



United States
Department of
Agriculture

Agricultural
Marketing
Service

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**Action Plan on Proposed Amendments
to the Appalachian, Southeast and Florida
Milk Marketing Orders
November 28, 2022**

USDA received a formal proposal on October 28, 2022, to amend inter-market transportation credits in the Appalachian and Southeast orders and adopt new provisions to establish distributing plant delivery credits in the Appalachian, Southeast and Florida orders. The proposal was submitted on behalf of the Dairy Cooperative Marketing Agency (DCMA), which represents nine cooperatives in the region. The proponents contend the three southeastern FMMO areas have a chronic milk deficit, creating challenging marketing conditions to ensure the fluid milk needs of the orders are met. The proponents contend that inter-market transportation credits in the Appalachian and Southeast orders and distributing plant delivery credits in the Appalachian, Southeast and Florida orders will incentivize more orderly movement of milk in the southeast region.

Based on the information submitted, USDA is considering initiation of a rulemaking proceeding that would include a public hearing to collect evidence regarding proposed changes to the inter-market transportation credits in the Appalachian and Southeast orders and adoption of distributing plant delivery credits in the Appalachian, Southeast, and Florida orders.

The following table outlines the timeframe of the rulemaking, should the Secretary of Agriculture choose to proceed, to ensure that the proceeding concludes within 120 days of the publication of this Action Plan:

Pre-Hearing Steps	Anticipated Timeframe
Additional Proposals Requested	<ul style="list-style-type: none"> Request for additional proposals mailed November 28, 2022. Additional proposals must be received by December 19, 2022.
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	Late February 2023

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

A copy of the submitted proposal can be found on the Dairy Programs website: <https://www.ams.usda.gov/rules-regulations/moa/dairy/petitions>

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