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DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Milk in the Upper Midwest Marketing Area;)
Notice of Hearing on Proposed Amendments)
to Tentative Marketing Agreements and Orders)
)

Docket No.: AO-361-A-35; DA-01-03

ALTERNATIVE PROPOSED LANGUAGE TO PROPOSAL #1

Add a new subparagraph (d)(4) to 7 C.F.R. § 1030.13:

Option 1:

Provided, *however*, that diverted milk pursuant to this paragraph shall not include milk subject to the minimum pricing provisions of another federal order or milk which qualifies for inclusion and participation in a marketwide equalization pool under a milk classification and pricing program imposed under the authority of a State government.

Option 2:

Provided, *however*, that diverted milk pursuant to this paragraph shall not include milk subject to the minimum pricing provisions of another federal order or milk which qualifies for inclusion and participation in an equalization pool under a milk classification and pricing program imposed under the authority of a State government maintaining marketwide pooling of returns.

Exhibit No.: 28