

COMMISSION MEETING HELD September 18, 2008

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: Carol Jones, Commissioner; Fred Calvert, Commissioner; Edward Titmus, Chairperson; Rodney L. Phillips, Administrator; Shella Tillery, Administrative Assistant; Dirk Holcomb, Dairy Accountant Auditor II; Sharon Seymore, Auditor II; Michael Myatt, Cooperative Milk Producers Association; Allen O'Hara, Maryland & VA M.P.A.; Michael Todd, Dairy Farmers of America
Absent: John Cutler, Susan Stanley, Yolanda Macklin Crewe, and Judy Barnard

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 May minutes. There were two corrections noted by Mr. Phillips. Metropolitan Poultry Company, t/a Metropolitan Meat Seafood and Poultry licensed under Shenandoah's Pride, Mount Crawford should have been licensed under Shenandoah's Pride LLC, Springfield and PJK Food Service Corporation licensed under Shenandoah's Pride, Mount Crawford should have been licensed under Shenandoah's Pride LLC, Springfield. The minutes were accepted with the corrected changes being included in those minutes.

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. Carol Jones made a motion to accept all the following changes, seconded by Fred Calvert effective October 1, 2008. Motion carried.

Issue:

| <u>License No.</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company Rep.</u> | <u>Markets</u> |
|---------------------------|-------------------------------|---|----------------------------|-----------------------|
| 322.000.1 | PGD | Land-O-Sun Dairies LLC t/a Pet Dairy Richmond 505 Robin Hood Road Richmond, VA 23220 | Paula Martin | All |
| 323.000.1 | PGD | Nestle USA Inc. 800 N. Brand Blvd., 18 th Floor Glendale, CA 91203 | Markita Rogers | All |
| 324.000.1 | PGD | Boyer Milk Company 439 Gienow Rd. Rural Retreat, VA 24368 | Debra U. Boyer | All |
| 247.001.2 | SD | t/a Layman Candy Company 1637 E. Main Street Salem, VA 24153 (Under Westover Dairy Lynchburg, VA) | Scott Thommasson | All |

Cancel/Re-issue:

| <u>License No.</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company Rep.</u> | <u>Markets</u> |
|-------------------------------------|-------------------------------|---|----------------------------|-----------------------|
| <u>Cancel</u> 244.001.3 | NPGD | Metropolitan Poultry Company t/a Metropolitan Meat Seafood and Poultry 1920 Stanford Court Landover, MD 20785 (Under Shenandoah's Pride Mt. Crawford, VA) | Rick Cohen | All |
| <u>Re-Issue</u> 245.003.3 | NPGD | Metropolitan Poultry Company t/a Metropolitan Meat Seafood and Poultry 1920 Stanford Court Landover, MD 20785 (Under Shenandoah's Pride LLC, Springfield, VA) | Rick Cohen | |

| <u>Cancel</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company Rep.</u> | <u>Markets</u> |
|-------------------------------------|-------------------------------|--|----------------------------|-----------------------|
| 244.001.2 | SD | PJK Food Service Corp. t/a Keany Produce Company 3310 75 th Avenue Landover, MD 20785 (Under Shenandoah's Pride Mt. Crawford, VA) | Paul Pappas | All |
| <u>Re-Issue</u> 245.001.2 | SD | PJK Food Service Corp. t/a Keany Produce Company 3310 75 th Avenue Landover, MD 20785 (Under Shenandoah's Pride LLC, Springfield, VA) | Paul Pappas | |

Amend:
From:

| <u>Amend</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company Rep.</u> | <u>Markets</u> |
|---------------------|-------------------------------|---|----------------------------|-----------------------|
| 238.000.1 | PGD | Richfood Dairy A Supervalu Co. 1505 Robin Hood Rd P.O. Box 26967 Richmond, VA 23220 | Thomas Maine | All |

To:

| <u>Amend</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company Rep.</u> | <u>Markets</u> |
|---------------------|-------------------------------|---|----------------------------|-----------------------|
| 238.000.1 | PGD | Richfood, Inc. 8258 Richfood, Inc. Mechanicsville, VA 23116 | Thomas Maine | All |

Discussed § 2 VAC 15-11-10 Public Participation Guideline amendments required by legislation.

The Administrator reviewed the proposed Model Public Participation Guidelines as required by the 2007 Act of the Assembly and developed by the Department of Planning and Budget. On a motion by Carol Jones and second by Fred Calvert the Commission approved promulgating of the Public Participation Guideline § 2 VAC 15-12 and to repeal in § 2 VAC 15-11. The

Commission instructed the Administrator to proceed with all necessary filing to complete the Commission's action.

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 220 on December 17, 2008 starting at 10:00 a.m.

Chairperson

Administrator