



Sustainable Queensland Dairy Production (Fair Milk Price Logos) Bill 2016



Queensland

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2016

A Bill

for

An Act to provide for the establishment of logos for containers of fresh milk produced in particular regions and for which fair prices have been paid to dairy farmers, a mechanism for setting fair prices and offences for particular conduct in relation to the logos

[s 1]

The Parliament of Queensland enacts—	1
1 Short title	2
This Act may be cited as the <i>Sustainable Queensland Dairy Production (Fair Milk Price Logos) Act 2016</i> .	3 4
2 Definitions	5
Schedule 1 defines particular words used in this Act.	6
3 Objective of Act	7
The main objective of this Act is to assist in preserving sustainable fresh milk production in Queensland by—	8 9
(a) establishing a logo for containers of fresh milk produced in each Queensland dairy region to indicate to consumers—	10 11 12
(i) the Queensland dairy region in which the milk was produced; and	13 14
(ii) that a fair price has been paid to the dairy farmer who produced the milk; and	15 16
(b) providing a mechanism for setting the fair price for each Queensland dairy region; and	17 18
(c) creating offences for engaging in particular conduct in relation to the logos.	19 20
4 Fair milk price logo	21
(1) There is to be a logo (a <i>fair milk price logo</i>) for each Queensland dairy region.	22 23
(2) Subject to subsection (4), the design and wording of each fair milk price logo must be decided by the Minister and set out in a gazette notice.	24 25 26

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- (3) In deciding the design and wording of the fair milk price logo for a Queensland dairy region, the Minister must consult with dairy farmers across the region, and organisations representing the interests of dairy farmers in the region, to decide the characteristics of the design and wording.
- (4) Each fair milk price logo must clearly identify the Queensland dairy region to which it relates.

5 Sustainable gross margin

- (1) For each Queensland dairy region, there is to be a sustainable gross margin for producing a litre of fresh milk in the region.
- (2) The sustainable gross margin must be decided by the Minister and stated in a gazette notice (a *milk price gazette notice*).
- (3) In deciding the sustainable gross margin, the Minister must—
- (a) consult with—
 - (i) dairy farmers across the Queensland dairy region; and
 - (ii) organisations representing the interests of dairy farmers in the region; and
 - (b) consider the costs and margins of producing fresh milk, as indicated in the most recent QDAS report, for a typical dairy farmer in the region; and
 - (c) consider how best to encourage each of the following for the region and the State—
 - (i) sustainable production of fresh milk;
 - (ii) the use of best farming practices and innovation in fresh milk production.
- (4) The Minister must publish a milk price gazette notice at least twice during each year.
- (5) In this section—
- QDAS report** means a document entitled ‘Balancing dairy production and profits in northern Australia—Queensland Dairy Accounting Scheme’ compiled by the department.

[s 6]

Note—

Each QDAS report is available on Dairy Australia's website at
www.dairyaustralia.com.au .

6 Fair milk price

- (1) For each Queensland dairy region, there is to be a fair milk price per litre of fresh milk produced in the region.
- (2) The fair milk price—
 - (a) is equal to the sum of—
 - (i) the amount the Minister is satisfied is the cost for a typical dairy farmer in the Queensland dairy region of producing a litre of fresh milk in the region; and
 - (ii) the sustainable gross margin for producing a litre of fresh milk in the region; and
 - (b) must be stated in each milk price gazette notice.

7 Adjusted fair milk price

- (1) This section applies if—
 - (a) a dairy farmer in a Queensland dairy region supplies fresh milk to a milk processor under a contractual arrangement between the dairy farmer and the processor; and
 - (b) under the arrangement, the processor is entitled to pay the dairy farmer less per litre of the supplied milk than the fair milk price per litre of fresh milk produced in the region because of the composition or quality of the supplied milk.
- (2) The amount the milk processor is entitled to pay the dairy farmer for each litre of the supplied milk is the *adjusted fair milk price* per litre of the milk.

8 Offences relating to fair milk price logo

- (1) A person must not—

- (a) advertise, market, promote, sell or supply milk in a container bearing the fair milk price logo (*marked milk*) for a Queensland dairy region unless the milk is fairly priced milk of the region; or
- (b) otherwise use a fair milk price logo for a Queensland dairy region in a way that would cause a reasonable person to believe—
- (i) milk that was not produced in the region was fresh milk produced in the region; or
- (ii) milk that is not fairly priced milk for the region is fairly priced milk for the region.

Maximum penalty—75 penalty units.

- (2) In this section—

deceptively similar, in relation to a fair milk price logo for a Queensland dairy region, means so nearly resembles the logo that it is likely to deceive or cause confusion.

fairly priced milk, of a Queensland dairy region, means fresh milk—

- (a) produced in the region; and
- (b) bought from the dairy farmer who produced it for—
- (i) if section 7 applies—the adjusted fair milk price per litre of the milk; or
- (ii) otherwise—the fair milk price per litre of fresh milk produced in the region.

fair milk price logo, for a Queensland dairy region, includes an image that is substantially identical with, or deceptively similar to, the logo.

9 Minister must consult about establishment of corresponding milk logos

- (1) The Minister must consult with each relevant Minister about establishing a corresponding milk logo for each other State and Territory.

[s 9]

- (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. 1
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3
- (3) In this section— 4
- corresponding milk logo*, for a State or Territory, means a logo for a dairy region in that State or Territory that is used for substantially the same purposes as a fair milk price logo for a Queensland dairy region. 5
6
7
8
- relevant Minister* means— 9
- (a) the Minister of the Commonwealth responsible for administering the *Dairy Industry Service Reform Act 2003* (Cwlth); or 10
11
12
- (b) the Minister in each State with responsibility for the dairy industry. 13
14

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	section 2	2
	<i>adjusted fair milk price</i> , per litre of fresh milk supplied to a milk processor under a contractual arrangement, means the adjusted fair milk price set under section 7 for the milk.	3 4 5
	<i>Central Queensland dairy region</i> means the local government areas of the following local governments—	6 7
	(a) Bundaberg Regional Council;	8
	(b) Mackay Regional Council;	9
	(c) North Burnett Regional Council;	10
	(d) Rockhampton Regional Council.	11
	<i>fair milk price</i> , per litre of fresh milk produced in a Queensland dairy region, means the fair milk price set under section 6 for the milk.	12 13 14
	<i>fair milk price logo</i> , for a Queensland dairy region, see section 4(1).	15 16
	<i>milk price gazette notice</i> see section 5(2).	17
	<i>North Queensland dairy region</i> means the local government area of the Tablelands Regional Council.	18 19
	<i>Queensland dairy region</i> means each of the following—	20
	(a) the Central Queensland dairy region;	21
	(b) the North Queensland dairy region;	22
	(c) the South East Queensland dairy region.	23
	<i>South East Queensland dairy region</i> means the local government areas of the following local governments—	24 25
	(a) Fraser Coast Regional Council;	26
	(b) Gold Coast City Council;	27
	(c) Gympie Regional Council;	28

Schedule 1

(d) Logan City Council;	1
(e) Moreton Bay Regional Council;	2
(f) Scenic Rim Regional Council;	3
(g) Somerset Regional Council;	4
(h) South Burnett Regional Council;	5
(i) Southern Downs Regional Council;	6
(j) Sunshine Coast Regional Council;	7
(k) Toowoomba Regional Council;	8
(l) Western Downs Regional Council.	9
<i>sustainable gross margin</i> , for producing a litre of fresh milk	10
in a Queensland dairy region, means the sustainable gross	11
margin decided under section 5 for the production.	12