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May 27, 2015

VIA EMAIL ONLY TO: Dana.Coale@ams.usda.gov

Dana Coale, Deputy Administrator
Agricultural Marketing Service
United States Department of Agriculture
Room 2968-South
1400 Independence Avenue, SW
Washington, D.C. 20250

Re: Modifications to Proposal for a California Milk Marketing Order

Dear Ms. Coale:

In accordance with the invitation extended by AMS Dairy Programs for submission of modifications to the proposal for a hearing to promulgate a milk marketing order for the state of California submitted on behalf of the members of California Dairies, Inc., Dairy Farmers of America, Inc., and Land O'Lakes, Inc., (the "Cooperatives"), the following modifications to our proposal dated February 3, 2015 are hereby noted. The full proposed order language, as modified is attached:

1. Omitted administrative provisions: Parts 1050.25, 1050.26, 1050.27, and 1050.28 are added. These administrative provisions, incorporating provisions from Part 1000, were inadvertently omitted from the original proposal language.
2. Modify proposed section 1050.13(d)(2) to read: "...may be made pursuant to 1050.7(e);" This corrects an internal reference error.
3. Proposed section 1050.50 is revised to conform with uniform provision section 1000.50. This restores the reference to the definition of "somatic cell adjustment" which is part (p) of the uniform language in all orders. This modification does not make any substantive change to the proposed order which does not use a somatic cell adjuster for pricing producer milk.
4. Modify proposed section 1050.55(a)(1) to read: "... and reported pursuant to §1050.30(c) . . ." This corrects an internal reference error.

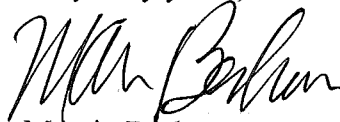
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5. Modify proposed section 1050.55(b)(2) by replacing “delivery” with “utilization” so that the section will now provide: “The utilization requirement may be met for the current month or it may be met on the basis of utilization during the preceding 12-month period ending with the current month.”
6. Add Section 1050.17 to define the following: CDFA, quota premium, quota nonfat solids, and non-quota milk.
7. Modify proposed section 1050.73(c)(2)(viii) to read: “Add together the amounts computed in paragraphs (c)(2)(i) through (vii) of this section...”
This corrects an internal reference error.

For all the reasons, and on the basis of all of the information previously provided with our submission dated February 3, 2015, the dairy farmer members of the Cooperatives representing more than 75% of the milk production in the state of California respectfully request that the Secretary call a hearing for the promulgation of a FMMO for the state of California, utilizing our revised, proposed order language at the earliest possible date.

Thank you in advance for your consideration of our request.

Very truly yours,



Marvin Beshore
*Attorney for California Dairies, Inc.,
Dairy Farmers of America, Inc., and
Land O'Lakes, Inc.*

Enclosures

A- Proposed regulatory language, as revised, for California Milk Marketing Order

cc: Dr. Eric Erba, Senior Vice-President & Chief Strategy Officer, California Dairies, Inc.
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