- (7) The hundredweight of Class II and Class III milk received times the somatic cell adjustment; and
- (8) Less any payment made pursuant to paragraph (a)(1) of this section.
- (d) On or before the 18th day after the end of the month, each handler shall make payment as described in this paragraph to:

(1) A cooperative association that is a handler pursuant to § 1068.9(c);

(2) A cooperative association that is not a handler but which is authorized to collect payment on behalf of its member producers and has requested that payment be made to it in aggregate;

(3) A producer for whom payment is not being made pursuant to paragraph (d) (1) and (2) of this section.

- (4) Payment shall be determined by:
- (i) The hundredweight of producer milk received times the producer price differential as adjusted pursuant to § 1068.75;
- (ii) The pounds of butterfat received times the butterfat price for the month;
- (iii) The pounds of protein received times the protein price for the month;
- (iv) The pounds of other solids received times the other solids price for the month;
- (v) The hundredweight of milk received times the somatic cell adjustment for the month; and

(vi) Less any payment made pursuant to paragraph (a) or (b) of this section.

- (e) In making payments pursuant to paragraphs (a) (2) and (3), (b) and (d) of this section, deductions may be made for marketing services pursuant to § 1068.86 and for any proper deductions authorized by the producer. In the event a handler has not received full payment from the market administrator pursuant to § 1068.72 by the 18th day of the month, the handler may reduce pro rata its payments to producers pursuant to paragraph (d) by not more than the amount of such underpayment. Following receipt of the balance due from the market administrator, the handler shall complete payments to producers not later than the next payment date provided under this section.
- (f) In making payment to individual producers as required by this section, each handler shall furnish each producer from whom it received milk a supporting statement, in such form that it may be retained by the producer, which shall show:
- (1) The month and the identity of the handler and producer;
- (2) The total pounds of milk received from the producer;
- (3) The total pounds of butterfat contained in the producer's milk;
- (4) The total pounds of protein contained in the producer's milk;

- (5) The total pounds of other solids contained in the producer's milk;
- (6) The somatic cell count of the producer's milk;
- (7) The minimum rate or rates at which payment to the producer is required pursuant to this section;
- (8) The rate that is used in making payment if such rate is other than the applicable minimum;
- (9) The amount, or the rate per hundredweight, or rate per pound of component, of each deduction claimed by the handler, including any deduction claimed under § 1068.86, together with a description of the respective deductions; and
- (10) The net amount of the payment to the producer.

### § 1068.74 Butterfat differential.

The butterfat differential, rounded to the nearest one-tenth cent, shall be 0.138 times the current month's butter price less 0.0028 times the preceding month's average pay price per hundredweight, at test, for manufacturing grade milk in Minnesota and Wisconsin, using the "base month" series, adjusted pursuant to § 1068.51 (a) through (e), as reported by the Department. The butter price means the simple average for the month of the Chicago Mercantile Exchange Grade A butter price as reported by the Department.

## § 1068.75 Plant location adjustments for producers and on nonpool milk.

- (a) The producer price differential for producer milk received at a pool plant or delivered to a nonpool plant shall be adjusted according to the location of the plant of actual receipt at the rates set forth in § 1068.52.
- (b) The producer price differential applicable to other source milk shall be adjusted at the rates set forth in § 1068.52, except that the adjusted producer price differential shall not be less than zero.
- 10. Section 1068.76 is amended by revising paragraph (a)(4) and the third sentence of paragraph (b)(1)(ii) to read as follows:

# § 1068.76 Payments by handler operating a partially regulated distributing plant.

\* \* \* \* \* \* (a) \* \* \*

(4) 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, with the difference to be not less than zero;

\* \* \* \* \* (b) \* \* \* (1) \* \* \*

(ii) \* \* \* Any such transfers remaining after the above allocation which are classified in Class I and for which a value is computed for the handler operating the partially regulated distributing plant pursuant to § 1068.60 shall be priced at the statistical uniform price (or at the weighted average price if such is provided) of the respective order regulating the handling of milk at the transferee-plant, with such statistical uniform price adjusted to the location of the nonpool plant (but not to be less than the lowest class price of the respective order), except that transfers of reconstituted skim milk in filled milk shall be priced at the lowest class price of the respective order; and

### § 1068.85 [Amended]

11. Section 1068.85 is amended by changing the word "15th" in the introductory text to "16th."

#### § 1068.86 [Amended]

12. Section 1068.86 is amended by changing the word "15th" in paragraphs (a) and (b) to "16th."

## PART 1076—MILK IN THE EASTERN SOUTH DAKOTA MARKETING AREA

1. Section 1076.30 is amended by revising paragraphs (a) and (c) and removing paragraph (d) to read as follows:

### § 1076.30 Reports of receipts and utilization.

\* \* \* \* \*

- (a) Each handler described in § 1076.9(a), (b), and (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 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 § 1076.9(c);
- (2) Product pounds and pounds of butterfat contained in:
- (i) Receipts by transfer or diversion of bulk fluid milk products from pool plants;
- (ii) Receipts of fluid milk products not included in paragraph (a)(1) or (a)(2)(i) of this section and bulk fluid cream products from any source;
  - (iii) Receipts of other source milk; and
- (iv) Inventories at the beginning and end of the month of fluid milk products