



1400 Independence Avenue, SW.
Room 3071-S, STOP 0201
Washington, DC 20250-0201

August 5, 2015

Charles M. English, Jr.
Davis Wright Tremaine LLP
Suite 800
1919 Pennsylvania Avenue N.W.
Washington, D.C. 20006-3401

Dear Mr. English:

Thank you for your proposal modification of May 27, 2015, submitted on behalf of the Dairy Institute of California (DIC), regarding an upcoming hearing to promulgate a California Federal Milk Marketing Order.

“Attachment 3” of your modified proposal includes an alternative pricing method for the other solids component of the Class III price. The modified proposal would base the other solids component of the Class III price on the USDA Dairy Market News whey protein concentrate 34% monthly average price instead of the USDA National Dairy Product Mandatory Reporting program dry whey survey price as initially proposed by DIC.

The modification to your proposal is not included in the Notice of Hearing issued on July 27, 2015. USDA finds that your submission constitutes a new proposal, not a reasonable modification to your initial proposal submitted on April 10, 2015.

We appreciate your interest and participation in the Federal milk order program.

Sincerely,

A handwritten signature in black ink, appearing to read "William Francis".

William Francis
Director
Dairy Order Formulation and Enforcement Division

cc: Ashley L. Vulin