

California Federal Milk Order Rulemaking Overview

May 2015 Outreach Meetings

Chico

Fresno

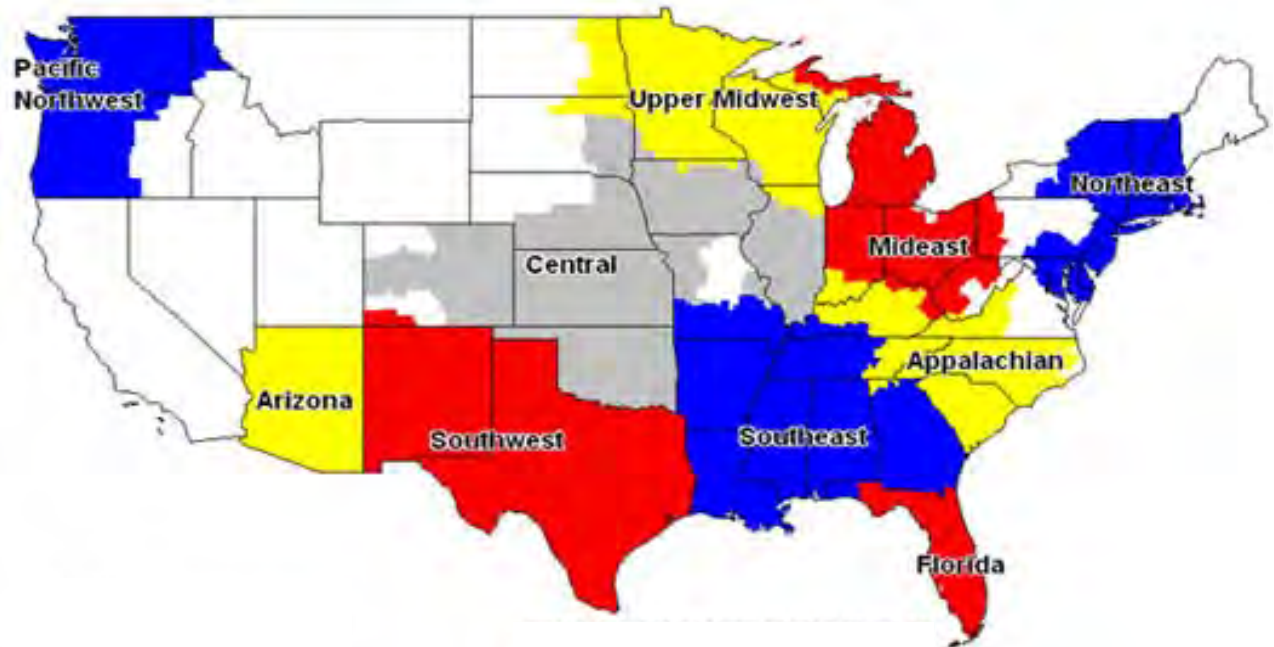
Palmdale



Who we are

- Marketing Order “Formulation”
- Rulemaking, Enforcement
- No position

Federal Milk Marketing Order Areas



Plan for today

- Rulemaking Overview
- Proponent Presentations
 - Mechanics, not merits
- Q&A's

“USDA is holding these outreach meetings to discuss procedural questions regarding the proposed Federal Milk Marketing Order.

Proponents of the proposals will be speaking about their proposal, but we cannot accept any evidence or hear arguments regarding any of the proposals.

Nothing that is said by any of the parties today should be interpreted to mean that USDA has decided to hold a hearing on a possible California Federal Order.”



Why are we here?

- Understand proposals to establish FMMO for California
- Understand Federal order rulemaking
- Outreach



What has happened?

- On February 5, 2015, USDA received formal proposal on behalf of Dairy Farmers of America, California Dairies Inc. and Land O'Lakes to establish California FMMO
- Additional proposals were requested and due April 10, 2015
- Additional proposals were received by Dairy Institute of California, California Producer Handler Association, and Ponderosa Dairy



What Happens Next?

- Proponents will have until Wednesday, May 27 to modify proposals.
- USDA will complete assessment on whether a hearing is warranted.
- If a hearing will be held, USDA will publish a Notice of Hearing at least 30 days before the hearing. Ex-Parte in place.
- Most likely, decision on whether to hold a hearing will be made late summer.



If a Hearing is Held

- Anyone may participate; subject to cross examination
- USDA will make every effort to accommodate schedules.
- Participation is extremely important. The outcome depends on evidence presented at the Hearing.
- Length of Hearing depends on many factors.



What Happens After a Hearing?

1. **USDA publishes transcript on website**
2. **Participants submit transcript corrections**
3. **Participants submit post-hearing briefs**
3. **USDA issues a Recommended Decision and requests comments**
4. **USDA issues Final Decision reflecting views of commenters**
5. **Producer Approval**



Producer Approval Process

- All California producers vote on whether to adopt Final Decision
- 2/3 of voting producers or 2/3 of voting milk
- Cooperative may bloc-vote on behalf of members
- Vote on entire order



How Long Will this Take?

- Depends on many factors



Contact Us

- We can openly discuss proposals until a Notice of Hearing is issued

<http://www.ams.usda.gov/dairy>

202-720-4392