

2024 Regular Session

SENATE BILL NO. 290

BY SENATOR MIZELL

DAIRY INDUSTRY. Provides relative to the sale of dairy products. (8/1/24)

1 AN ACT

2 To enact R.S. 3:4108(G), relative to the sale of dairy products; to provide relative to the
3 advertisement of milk and milk products; to provide relative to disruptive trade
4 practices; to prohibit the Dairy Stabilization Board and the commissioner of
5 agriculture and forestry from requiring a price markup on the sale of any milk and
6 milk products; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 3:4108(G) is hereby enacted to read as follows:

9 §4108. Disruptive trade practices

10 * * *

11 **G. Any advertisement, offer to sell, or sale of any milk and milk products**
12 **by a retailer at less than cost shall not be considered an unfair method of**
13 **competition, unfair or deceptive act or practice, or disruptive trade practice.**
14 **Nothing contained in this Chapter or the rules promulgated pursuant thereto**
15 **shall authorize the board or commissioner to require a price markup on the sale**
16 **of any milk and milk products by a retailer.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Frances Aucoin.

DIGEST

SB 290 Original

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Mizell

Present law (R.S. 3:4105) prohibits the Dairy Stabilization Board from regulating or establishing retail prices of milk and milk products, provided that any such sales shall be subject to the condition of open market competition in compliance with the disruptive trade practice provisions of present law.

Proposed law retains present law.

Present law (R.S. 3:4108) prohibits unfair methods of competition, unfair or deceptive acts or practices, and disruptive trade practices with respect to the sale of milk and milk products and requires the Dairy Stabilization Board to adopt rules providing for the enforcement of present law.

Proposed law retains present law.

Proposed law specifies that any advertisement, offer to sell, or sale of any milk and milk products by a retailer at less than cost is not an unfair method of competition, unfair or deceptive act or practice, or disruptive trade practice.

Proposed law prohibits the Dairy Stabilization Board and the commissioner of agriculture and forestry from requiring a price markup on the sale of any milk and milk products by a retailer.

Effective August 1, 2024.

(Adds R.S. 3:4108(G))