



1400 Independence Avenue, SW
Room 2530-S, STOP 0225
Washington, D.C. 20250-0225

July 24, 2023

Mr. Thomas Olson
Dairy Pricing Association, Inc.
W15311 Franklin Road
Taylor, Wisconsin 54659

Dear Mr. Olson:

This letter is in reply to the Dairy Pricing Association's proposal submitted in response to a Request for Additional Proposals relating to the pricing provisions of the Federal milk marketing order (FMMO) program. USDA received the Dairy Pricing Association's proposal on June 14, 2023, seeking to amend the regulations to adopt a nationwide supply management program.

The Secretary has determined the hearing will be limited in scope to amendments directly impacting the uniform pricing formulas of all FMMOs. USDA received several proposals that did not relate directly to the uniform FMMO pricing formulas and are beyond the scope of the upcoming rulemaking.

Regarding the proposal submitted by the Dairy Pricing Association specifically, the legislation authorizing FMMOs, the Agriculture Marketing Agreement Act of 1937 (AMAA) (7 U.S.C. 608c(5)), does not grant USDA the authority to adopt a nationwide supply management program. As such, the Dairy Pricing Association's proposal is denied.

A Hearing Notice has been published in the Federal Register announcing a hearing will convene at 9:00 a.m. ET on Wednesday, August 23, 2023, at 502 East Event Centre in Carmel, Indiana. We encourage the Dairy Pricing Association to participate in the hearing. Please refer to the Hearing website (www.ams.usda.gov/rules-regulations/moa/dairy/hearings/national-fmmo-pricing-hearing) for full information on how to participate.

Thank you for your interest in the FMMO program.

Sincerely,

/s/

Dana H. Coale
Deputy Administrator
USDA-AMS-Dairy Program