

Commission Meeting Held February 15, 2007

Minutes of the meeting of the Commission, held at the Virginia Department of Agriculture and Consumer Services, Oliver Hill Building, in room 232 Richmond, Virginia.

**THE COMMISSION:**

PRESENT: Judy Barnard, Commissioner; John Cutler, Commissioner; John Gillam, Commissioner; Yolanda Macklin, Commissioner; Edward Titmus, Chairperson; Rodney L. Phillips, Administrator; Sharon Seymore, Dairy Accountant Auditor II; Dirk Holcomb, Dairy Accountant Auditor II; Vanessa Jeffries, Administrative & Office Specialist III; Michael Myatt, Cooperative Milk Producers Association; Allen O'Hara, Maryland & Virginia Milk Producers Association and Michael Todd, Dairy Farmers of America.

Absent: Lowell Fulk.

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. There were no changes. The minutes were accepted as written.

The Administrator gave a review of Class I sales summary and adjacent market prices. (See pages

The Administrator presented and discussed the 2007 base allotments. Having considered all factors relative to the establishment of the 2007 base allotments, upon a motion by Edward Titmus and seconded by John Gillam the Commission approved all established bases for 2007 would be 75,924,338 pounds (in accordance with 2 VAC 15-20-40. A1-5), in that the 2007 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 2006. The bases of existing producers will be adjusted on March 1, 2007, to include base loss and base recovered. The total base recovered from the 2005 base adjusting period was 129,029 and the total base loss due to failure to produce sufficient production during 2006 base-adjusting period was 169,430 pounds. The base recovered and base loss will bring the total established 2006 base to 103.490464% of the preceding year's average 9 month Class I sales, in the amount of 73,363,608 pounds. The amount of base for the months of June, July and August shall be equal to 95.00% of the established base for the remaining months of the year. The 2007 base allotments, in total by cooperatives, as listed below, are therefore established for the existing baseholding producers, effective March 1, 2007:

	<u>2007 Base</u>
	<u>9 Month</u>
Cooperative Milk Producers Association	15,571,358
Cumberland Valley M.P.A.	180,900
Dairy Farmers of America, Inc., Southeast	34,534,483
Dairy Farmers of America, Inc., Northeast	500,843
Independent	84,188
Land O'Lakes, Inc.	823,981
Maryland & Virginia Milk Producers Association	24,110,416
Mount Joy Farmers Cooperative	<u>118,169</u>
	75,924,338

(See pages

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. Yolanda Macklin made a motion to accept the following seconded by John Cutler, effective March 1, 2007. Motion carried.

**Licenses Issue/Cancel/Re-issue:**

**ISSUE:**

<b><u>License No.</u></b>	<b><u>Type of License</u></b>	<b><u>Distributor</u></b>	<b><u>Company Rep</u></b>	<b><u>Markets</u></b>
317.000.1	PGD	Byrne Dairy Inc. 240 Oneida Street Syracuse, New York 13202	William Byrne	All
318.000.1	PGD	Morningstar Foods LLC d/b/a Ultra Dairy Fraser 40236 State Highway Delhi, New York 13753	Jon Hoffman	All

**AMEND:**

<b><u>License No.</u></b>	<b><u>Type of License</u></b>	<b><u>Distributor</u></b>	<b><u>Company Rep</u></b>	<b><u>Markets</u></b>
234.000.1	PGD	From: Pet Inc. Dairy Group Konarock Road Kingsport, TN 37662 (New plant mailing address)	Randy Bays	All
		To: Pet Inc. Dairy Group 2900 Bristol Highway P.O. Box 3440 Johnson City, TN 37602 (New plant mailing address)	Randy Bays	All
305.001.3	NPGD	From: Carroll County Foods, Inc. 1333 Avondale Road New Windsor, MD 21776	Mark Moderacki	All
		To: Carroll County Foods, LLC 1333 Avondale Road New Windsor, MD 21776		All

Edward Titmus asked if there was any comment from the Commissioner's present. There was no comment.

Edward Titmus asked if there was any comment from the public present. There was no public comment.

The next Commission meeting will be held at the Virginia Department of Agriculture and Consumer Services, Oliver Hill Building, Richmond, Virginia in room 232 on April 25, 2007 starting at 10:00 a.m.

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Chairperson

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Administrator