



United States
Department of
Agriculture

Agricultural
Marketing
Service

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Washington, DC 20250-0231

**Action Plan on Proposed Amendments
to Mideast Milk Marketing Order
July 15, 2011**

USDA received a proposal on June 17, 2011, to amend the pooling standards of a distributing plant as part of the definition of a pool plant in the Mideast Milk Marketing Order. The proposal was submitted on behalf of Foremost Farms USA Cooperative, Inc., National Farmers Organization, Inc., and Dairy Farmers of America, Inc. The proponents assert that the current pool distributing plant pooling standards enables distributing plants to change their regulatory status and this has led to a disruption of orderly marketing conditions and should, therefore, be revised.

Based on the information submitted by proponents, USDA is considering initiation of a rulemaking proceeding that will include a public hearing to collect evidence regarding proposed changes to the pooling standards of a pool distributing plant in the Mideast Milk Marketing Order.

The following table outlines the timeframe of the rulemaking to ensure that the proceeding concludes within 120 days of the publication of this Notice of Action Plan:

Pre-Hearing Steps	Anticipated Timeframe
Additional Proposals	Requested. <ul style="list-style-type: none">• Request for additional proposals mailed July 15, 2011.• Additional proposals must be received by August 12, 2011.
Pre – Hearing Workshop	Will likely not be held.
Data Request	Must be received no later than 10 days before start of hearing.
Tentative Hearing Date	October 2011

If issued, a Notice of Hearing detailing the date, time and location of the hearing and the proposals under consideration, will be published in the **Federal Register**. The Notice of Hearing also will detail the deadline for all data requests of Dairy Programs so that the requested data will be available at the start of the hearing.

A copy of the submitted proposal can be found on the Dairy Programs website:
www.ams.usda.gov/dairy.

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