



Queensland

# **Milk Pricing (Fair Milk Mark) Bill 2013**





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**2013**

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**A Bill**

for

**An Act to provide for the setting of a fair price to be paid for the production of milk and the establishment of a fair milk mark to assist consumers to purchase milk for which a fair price has been paid to dairy farmers**

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<b>The Parliament of Queensland enacts—</b>	1
<b>1 Short title</b>	2
This Act may be cited as the <i>Milk Pricing (Fair Milk Mark) Act 2013</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on 1 January 2014.	6
<b>3 Definitions</b>	7
In this Act—	8
<i>fair milk price</i> , for milk, means the price for milk set under section 5(2).	9 10
<i>fair price milk</i> means milk for which an amount equal to or more than the fair milk price was paid to the dairy farmer who produced it.	11 12 13
<b>4 Objectives of Act</b>	14
The main objectives of this Act are—	15
(a) to provide for the setting of a fair price to be paid to dairy farmers for the production of milk to ensure a sustainable dairy industry continues in Queensland; and	16 17 18
(b) to establish a fair milk mark to be placed on containers of milk to indicate to Queensland consumers that a fair price has been paid to the dairy farmer who produced the milk.	19 20 21 22
<b>5 Fair milk price</b>	23
(1) There is to be a fair milk price for milk.	24
(2) The fair milk price for milk is to be set by the Minister by gazette notice.	25 26

(3)	The fair milk price per litre of milk must be at least 8 cents more than the amount the Minister is satisfied is the cost for a typical dairy farmer in the State of producing a litre of milk.	1 2 3
(4)	The Minister must publish a gazette notice setting the fair milk price for milk at least twice during each year.	4 5
<b>6</b>	<b>How fair milk price is to be decided</b>	6
	In setting the fair milk price for milk the Minister must—	7
(a)	consult with dairy farmers across the State, and organisations representing the interests of dairy farmers in the State, to decide—	8 9 10
(i)	the characteristics of a typical dairy farmer in the State; and	11 12
(ii)	the costs for a typical dairy farmer in the State of producing milk; and	13 14
(b)	have regard to the following—	15
(i)	the need to ensure food security in the State;	16
(ii)	the need to preserve a dairy industry in the State;	17
(iii)	the need to encourage and reward best farming practices and innovation in the dairy industry in the State.	18 19 20
<b>7</b>	<b>Fair milk mark</b>	21
(1)	There is to be a fair milk mark for milk sold or supplied in containers.	22 23
(2)	The fair milk mark is to be decided by the Minister and set out in a gazette notice.	24 25
<b>8</b>	<b>Offence to use fair milk mark</b>	26
(1)	A person must not—	27
(a)	sell or supply milk in a container that bears the fair milk mark unless the milk is fair price milk; or	28 29

[s 9]

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- (b) place the fair milk mark on a container unless the container contains or is to contain fair price milk; or 1  
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- (c) advertise, market or promote milk in a container that bears the fair milk mark unless the milk is fair price milk; or 3  
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- (d) otherwise use the fair milk mark in a way that would cause a reasonable person to believe milk is fair price milk unless the milk is fair price milk. 6  
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Maximum penalty—75 penalty units. 9

- (2) In this section— 10
  - deceptively similar*, in relation to the fair milk mark, means so nearly resembles the fair milk mark that it is likely to deceive or cause confusion. 11  
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  - fair milk mark* includes an image that is substantially identical with, or deceptively similar to, the fair milk mark. 14  
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## 9 Minister must consult about fair milk price 16

- (1) The Minister must consult with each relevant Minister about— 17  
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  - (a) trying to establish a fair milk price in all States; and 19
  - (b) trying to develop an industry code of conduct to provide a framework for the continued profitability of the Australian dairy industry. 20  
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- (2) The Minister must, within 14 sitting days after 1 January and 1 July in each year, table in the Legislative Assembly a report about the consultation. 23  
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- (3) In this section— 26
  - relevant Minister* means— 27
    - (a) the Minister of the Commonwealth responsible for administering the *Dairy Industry Service Reform Act 2003*; or 28  
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    - (b) the Minister in each State with responsibility for the dairy industry. 31  
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Authorised by the Parliamentary Counsel