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Post Hearing Brief Jerry Dakin Dairy Farm

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Jerry and Karen bear the entire risk of their operation. They have invested in livestock, real estate, property, employees, equipment, milk plant and facilities. This investment was made in reliance upon regulations and policy that has stood for over 70 years. Jerry and Karen have spent the last two years constructing a new milk processing Plant with a cost of two million dollars with the expectation of becoming a Producer / Handler at the current three million pounds per month of Class I sales. Should the amount of class I sales be lowered for Producer / Handlers this would have a major impact on the business model Jerry and Karen used when they started the construction on the farm portion of the dairy six years ago with the plans to construct a milk plant and become a Producer / Handler. The plant was issued a Grade A permit on March 3 of 2009 and Jerry and Karen are well on their way to becoming a Producer / Handler. Should there be a change in the Producer / Handler plant rules we would ask that we be grandfathered in as a Producer / Handler under the current 3 million pounds of class I sales.

Jerry Dakin Dairy Farm supports the rejection of Proposals 1 and 26. The record demonstrates that regulated handlers can and do compete with producer-handlers and market milk at a much lower price than Producer / Handlers are able to. In many cases, regulated handlers are not able or willing to run the smaller quantities for niche market products. If the current regulations are changed, Jerry and Karen will face additional obstacles over and above those associated with starting a new business venture

Regards



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