



BEFORE THE UNITED STATES DEPARTMENT  
OF AGRICULTURE  
AGRICULTURE MARKETING SERVICE

In the Matter of Milk in California  
Notice of Hearing on a Proposal to  
Establish a Federal Milk Marketing  
Order

7 CFR Part 1051  
Docket No.: AO-15-0071  
AMS-DA-14-0095

Clovis, California, October 2015

Testimony of Alan Zolin

Part 2

## Introduction

My name is Alan Zolin. I am the owner and sole proprietor of Zolin International LLC, a Dairy Supply Chain and Dairy Policy consulting company. I have been retained by Hilmar Cheese Company to work with Dairy Institute of California (DIC) to develop an alternative proposal to Cooperative Proposal 1. I have worked with a task force made up of a number of representatives from DIC member companies in order to develop and submit Proposal 2.

## Purpose

The purpose of my testimony today is to discuss the Part 1000 – General Provisions of Federal Milk Marketing Orders and areas it has been incorporated into Proposal 2. In drafting Proposal 2 we looked at Section 1000 as an area where the General Provisions would meld with our overall proposal and not require DIC to reinvent the wheel in creating Order language. In fact after review, we found a significant portion of Section 1000 that we determined we would reference and not need to make any changes. It has been stated in previous testimony from the proponents of Proposal 1 that the attempt to simplify and eliminate unnecessary repetition of regulation should be a goal we aspire to achieve. Proponents of Proposal 2 agree with this goal. The areas of Section 1000 that Proposal 2 incorporates with no changes are: Sections 2- 6, Section 8, Sections 15-19, Sections 25-28, Section 41, Section 52, Section 70, Section 74, Sections 77-78, Section 86 and finally Section 90. There are Sections included above that are labeled “Reserved”. These Sections are 17, 41 and 74. These sections have no language associated with them.

In the drafting of Proposal 2, we noticed a number of Section 1000 provisions would need to be added to the actual Order 1051 language because of the termination of the Western

Order, Part 1135) and our proposed creation of a 9(d) handler (the purpose of this section I discuss separately). Section 1051.14 is an example of one such Section. We saw that the language in Section 1000.14 had a reference to a terminated Order 1135.11 provision. We took the opportunity to remove that reference. Other Section 1000 areas where this occurred were Section 42<sup>and</sup> Section 44. We believe that we made no substantive change ~~intended~~ to these provisions other than to remove the 1135.11 reference and add the 9(d) reference.

Finally we made a small change to Section 1 by adding the words “unless otherwise specified.” We felt its addition helped with clarity.

This concludes my testimony on this issue.