



**UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
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**Milk Market Administrator
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Federal Order No. 126**

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To: Interested Parties
From: Cary Hunter, Market Administrator, Carrollton, Texas
Subject: **USDA Announces Federal Milk Order Pre-Hearing Information Session**

AMS NEWS RELEASE

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WASHINGTON, D.C., March 13, 2009 – The U.S. Department of Agriculture will hold a public information session March 20, 2009, to address proposals received to amend Federal milk marketing order producer-handler and exempt plant provisions. The session will begin at 8:30 a.m. in Room 107-A of the USDA Whitten Building, 1400 Independence Ave., SW, Washington, DC 20250.

The purpose of the session is for interested parties to learn about the intent of proposals that have been submitted to amend producer-handler and exempt plant provisions. The session will enable interested parties to better prepare testimony and evidence in support of, or in opposition to, proposals that may possibly be included in a future Notice of Hearing. The session will not become part of an official hearing record and will be conducted outside of ex-parte rules. This will allow government officials to freely discuss proposed amendments.

USDA strongly encourages all parties who have submitted proposals to participate in the information session. Additional information regarding the session, including one-way call-in and Live Webcast information, will be available at <http://www.ams.usda.gov/dairy>.

Milk Market Administrator's office will also have additional information regarding the session:

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Directions to the USDA Whitten Building:

The Whitten Building is located directly across from the USDA South Building, between 12th and 14th Streets, and Independence Avenue and Jefferson Drive. All information session participants are required to enter through the Jefferson Drive entrance to the building. This is the entrance facing the National mall. Please have a drivers license or government issued photo ID to present to building security. The nearest Metro station is "Smithsonian," which is located at the Northeast corner of the South Building. Room 107-A is located on the first floor of the Whitten Building, directly adjacent to the large patio in the center of the building.

/s/ Cary Hunter
Market Administrator

Statement of Purpose

The purpose of the pre-hearing information session is for interested parties to learn about the intent of proposals that have been submitted to amend a provision of a Federal milk order and how the proposals would accomplish that intent. The session is intended to clarify the intent and effect of proposed amendments. The session will not become part of an official hearing record and are conducted outside of ex-parte rules thus allowing government officials to freely discuss proposed amendments.

Participation in the information session is strongly encouraged for all parties who have submitted proposals to ensure that they are understood by USDA. The session will enable participants to better prepare testimony and evidence in support of, or in opposition to, proposals that may be included in a Notice of Hearing should it one be issued.

Information sessions may not be held for all requests made to change Federal milk order provisions. Requests will be evaluated by USDA on a case-by-case basis to determine whether an information session is necessary. The proceedings of the information session will not be made part of the hearing record. Parties submitting proposals may request an information session when submitting a proposal for formal rulemaking. The decision of USDA to hold an information session does not guarantee that a hearing will occur or that any proposal will be included in a hearing notice.

Information Session Procedures

The information session will be presided over by a panel of representatives from Dairy Programs and Market Administrator offices. Each party submitting a proposal will have an opportunity to present their proposal, the intent/effect of the proposal, ask procedural questions regarding the proposal to the panel and request the preparation of data for use at a hearing. The panel will then ask a series of questions to each party. Only the panel may ask questions. If other parties would like a specific question asked, questions may be submitted to the panel prior to or during the session for consideration.

The information session is intended to provide a venue for the open and non-judgmental discussion of proposals. The session is intended to be completed within one day. Cooperation among all participants during the information session is expected.

All proposals and comments received in response to a specific request will be available to the public via the Dairy Programs website (<http://www.ams.usda.gov/dairy>) prior to the information session. USDA may elect to provide background information regarding certain topics. After the close of an information session, parties who have submitted a proposal will have 3 calendar days March 23, 2009, to modify or withdraw their original proposals. Any requests for government prepared data for use at a hearing must also be submitted to USDA by the same date – March 23, 2009. Requests for government prepared data after this date may not be honored.

USDA will consider the information presented at the session to assist in determining the necessity of a hearing and consistency of proposals with the Agricultural Marketing Agreement Act. If a hearing is held, a hearing notice will be published in the Federal Register.



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