(a) Establishment.
The Secretary shall establish a program of mandatory dairy product
information reporting that will-
(1) provide timely, accurate, and reliable market information;
(2) facilitate more informed marketing decisions; and
(3) promote competition in the dairy product manufacturing industry.
(b) Requirements
(1) In general
In establishing the program, the Secretary shall only-
(A) subject to the conditions described in paragraph (2), require each
manufacturer to report to the Secretary information concerning the price,
quantity, and moisture content of dairy products sold by the manufacturer;
and
(B) require each manufacturer and other person storing dairy products to
report to the Secretary, at a periodic interval determined by the
Secretary, information on the quantity of dairy products stored.
(2) Conditions
The conditions referred to in paragraph (1) are that-
(A) the information referred to in paragraph (1)(A) is required only
with respect to those package sizes actually used to establish minimum
prices for Class III or Class IV milk under a Federal milk marketing
order;
(B) the information referred to in paragraph (1)(A) is required only to
the extent that the information is actually used to establish minimum
prices for Class III or Class IV milk under a Federal milk marketing
order;
(C) the frequency of the required reporting under paragraph (1)(A) does
not exceed the frequency used to establish minimum prices for Class III or
Class IV milk under a Federal milk marketing order; and
(D) the Secretary may exempt from all reporting requirements any
manufacturer that processes and markets less than 1,000,000 pounds of
dairy products per year.
(c) Administration
(1) In general
The Secretary shall promulgate such regulations as are necessary to ensure
compliance with, and otherwise carry out, this subchapter.
(2) Confidentiality
(A) In general
Except as otherwise directed by the Secretary or the Attorney General for
enforcement purposes, no officer, employee, or agent of the United States
shall make available to the public information, statistics, or documents
obtained from or submitted by any person under this subchapter other than
in a manner that ensures that confidentiality is preserved regarding the
identity of persons, including parties to a contract, and proprietary
business information.
(B) Relation to other requirements
Notwithstanding any other provision of law, no facts or information
obtained under this subchapter shall be disclosed in accordance with
section 552 of title 5.
(3) Verification
The Secretary shall take such actions as the Secretary considers necessary
to verify the accuracy of the information submitted or reported under this
subchapter.
(4) Enforcement
(A) Unlawful act
It shall be unlawful and a violation of this subchapter for any person subject to this subchapter to willfully fail or refuse to provide, or delay the timely reporting of, accurate information to the Secretary in accordance with this subchapter.

(B) Order
After providing notice and an opportunity for a hearing to affected persons, the Secretary may issue an order against any person to cease and desist from continuing any violation of this subchapter.

(C) Appeal
(i) In general The order of the Secretary under subparagraph (B) shall be final and conclusive unless an affected person files an appeal of the order of the Secretary in United States district court not later than 30 days after the date of the issuance of the order.
(ii) Findings A finding of the Secretary under this paragraph shall be set aside only if the finding is found to be unsupported by substantial evidence.

(D) Noncompliance with order
(i) In general If a person subject to this subchapter fails to obey an order issued under this paragraph after the order has become final and unappealable, or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order.
(ii) Enforcement If the court determines that the order was lawfully made and duly served and that the person violated the order, the court shall enforce the order.
(iii) Civil penalty If the court finds that the person violated the order, the person shall be subject to a civil penalty of not more than $10,000 for each offense.

(E) Fees
The Secretary shall not charge or assess a user fee, transaction fee, service charge, assessment, reimbursement fee, or any other fee under this subchapter for-
(A) the submission or reporting of information;
(B) the receipt or availability of, or access to, published reports or information; or
(C) any other activity required under this subchapter.

(6) Recordkeeping
Each person required to report information to the Secretary under this subchapter shall maintain, and make available to the Secretary, on request, original contracts, agreements, receipts, and other records associated with the sale or storage of any dairy products during the 2-year period beginning on the date of the creation of the records.

(d) Authorization of appropriations
There are authorized to be appropriated such sums as are necessary to carry out this section.