000.71 are due no later than the 12th day after the end of the month.

§ 1007.72 Payments from the producer-settlement fund.

See § 1000.72 of this chapter.

§ 1007.73 Payments to producers and to cooperative associations.

(a) Each pool plant operator that is not paying a cooperative association for producer milk shall pay each producer as follows:

(1) *Partial payment.* For each producer who has not discontinued shipments as of the 23rd day of the month, payment shall be made so that it is received by the producer on or before the 26th day of the month for milk received during the first 15 days of the month at not less than the 90 percent of the preceding month's

uniform price, adjusted for plant location pursuant to § 1007.75 and proper deductions authorized in writing by the producer;

(2) *Final payment.* For milk received during the month, payment shall be made so that it is received by each producer one day after the payment date required in § 1000.72 an amount computed as follows:

(i) Multiply the hundredweight of producer milk received times the uniform price for the month as adjusted pursuant to § 1007.75;

(ii) Multiply the hundredweight of producer skim milk received times the uniform skim milk price for the month;

(iii) Multiply the pounds of butterfat received times the uniform butterfat price for the month;

(iv) Add the amounts computed in paragraph (a)(2)(i), (ii), and (iii) of the section, and from that sum:

(A) Subtract the partial payment made pursuant to paragraph (a)(1) of this section;

(B) Subtract the deduction for marketing services pursuant to § 1000.86;

(C) Add or subtract for errors made in previous payments to the producer; and

(D) Subtract proper deductions authorized in writing by the producer.

(b) One day before partial and final payments are due pursuant to paragraph (a) of this section, each pool plant operator shall pay a cooperative association for milk received as follows:

(1) *Partial payment to a cooperative association.* For bulk milk/skimmed milk received during the first 15 days of the month from a cooperative association in any capacity, except as the operator of a pool plant, the payment shall be equal to the hundredweight of milk received multiplied by 90 percent of the preceding month's uniform price, adjusted for plant location pursuant to § 1007.75;

(2) *Partial payment to a cooperative association for milk transferred from its pool plant.* For bulk fluid milk products and bulk fluid cream products received during the first 15 days of the month from a cooperative association in its capacity as the operator of a pool plant, the partial payment shall be at the pool plant operator's estimated use value of the milk using the most recent class prices available, adjusted for butterfat value and plant location;

(3) *Final payment to a cooperative association for milk transferred from its pool plant.* For bulk fluid milk products and bulk fluid cream products received during the month from a cooperative association in its capacity as the operator of a pool plant, the final

payment shall be the classified value of such milk as determined by multiplying the pounds of milk assigned to each class pursuant to § 1000.44 by the class prices for the month, adjusted for plant location and butterfat value, and subtracting from this sum the partial payment made pursuant to paragraph (b)(2) of this section.

(4) *Final payment to a cooperative association for bulk milk received directly from producers' farms.* For bulk milk received from a cooperative association during the month, including the milk of producers who are not members of such association and who the market administrator determines have authorized the cooperative association to collect payment for their milk, the final payment for such milk shall be an amount equal to the sum of the individual payments otherwise payable for such milk pursuant to paragraph (a)(2) of this section.

(c) If a handler has not received full payment from the market administrator pursuant to § 1007.72 by the payment date specified in paragraph (a) or (b) of this section, the handler may reduce payments pursuant to paragraphs (a) and (b) of this section, but by not more than the amount of the underpayment. The payments shall be completed on the next scheduled payment date after receipt of the balance due from the market administrator.

(d) If a handler claims that a required payment to a producer cannot be made because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, the payment shall be made to the producer-settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make the required payment from the producer-settlement fund to the handler or to the lawful claimant as the case may be.

(e) In making payments to producers pursuant to this section, each pool plant operator shall furnish each producer, except a producer whose milk was received from a handler described in § 1000.9 (a) or (c), a supporting statement in such form that it may be retained by the recipient which shall show:

(1) The name, address, Grade A identifier assigned by a duly constituted regulatory agency, and the payroll number of the producer;

(2) The month and dates that milk was received from the producer,

including the daily and total pounds of milk received;

(3) The total pounds of butterfat in the producer's milk;

(4) The minimum rate at which payment to the producer is required pursuant to this order;

(5) The rate used in making payment if the rate is other than the applicable minimum rate;

(6) The amount, or rate per hundredweight, and nature of each deduction claimed by the handler; and

(7) The net amount of payment to the producer or cooperative association.

§ 1007.74 [Reserved]

§ 1007.75 Plant location adjustments for producer milk and nonpool milk.

(a) The uniform price for producer milk shall be adjusted according to the location of the plant at which the milk was physically received by subtracting from the price the amount by which the Class I price specified in § 1007.50 exceeds the Class I price at the plant's location. If the Class I price at the plant location exceeds the Class I price specified in § 1007.50, the difference shall be added to the uniform price; and

(b) The uniform price applicable for other source milk shall be adjusted following the procedure specified in paragraph (a) of this section, except that the adjusted uniform price shall not be less than the lowest announced class price.

§ 1007.76 Payments by a handler operating a partially regulated distributing plant.

See § 1000.76 of this chapter.

§ 1007.77 Adjustment of accounts.

See § 1000.77 of this chapter.

§ 1007.78 Charges on overdue accounts.

See § 1000.78 of this chapter.

Marketwide Service Payments

§ 1007.80 Transportation credit balancing fund.

The market administrator shall maintain a separate fund known as the *Transportation Credit Balancing Fund* into which shall be deposited the payments made by handlers pursuant to § 1007.81 and out of which shall be made the payments due handlers pursuant to § 1007.82. Payments due a handler shall be offset against payments due from the handler.

§ 1007.81 Payments to the transportation credit balancing fund.

(a) On or before the 12th day after the end of the month, each handler operating a pool plant and each handler specified in § 1000.9 (a) and (c) shall

pay to the market administrator a transportation credit balancing fund assessment determined by multiplying the pounds of Class I producer milk assigned pursuant to § 1000.44 by \$0.07 per hundredweight or such lesser amount as the market administrator deems necessary to maintain a balance in the fund equal to the total transportation credits disbursed during the prior June–January period. In the event that during any month of the June–January period the fund balance is insufficient to cover the amount of credits that are due, the assessment should be based upon the amount of credits that would have been disbursed had the fund balance been sufficient.

(b) The market administrator shall announce publicly on or before the 5th day of the month the assessment pursuant to paragraph (a) of this section for the following month.

§ 1007.82 Payments from the transportation credit balancing fund.

(a) Payments from the transportation credit balancing fund to handlers and cooperative associations requesting transportation credits shall be made as follows:

(1) On or before the 13th day after the end of each of the months of July through December and any other month in which transportation credits are in effect pursuant to paragraph (b) of this section, the market administrator shall pay to each handler that received, and reported pursuant to § 1007.30(a)(5), bulk milk transferred from a plant fully regulated under another Federal order as described in paragraph (c)(1) of this section or that received, and reported pursuant to § 1007.30(a)(6), milk directly from producers' farms as specified in paragraph (c)(2) of this section, a preliminary amount determined pursuant to paragraph (d) of this section to the extent that funds are available in the transportation credit balancing fund. If an insufficient balance exists to pay all of the credits computed pursuant to this section, the market administrator shall distribute the balance available in the transportation credit balancing fund by reducing payments prorata using the percentage derived by dividing the balance in the fund by the total credits that are due for the month. The amount of credits resulting from this initial proration shall be subject to audit adjustment pursuant to paragraph (a)(2) of this section;

(2) The market administrator shall accept adjusted requests for transportation credits on or before the 20th day of the month following the month for which such credits were requested pursuant to § 1007.32(a). After

such date, a preliminary audit will be conducted by the market administrator, who will recalculate any necessary proration of transportation credit payments for the preceding month pursuant to paragraph (a) of this section. Handlers will be promptly notified of an overpayment of credits based upon this final computation and remedial payments to or from the transportation credit balancing fund will be made on or before the next payment date for the following month;

(3) Transportation credits paid pursuant to paragraphs (a)(1) and (2) of this section shall be subject to final verification by the market administrator pursuant to § 1000.77. Adjusted payments to or from the transportation credit balancing fund will remain subject to the final proration established pursuant to paragraph (a)(2) of this section; and

(4) In the event that a qualified cooperative association is the responsible party for whose account such milk is received and written documentation of this fact is provided to the market administrator pursuant to § 1007.30(c)(3) prior to the date payment is due, the transportation credits for such milk computed pursuant to this section shall be made to such cooperative association rather than to the operator of the pool plant at which the milk was received.

(b) The market administrator may extend the period during which transportation credits are in effect (*i.e.*, the transportation credit period) to the months of January and June if a written request to do so is received 15 days prior to the beginning of the month for which the request is made and, after conducting an independent investigation, finds that such extension is necessary to assure the market of an adequate supply of milk for fluid use. Before making such a finding, the market administrator shall notify the Director of the Dairy Division and all handlers in the market that an extension is being considered and invite written data, views, and arguments. Any decision to extend the transportation credit period must be issued in writing prior to the first day of the month for which the extension is to be effective.

(c) Transportation credits shall apply to the following milk:

(1) Bulk milk received from a plant regulated under another Federal order, except Federal Orders 1005, and allocated to Class I milk pursuant to § 1000.44(a)(12); and

(2) Bulk milk received directly from the farms of dairy farmers at pool distributing plants subject to the following conditions:

(i) The quantity of such milk that shall be eligible for the transportation credit shall be determined by multiplying the total pounds of milk received from producers meeting the conditions of this paragraph by the lower of:

(A) The marketwide estimated Class I utilization of all handlers for the month pursuant to § 1000.45(a); or

(B) The Class I utilization of all producer milk of the pool plant operator receiving the milk after the computations described in § 1000.44;

(ii) The dairy farmer was not a "producer" under this order during more than 2 of the immediately preceding months of January through June and not more than 50 percent of the production of the dairy farmer during those 2 months, in aggregate, was received as producer milk under this order during those 2 months. However, if January and/or June are months in which transportation credits are disbursed pursuant to paragraph (a) of this section, these months shall not be included in the 2-month limit provided in this paragraph; and

(iii) The farm on which the milk was produced is not located within the specified marketing area of this order or the marketing area of Federal Order 1005.

(d) Transportation credits shall be computed as follows:

(1) The market administrator shall subtract from the pounds of milk described in paragraphs (c)(1) and (2) of this section the pounds of bulk milk transferred from the pool plant receiving the supplemental milk if milk was transferred to a nonpool plant on the same calendar day that the supplemental milk was received. For this purpose, the transferred milk shall be subtracted from the most distant load of supplemental milk received, and then in sequence with the next most distant load until all of the transfers have been offset;

(2) With respect to the pounds of milk described in paragraph (c)(1) of this section that remain after the computations described in paragraph (d)(1) of this section, the market administrator shall:

(i) Determine the shortest hard-surface highway distance between the shipping plant and the receiving plant;

(ii) Multiply the number of miles so determined by 0.35 cent;

(iii) Subtract the other order's Class I price applicable at the shipping plant's location from the Class I price applicable at the receiving plant as specified in § 1007.53;

(iv) Subtract any positive difference computed in paragraph (d)(2)(iii) of this

section from the amount computed in paragraph (d)(2)(ii) of this section; and

(v) Multiply the remainder computed in paragraph (d)(2)(iv) of this section by the hundredweight of milk described in paragraph (d)(2) of this section.

(3) For the remaining milk described in paragraph (c)(2) of this section after computations described in paragraph (d)(1) of this section, the market administrator shall:

(i) Determine an origination point for each load of milk by locating the nearest city to the last producer's farm from which milk was picked up for delivery to the receiving pool plant.

Alternatively, the milk hauler that is transporting the milk of producers described in paragraph (c)(2) of this section may establish an origination point following the last farm pickup by stopping at the nearest independently-operated truck stop with a certified truck scale and obtaining a weight certificate indicating the weight of the truck and its contents, the date and time of weighing, and the location of the truck stop;

(ii) Determine the shortest hard-surface highway distance between the receiving pool plant and the truck stop or city, as the case may be;

(iii) Subtract 85 miles from the mileage so determined;

(iv) Multiply the remaining miles so computed by 0.35 cent;

(v) If the origination point determined pursuant to paragraph (d)(3)(i) of this section is in a Federal order marketing area, subtract the Class I price applicable at the origination point pursuant to the provisions of such other order (as if the origination point were a plant location) from the Class I price applicable at the distributing plant receiving the milk. If the origination point is not in any Federal order marketing area, determine the Class I price at the origination point based upon the provisions of this order and subtract this price from the Class I price applicable at the distributing plant receiving the milk;

(vi) Subtract any positive difference computed in paragraph (d)(3)(v) of this section from the amount computed in paragraph (d)(3)(iv) of this section; and

(vii) Multiply the remainder computed in paragraph (d)(3)(vi) by the hundredweight of milk described in paragraph (d)(3) of this section.

Administrative Assessment and Marketing Service Deduction

§ 1007.85 Assessment for order administration.

See § 1000.85 of this chapter.

§ 1007.86 Deduction for marketing services.

See § 1000.86 of this chapter.

PART 1030—MILK IN THE UPPER MIDWEST MARKETING AREA**Subpart—Order Regulating Handling****General Provisions**

Sec.

1030.1 General provisions.

Definitions

1030.2 Upper Midwest marketing area.

1030.3 Route disposition.

1030.4 Plant.

1030.5 Distributing plant.

1030.6 Supply plant.

1030.7 Pool plant.

1030.8 Nonpool plant.

1030.9 Handler.

1030.10 Producer-handler.

1030.11 [Reserved]

1030.12 Producer.

1030.13 Producer milk.

1030.14 Other source milk.

1030.15 Fluid milk product.

1030.16 Fluid cream product.

1030.17 [Reserved]

1030.18 Cooperative association.

1030.19 Commercial food processing establishment.

Handler Reports

1030.30 Reports of receipts and utilization.

1030.31 Payroll reports.

1030.32 Other reports.

Classification of Milk

1030.40 Classes of utilization.

1030.41 [Reserved]

1030.42 Classification of transfers and diversions.

1030.43 General classification rules.

1030.44 Classification of producer milk.

1030.45 Market administrator's reports and announcements concerning classification.

Class Prices

1030.50 Class and component prices.

1030.51 Class I differential and price.

1030.52 Adjusted Class I differentials.

1030.53 Announcement of class prices and component prices.

1030.54 Equivalent price.

1030.55 Transfer credits and assembly credits.

Producer Price Differential

1030.60 Handler's value of milk.

1030.61 Computation of producer price differential.

1030.62 Announcement of producer prices.

Payments for Milk

1030.70 Producer-settlement fund.

1030.71 Payments to the producer-settlement fund.

1030.72 Payments from the producer-settlement fund.

1030.73 Payments to producers and to cooperative associations.

1030.74 [Reserved]

1030.75 Plant location adjustments for producer milk and nonpool milk.

1030.76 Payments by a handler operating a partially regulated distributing plant.

1030.77 Adjustment of accounts.

1030.78 Charges on overdue accounts.

Administrative Assessment and Marketing Service Deduction

1030.85 Assessment for order administration.

1030.86 Deduction for marketing services.

Authority: 7 U.S.C. 601–674.

Subpart—Order Regulating Handling**General Provisions****§ 1030.1 General provisions.**

The terms, definitions, and provisions in Part 1000 of this chapter apply to and are hereby made a part of this order.

Definitions**§ 1030.2 Upper Midwest marketing area.**

The marketing area means all territory within the bounds of the following states and political subdivisions, including all piers, docks, and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments if any part thereof is within any of the listed states or political subdivisions:

Illinois Counties

Boone, Carroll, Cook, De Kalb, Du Page, Jo Daviess (except the city of East Dubuque), Kane, Kendall, Lake, Lee, McHenry, Ogle, Stephenson, Whiteside (the townships of Caloma, Hahnaman, Hopkins, Hume, Jordan, Montmorency, Sterling, and Tampico only), Will, and Winnebago.

Iowa Counties

Howard, Kossuth, Mitchell (except the city of Osage), Winnebago, Winneshiek, and Worth.

Michigan Counties

Delta, Dickinson, Gogebic, Iron, Menominee, and Ontonagon.

Minnesota

All counties except Lincoln, Nobles, Pipestone, and Rock.

North Dakota Counties

Barnes, Cass, Cavalier, Dickey, Grand Forks, Griggs, La Moure, Nelson, Pembina, Ramsey, Ransom, Richland, Sargent, Steele, Traill, and Walsh.

South Dakota Counties

Brown, Day, Edmunds, Grant, Marshall, McPherson, Roberts, and Walworth.

Wisconsin Counties

All counties except Crawford and Grant.

§ 1030.3 Route disposition.

See § 1000.3 of this chapter.

§ 1030.4 Plant.

See § 1000.4 of this chapter.

§ 1030.5 Distributing plant.

See § 1000.5 of this chapter.

§ 1000.6 Supply plant.

See § 1000.6 of this chapter.

§ 1030.7 Pool plant.

Pool plant means a plant, unit of plants, or a system of plants as specified in paragraphs (a) through (f) of this section. The pooling standards described in paragraphs (a), (c), (d), (e), and (f) of this section are subject to modification pursuant to paragraph (g) of this section:

(a) A distributing plant from which during the month:

(1) Total route disposition is equal to 15 percent of more of the total quantity of bulk fluid milk products physically received at the plant;

(2) Route disposition in the marketing area is at least 15 percent of total route disposition; and

(3) For purposes of this section, packaged fluid milk products that are transferred to a distributing plant shall be considered as route disposition from the transferring plant, rather than the receiving plant, for the single purpose of qualifying the transferring plant as a pool distributing plant.

(b) A distributing plant located in the marketing area at which the majority of milk received is processed into aseptically packaged fluid milk products unless there are no sales from the plant into any marketing area and the plant operator in writing requests nonpool plant status for the plant for the month.

(c) A supply plant from which the quantity of bulk fluid milk products shipped to, received at, and physically unloaded into plants described in paragraph (a) or (b) of this section as a percent of the Grade A milk received at the plant from dairy farmers (except dairy farmers described in § 1030.12(b)) and handlers described in § 1000.9(c), as reported in § 1030.30(a), is not less than 10 percent of the milk received from dairy farmers, including milk diverted pursuant to § 1030.13, subject to the following conditions:

(1) Qualifying shipments pursuant to this paragraph may be made to the following plants, except whenever the authority provided in paragraph (g) of this section is applied to increase the shipping requirements specified in this section, only shipments to pool plants described in § 1030.7(a) and (b), and units described in § 1030.7(e) shall count as qualifying shipments for the purpose of meeting the increased shipments:

(i) Pool plants described in

§ 1030.7(a), (b) and (e);

(ii) Plants of producer-handlers;

(iii) Partially regulated distributing plants, except that credit for such shipments shall be limited to the amount of such milk classified as Class I at the transferee plant; and

(iv) Distributing plants fully regulated under other Federal orders, except that credit for shipments to such plants shall be limited to the quantity shipped to pool distributing plants during the month and credits for shipments to other order plants shall not include any such shipments made on the basis of agreed-upon Class II, Class III, or Class IV utilization.

(2) The operator of a supply plant may include as qualifying shipments deliveries to pool distributing plants and deliveries to plants described in § 1030.7(e) directly from farms of producers pursuant to § 1030.13(c).

(d) [Reserved]

(e) Two or more plants operated by the same handler and located in the marketing area may qualify for pool status as a unit by meeting the total and in-area route disposition requirements of a pool distributing plant specified in paragraph (a) of this section and subject to the following additional requirements:

(1) At least one of the plants in the unit must qualify as a pool plant pursuant to paragraph (a) of this section;

(2) Other plants in the unit must process Class I or Class II products, using 50 percent or more of the total Grade A fluid milk products received in bulk form at such plant or diverted therefrom by the plant operator in Class I or Class II products; and

(3) The operator of the unit has filed a written request with the market administrator prior to the first day of the month for which such status is desired to be effective. The unit shall continue from month-to-month thereafter without further notification. The handler shall notify the market administrator in writing prior to the first day of any month for which termination or any change of the unit is desired.

(f) A system of supply plants may be qualified for pooling by the association of two or more supply plants operated by one or more handlers by meeting the applicable percentage requirements of paragraph (c) of this section in the same manner as a single plant and subject to the following additional requirements:

(1) Each plant in the system is located within the marketing area, or was a pool supply plant pursuant to § 1068.7(b) for each of the three months immediately preceding the effective date of this paragraph so long as it continues to

maintain pool status. Cooperative associations may not use shipments pursuant to § 1000.9(c) to qualify plants located outside the marketing area;

(2) The handler(s) establishing the system submits a written request to the market administrator on or before July 15 requesting that such plants qualify as a system for the period of August through July of the following year. Such request will contain a list of the plants participating in the system in the order, beginning with the last plant, in which the plants will be dropped from the system if the system fails to qualify. Each plant that qualifies as a pool plant within a system shall continue each month as a plant in the system through the following July unless the handler(s) establishing the system submits a written request to the market administrator that the plant be deleted from the system or that the system be discontinued. Any plant that has been so deleted from a system, or that has failed to qualify in any month, will not be part of any system for the remaining months through July. The handler(s) that established a system may add a plant operated by such handler(s) to a system, if such plant has been a pool plant each of the six prior months and would otherwise be eligible to be in a system, upon written request to the market administrator no later than the 15th day of the prior month. In the event of an ownership change or business failure of a handler that is a participant in a system, the system may be reorganized to reflect such changes by submitting a written request to file a new marketing agreement with the market administrator; and

(3) If a system fails to qualify under the requirements of this paragraph, the handler responsible for qualifying the system shall notify the market administrator which plant or plants will be deleted from the system so that the remaining plants may be pooled as a system. If the handler fails to do so, the market administrator shall exclude one or more plants, beginning at the bottom of the list of plants in the system and continuing up the list as necessary until the deliveries are sufficient to qualify the remaining plants in the system.

(g) The performance standards of paragraphs (a), (c), (d), (e) and (f) of this section may be increased or decreased, for part or all of the marketing area, by the market administrator if found necessary to obtain needed shipments or to prevent uneconomic shipments.

Before making a finding that a change is necessary the market administrator shall investigate the need for revision, either on such person's own initiative or at the request of interested persons. If such

investigation shows that a revision might be appropriate, a notice shall be issued stating that a revision is being considered and inviting data, views, and arguments. If the market administrator determines that an adjustment to the shipping percentages is necessary, the market administrator shall notify the industry within one day of the effective date of such adjustment.

(h) The term pool plant shall not apply to the following plants:

(1) A producer-handler as defined under any Federal order;

(2) An exempt plant as defined in § 1000.8(e);

(3) A plant located within the marketing area and qualified pursuant to paragraph (a) or (e) of this section which meets the pooling requirements of another Federal order, and from which more than 50 percent of its route disposition has been in the other Federal order marketing area for three consecutive months;

(4) A plant located outside the marketing area and qualified pursuant to paragraph (a) of this section that meets the pooling requirements of another Federal order and has had greater sales in such other Federal order's marketing area for 3 consecutive months;

(5) A plant located in another Federal order marketing area and qualified pursuant to paragraph (a) of this section that meets the pooling requirements of such other Federal order and does not have a majority of its route distribution in this marketing area for 3 consecutive months or if the plant is required to be regulated under such other Federal order without regard to its route disposition in any other Federal order marketing area;

(6) A plant qualified pursuant to paragraph (c) of this section which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made to plants regulated under the other Federal order than are made to plants regulated under this order, or the plant has automatic pooling status under the other Federal order; and

(7) That portion of a regulated plant designated as a nonpool plant that is physically separate and operated separately from the pool portion of such plant. The designation of a portion of a regulated plant as a nonpool plant must be requested in advance and in writing by the handler and must be approved by the market administrator.

(i) Any plant that qualifies as a pool plant in each of the immediately preceding three months pursuant to paragraph (a) of this section or the shipping percentages in paragraph (c) of

this section that is unable to meet such performance standards for the current month because of unavoidable circumstances determined by the market administrator to be beyond the control of the handler operating the plant, such as a natural disaster (ice storm, wind storm, flood), fire, breakdown of equipment, or work stoppage, shall be considered to have met the minimum performance standards during the period of such unavoidable circumstances, but such relief shall not be granted for more than two consecutive months.

§ 1030.8 Nonpool plant.

See § 1000.8 of this chapter.

§ 1030.9 Handler.

See § 1000.9 of this chapter.

§ 1030.10 Producer-handler.

Except as provided in paragraph (g) of this section, *producer-handler* means a person who:

- (a) Operates a dairy farm and a distributing plant from which there is monthly route disposition in excess of 150,000 pounds during the month;
- (b) Receives no fluid milk products from sources other than own farm production, pool handlers, and plants fully regulated under another Federal order;
- (c) Receives at its plant or acquires for route disposition no more than 150,000 pounds of fluid milk products from handlers fully regulated under any Federal order. This limitation shall not apply if the producer-handler's own farm production is less than 150,000 pounds during the month.
- (d) Disposes of no other source milk as Class I milk except by increasing the nonfat milk solids content of the fluid milk products received from own farm production or pool handlers;
- (e) Disposes of no fluid milk products using the distribution system of another handler except for direct deliveries to retail outlets or to a pool handler's plant;
- (f) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce all Class I milk handled (excluding receipts from handlers fully regulated under any Federal order) and the processing, packaging, and distribution operations are the producer-handler's own enterprise and at its own risk; and
- (g) Producer-handler shall not include any producer who also operates a distributing plant if the producer-handler so requests that the two be operated as separate entities with the distributing plant regulated under

§ 1030.7(a) and the farm operated as a producer under § 1030.12.

§ 1030.11 [Reserved]

§ 1030.12 Producer.

- (a) Except as provided in paragraph (b) of this section, *producer* means any person who produces milk approved by a duly constituted regulatory agency for fluid consumption as Grade A milk and whose milk is:
 - (1) Received at a pool plant directly from the producer or diverted by the plant operator in accordance with § 1030.13; or
 - (2) Received by a handler described in § 1000.9(c).
 - (b) Producer shall not include:
 - (1) A producer-handler as defined in any Federal order;
 - (2) A dairy farmer whose milk is received at an exempt plant, excluding producer milk diverted to the exempt plant pursuant to § 1030.13(d);
 - (3) A dairy farmer whose milk is received by diversion at a pool plant from a handler regulated under another Federal order if the other Federal order designates the dairy farmer as a producer under that order and that milk is allocated by request to a utilization other than Class I; and
 - (4) A dairy farmer whose milk is reported as diverted to a plant fully regulated under another Federal order with respect to that portion of the milk so diverted that is assigned to Class I under the provisions of such other order.
- § 1030.13 Producer milk.**
- Producer milk* means the skim milk (or the skim equivalent of components of skim milk), including nonfat components, and butterfat in milk of a producer that is:
- (a) Received by the operator of a pool plant directly from a producer or a handler described in § 1000.9(c). Any milk picked up from the producer's farm tank in a tank truck under the control of the operator of a pool plant or a handler described in § 1000.9(c) but which is not received at a plant until the following month shall be considered as having been received by the handler during the month in which it is picked up at the producer's farm. All milk received pursuant to this paragraph shall be priced at the location of the plant where it is first physically received;
 - (b) Received by a handler described in § 1000.9(c) in excess of the quantity delivered to pool plants;
 - (c) Diverted by a pool plant operator to another pool plant. Milk so diverted shall be priced at the location of the plant to which diverted; or

(d) Diverted by the operator of a pool plant or a cooperative association described in § 1000.9(c) to a nonpool plant, subject to the following conditions:

- (1) Milk of a dairy farmer shall not be eligible for diversion unless at least one day's production of such dairy farmer is physically received as producer milk at a pool plant during the first month the dairy farmer is a producer. If a dairy farmer loses producer status under this order (except as a result of a temporary loss of Grade A approval or as a result of the handler of the dairy farmer's milk failing to pool the milk under any order), the dairy farmer's milk shall not be eligible for diversion unless at least one day's production of the dairy farmer has been physically received as producer milk at a pool plant during the first month the dairy farmer is re-associated with the market;
- (2) The quantity of milk delivered to plants described in § 1030.7(c)(1) as a percentage of the total milk accounted for by the cooperative association described in § 1000.9(c) must be at least 10 percent, subject to § 1030.7(g);
- (3) Diverted milk shall be priced at the location of the plant to which diverted.

§ 1030.14 Other source milk.

See § 1000.14 of this chapter.

§ 1030.15 Fluid milk product.

See § 1000.15 of this chapter.

§ 1030.16 Fluid cream product.

See § 1000.16 of this chapter.

§ 1030.18 Cooperative association.

See § 1000.18 of this chapter.

§ 1030.19 Commercial food processing establishment.

See § 1000.19 of this chapter.

Handler Reports

§ 1030.30 Reports of receipts and utilization.

Each handler shall report monthly so that the market administrator's office receives the report on or before the 9th day after the end of the month, in the detail and on the prescribed forms, as follows:

- (a) Each handler that operates a pool plant pursuant to § 1030.7 and each handler described in § 1000.9(c) shall report for each of its operations the following information:
 - (1) Product pounds, pounds of butterfat, pounds of protein, pounds of solids-not-fat other than protein (other solids), and the value of the somatic cell adjustment pursuant to § 1000.50(p), contained in or represented by:

(i) Receipts of producer milk, including producer milk diverted by the handler; and

(ii) Receipts of milk from handlers described in § 1000.9(c);

(2) Product pounds and pounds of butterfat contained in:

(i) Receipts of fluid milk products and bulk fluid cream products from other pool plants;

(ii) Receipts of other source milk; and

(iii) Inventories at the beginning and end of the month of fluid milk products and bulk fluid cream products;

(3) The utilization or disposition of all milk and milk products required to be reported pursuant to this paragraph; and

(4) Such other information with respect to the receipts and utilization of skim milk, butterfat, milk protein, other nonfat solids, and somatic cell information, as the market administrator may prescribe.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section. Receipts of milk that would have been producer milk if the plant had been fully regulated shall be reported in lieu of producer milk. The report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

(c) Each handler not specified in paragraphs (a) and (b) of this section shall report with respect to its receipts and utilization of milk and milk products in such manner as the market administrator may prescribe.

§ 1030.31 Payroll reports.

(a) On or before the 22nd day after the end of each month, each handler that operates a pool plant pursuant to § 1030.7 and each handler described in § 1000.9(c) shall report to the market administrator its producer payroll for the month, in the detail prescribed by the market administrator, showing for each producer the information described in § 1030.73(f).

(b) Each handler operating a partially regulated distributing plant who elects to make payment pursuant to § 1000.76(b) shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in the same manner as prescribed for reports required by paragraph (a) of this section.

§ 1030.32 Other reports.

In addition to the reports required pursuant to §§ 1030.30 and 1030.31, each handler shall report any information the market administrator deems necessary to verify or establish

each handler's obligation under the order.

Classification of Milk

§ 1030.40 Classes of utilization.

See § 1000.40 of this chapter.

§ 1030.42 Classification of transfers and diversions.

See § 1000.42 of this chapter.

§ 1000.43 General classification rules.

See § 1000.43 of this chapter.

§ 1000.44 Classification of producer milk.

See § 1000.44 of this chapter.

§ 1000.45 Market administrator's reports and announcements concerning classification.

See § 1000.45 of this chapter.

Class Prices

§ 1030.50 Class prices and component prices.

See § 1000.50 of this chapter.

§ 1030.51 Class I differential and price.

The Class I differential shall be the differential established for Cook County, Illinois, which is reported in § 1000.52. The Class I price shall be the price computed pursuant to § 1000.50(a) for Cook County, Illinois.

§ 1030.52 Adjusted Class I differentials.

See § 1000.52 of this chapter.

§ 1030.53 Announcement of class prices and component prices.

See § 1000.53 of this chapter.

§ 1030.54 Equivalent price.

See § 1000.54 of this chapter.

§ 1030.55 Transfer credits and assembly credits on Class I milk.

(a) For bulk milk transferred from a pool plant to a pool distributing plant, and which is classified as Class I milk, the shipping handler shall receive a transportation credit computed by multiplying the pounds of Class I milk by the product of .0028 times the number of miles between the transferor plant and the transferee plant.

(b) For each handler who transfers or diverts bulk fluid milk from a pool plant to a pool distributing plant a procurement credit shall be determined by multiplying the hundredweight of milk classified as Class I at the pool plant by 8 cents.

(c) For each handler described in § 1000.9(c), a procurement credit for bulk fluid milk received as producer milk at a pool distributing plant shall be determined by prorating the producer milk classified as Class I at the pool distributing plant, and multiplying by 8 cents per hundredweight.

(d) For each handler operating a pool distributing plant pursuant to § 1030.7(a) or (b), a procurement credit for bulk fluid milk received shall be calculated by multiplying the producer milk classified as Class I at the pool distributing plant by 8 cents per hundredweight.

(e) For purposes of this section, the distances to be computed shall be determined by the market administrator using the shortest available state and/or Federal highway mileage. Mileage determinations are subject to redetermination at all times. In the event a handler requests a redetermination of the mileage pertaining to any plant, the market administrator shall notify the handler of such redetermination within 30 days after the receipt of such request. Any financial obligations resulting from a change in mileage shall not be retroactive for any periods prior to the redetermination by the market administrator.

Producer Price Differential

§ 1030.60 Handler's value of milk.

For the purpose of computing a handler's obligation for producer milk, the market administrator shall determine for each month the value of milk of each handler with respect to each of its pool plants, and of each handler described in § 1000.9(c) as follows:

(a) Class I value.

(1) Multiply the hundredweight of skim milk in Class I as determined pursuant to § 1000.44(a) by the Class I skim milk price applicable at the handler's location; and

(2) Add an amount obtained by multiplying the pounds of butterfat in Class I as determined pursuant to § 1000.44(b) by the Class I butterfat price applicable at the handler's location.

(b) Add the Class II value, computed as follows:

(1) Multiply the hundredweight of skim milk in Class II as determined pursuant to § 1000.44(a) by 70 cents;

(2) Add an amount obtained by multiplying the pounds of skim milk in Class II as determined pursuant to § 1000.44(a) by the average nonfat solids content of producer skim milk received by the handler, and multiply the resulting pounds of nonfat solids by the nonfat solids price;

(3) Add an amount obtained by multiplying the pounds of butterfat in Class II as determined pursuant to § 1000.44(b) by the butterfat price;

(c) Add the Class III value computed as follows: