

COMMISSION MEETING HELD February 18 2009

Minutes of the meeting of the Commission, held at the Virginia Department of Agriculture and Consumer Services, Oliver Hill Building, in room 220, Richmond, Virginia.

THE COMMISSION:

PRESENT: Susan Stanley, Commissioner; Yolanda Macklin Crewe, Commissioner; Carol Jones, Commissioner; Fred Calvert, Commissioner; Edward Titmus, Chairperson; Rodney L. Phillips, Administrator; Shella Tillery, Administrative Assistant; Michael Myatt, Cooperative Milk Producers Association; Allen O'Hara, Maryland & VA M.P.A.; Josh Huffines; Bruce Chisholm

Absent:

Judy Barnard
John Cutler

Edward Titmus called the meeting to order at 10:00 a.m.

Edward Titmus asked if there were additions or corrections to the previously distributed December minutes. The minutes were accepted.

The Administrator presented and discussed the 2009 base allotments. Having considered all factors relative to the establishment of the 2009 base allotments, upon a motion by Susan Stanley and seconded by Yolanda Macklin Crewe the Commission approved all established bases for 2009 would be 75,785,285 pounds (in accordance with 2 VAC 15-20-40. A1-5), in that the 2009 bases do not exceed 1.08% of the average monthly pounds of Class I sales, with the exception of those producers who lost base or recovered base during the base-adjusting period of September, October and November 2008. The bases of existing producers will be adjusted on March 1, 2009, to include base loss and base recovered. The total base recovered from the 2007 base adjusting period was 161,299 and the total base loss due to failure to produce sufficient production during 2008 base-adjusting period was 226,245 pounds. The base recovered and base loss will bring the total established 2009 base to 103.994040% of the preceding year's average 9 month Class I sales, in the amount of 72,874,642 pounds. The amount of base for the months of June, July and August shall be equal to 92% of the established base for the remaining months of the year. The 2009 base allotments, in total by cooperatives, as listed below, are therefore established for the existing baseholding producers, effective March 1, 2009:

	<u>2009 Base</u>
	<u>9 Month</u>
Cooperative Milk Producers Association	16,296,807
Cumberland Valley M.P.A.	180,900
Dairy Farmers of America, Inc., Southeast	33,612,968
Dairy Farmers of America, Inc., Northeast	296,728
Land O'Lakes, Inc.	866,686
Maryland & Virginia Milk Producers Association	24,413,027
Mount Joy Farmers Cooperative	<u>118,169</u>
	75,785,285

The Administrator gave a review of Class I sales summary and adjacent market prices. Commission staff held technical hearings and/or tele-conference interviews with various firms applying for distributor licenses on all Virginia markets. The applicants all agreed to comply with the Rules and Regulations of the Commission and there being no other evidence to the contrary the Administrator recommended the granting, canceling &/or issuing of licenses as indicated below. Fred Calvert made a motion to accept all the following changes, seconded by Susan Stanley effective March 1, 2009. Motion carried.

Licenses Issue/Cancel/Re-issue:

Issue:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
273.001.3	NPGD	Chas. M. Sledd Company 100 East Cove Extension Wheeling, WV 26003	Ed Mirich	All

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
229.001.3	NPGD	Genesis Logistics, Inc. 6306 D. Gravel Dr. Alexandria, VA 22310	Gregory Scott	All

Cancel/Re-issue:

Cancel

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
291.004.2	SD	Valley Foodservice P.O. Box 12937 Norfolk, VA 23541-0937	Ed. Moore	All

Re-Issue

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
291.003.2	SD	Valley Food Service P.O. Box 12937 Norfolk, VA 23541-0937	Ed. Moore	All

Amend:

From:

<u>Amend</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
255.001.3	NPGD	Amish Country Farms Inc. 41 Vreeland Ave. Ste 107 Totowa, NJ 07512	Kenneth J. Tensen	All

To:

<u>Amend</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
255.001.3	NPGD	ACF Organics, LLC d/b/a Amish Country Farms 40 Vreeland Avenue, Suite 101 Totowa, NJ 07512	Kenneth J. Tensen	All

Amend:

From:

<u>Amend</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
231.003.3	NPGD	Institutional Jobbers Company Singleton Station Rd Louisville, TN 37777	Sharon Karlman	All

To:

<u>Amend</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
231.003.3	NPGD	IJ a division of Reinhart FoodService L.L.C. 4721 Singleton Station Road Louisville, TN 37777	Sharon Karlman	All

The next Commission meeting will be held at the Virginia Department of Agriculture and Consumer Services, Oliver Hill Building, 102 Governor Street Richmond, Virginia in room 232, May 21, 2009, starting at 10:00 a.m.

Chairperson

Administrator