



**AMERICAN DAIRY PRODUCTS INSTITUTE**  
116 N. York Street, Suite 200, Elmhurst, IL 60126  
phone: (630) 530-8700 fax: (630) 530-8707  
Web site: www.adpi.org Email: info@adpi.org

September 6, 2005

Hearing Clerk  
United States Department of Agriculture  
Stop 9200 - Room 1031  
1400 Independence Ave., S.W.  
Washington, DC 20250-2900

USDA  
OALJ/OHC,  
2005 SEP -7 AM 10:14  
RECEIVED

RE: Federal Milk Marketing Order Public Hearing on the Class I Fluid Milk Product Definition

The American Dairy Products Institute supports the Department of Agriculture's efforts to create an improved definition of Class I milk products that includes milk beverages and those milk products that compete directly with beverage milk.

However, we do urge caution regarding the establishment of a broad definition of Class I milk beverages. Specifically, we are concerned about non-traditional beverages and smoothie type products. These groups of products are important utilizers of dairy ingredients, such as whey proteins. Smoothies tend to compete in the drinkable frozen treat category while many of the non-traditional beverage products are more nutrition & health benefit oriented.

We are recommending careful economic impact studies be completed on the total dairy supply chain before a change in the Class I definition is adopted. The demand and pricing consequences for fluid milk and dairy ingredients must be understood fully. We must not implement solutions that create economic pressures for any portion of the dairy products category.

If you have any questions, please call.

Sincerely,

James J. Page