

COMMISSION MEETING HELD FEBRUARY 21, 2012

Minutes of the meeting of the Commission, held at the Department of Forestry, 900 Natural Resources Drive, Suite 800, Charlottesville, Virginia.

THE COMMISSION:

PRESENT: John Beasley, Commissioner; Laura Habr, Commissioner; Gerald Heatwole, Commissioner; Jessica Jones, Commissioner; Kenneth Smith, Commissioner, Fred Calvert, Chairperson; Rodney L. Phillips, Administrator; Shella Tillery, Administrative Assistant; Michael Myatt, Cooperative Milk Producers Association; and Larry Seamans, Maryland & VA M.P.A.

Absent:  
None

Fred Calvert called the meeting to order at 10:30 a.m.

Fred Calvert asked if there were additions or corrections to the previously distributed December minutes. The minutes were accepted.

The Administrator presented and discussed the 2012 base allotments. Having considered all factors relative to the establishment of the 2012 base allotments, upon a motion by Gerald Heatwole and seconded by Kenneth Smith the Commission approved all established bases for 2012 would be 75,744,312 pounds (in accordance with 2 VAC 15-20-40. A1-5), in that the 2012 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 2011. The bases of existing producers will be adjusted on March 1, 2012 to include base loss and base recovered. The total base recovered from the 2010 base adjusting period was 186,978 and the total base loss due to failure to produce sufficient production during 2011 base-adjusting period was 154,101 pounds. The base recovered and base loss will bring the total established 2012 base to 104.558673% of the preceding year's average 9 month Class I sales, in the amount of 71,025,088 pounds. The amount of base for the months of June, July and August shall be equal to 95% of the established base for the remaining months of the year. The 2012 base allotments, in total by cooperatives, as listed below, are therefore established for the existing baseholding producers, effective March 1, 2012:

	<u>2012 Base 9 Month</u>
Cooperative Milk Producers Association	17,168,213
Cumberland Valley M.P.A.	180,900
Dairy Farmers of America, Inc., Southeast	30,840,946
Dairy Farmers of America, Inc., Northeast	284,650
Dairy Farmers of America, Inc., Mideast	13,719
Land O'Lakes, Incorporated	1,005,916
Maryland & Virginia Milk Producers Association	26,131,799
Mount Joy Farmers Cooperative	<u>118,169</u>
Total:	75,744,312

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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. Kenneth Smith made a motion to accept all the following changes, seconded by Jessica Jones effective March 1, 2012. Motion carried.

Licenses Issue/Cancel/Re-issue:

Cancel:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
323.005.3	NPGD	Dunkin' Donuts Mid-Atlantic Distribution Center 20 East Park Drive Westampton, NJ 08060	Ashley Larsen	All

Re-Issue:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
323.005.3	NPGD	National DCP, LLC T/A National DCP, LLC 20 East Park Drive Westampton, NJ 08060	Ashley Larsen	All

Cancel:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
296.000.4	PPGD	Promised Land Dairy 2008 State Hwy 97 W Floresville, TX 78114	Pat Zimmerman	All

Re-Issue:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company Rep.</u>	<u>Markets</u>
337.000.1	PGD	Promised Land Dairy, LLC 2008 State Hwy 97 W Floresville, TX 78114	Pat Zimmerman	All

The Administrator presented a letter from Mr. Doug Greenway, a representative of Dairy Farmers of America (DFA), requesting a base hardship for Jesse Rohrer (License no. 4574). The interpretation of the letter was in an attempt to preserve 733 pounds of base that Mr. Rohrer had in escrow; DFA had consigned and transferred the base. After the transfer was completed by the Commission, DFA realized that the action would not result in preserving the base. Therefore DFA was asking to restore the base in escrow. After consideration, particularly for the benefit of Mr. Rohrer a motion was made by Commission Member, Gerald Heatwole and duly seconded by Commission Member, Jessica Jones to deny the request. The motion carried.

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The next Commission meeting will be held May 24, 2012, 10:30 a.m. at The Harrisonburg Laboratory, Conference Room 107, 261 Mount Clinton Pike, Harrisonburg, Virginia.

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Chairperson

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Administrator