

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE SECRETARY OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

IN RE: MILK IN THE NORTHEAST AND | Docket No. 23-J-0067
OTHER MARKETING AREAS | AMS-DA-23-0031
National Pricing Hearing | 88 FR 47396 (July 24, 2023)

National All-Jersey
Requests for Official Notice
Pursuant to
7 CFR § 900.8(d)(5) and 5 USC § 556

NAJ requests official notice of the following documents and data. All url's referenced were last accessed during January 26 – 28, 2024.

*Federal Register*¹– *USDA FMMO Hearing Publications*

1. 36 FR 19604 (Oct. 8, 1971) (Notice of Hearing, 32 market manufacturing class pricing and classification). <https://www.govinfo.gov/content/pkg/FR-1971-10-08/pdf/FR-1971-10-08.pdf>
2. 37 FR 19210 (Sept. 19, 1972) (Recommended Decision, 32 market manufacturing class pricing and classification) <https://www.govinfo.gov/content/pkg/FR-1972-09-19/pdf/FR-1972-09-19.pdf>
3. 38 FR 25282 (Sept. 12, 1973) (revised Recommended Decision, 32 market manufacturing class pricing and classification). <https://www.govinfo.gov/content/pkg/FR-1973-09-12/pdf/FR-1973-09-12.pdf>
4. 39 FR 8712 (March 6, 1974) (Final Decision, 32 market manufacturing class pricing and classification). <https://www.govinfo.gov/content/pkg/FR-1974-03-06/pdf/FR-1974-03-06.pdf>
5. 58 FR 12634 (March 5, 1993) (final decision, national class I and II pricing) <https://www.govinfo.gov/content/pkg/FR-1993-03-05/pdf/FR-1993-03-05.pdf>
6. 61 FR 49045 (September 18, 1996) (2d amplified decision, national class I and II pricing) <https://www.govinfo.gov/content/pkg/FR-1996-09-18/pdf/FR-1996-09-18.pdf>

¹ Old copies of the Federal Register since the 1040's are available by year, month and day at <https://www.govinfo.gov/app/collection/fr/> .

7. 69 FR 57233 (Sep. 24, 2004) (final decision, class III/IV classification condensed and evap milk.) <https://www.govinfo.gov/content/pkg/FR-2004-09-24/pdf/04-21416.pdf>
8. 73 FR 78917 (Dec. 24, 2008) (Final Decision, Class I and II prices and price mover) <https://www.govinfo.gov/content/pkg/FR-2008-12-24/pdf/E8-30697.pdf>
9. 78 FR 9248 (Feb. 7, 2013) (Final Decision, Class III and IV price formula, manufacturing allowances) <https://www.govinfo.gov/content/pkg/FR-2013-02-07/pdf/2013-02623.pdf>

Agricultural Marketing Service, USDA

10. DAIRY PLANTS SURVEYED AND APPROVED FOR USDA GRADING SERVICE, Dairy Programs, AMS, USDA, latest ed. 1-1- 2024 <https://apps.ams.usda.gov/dairy/ApprovedPlantList/>
11. Federal Milk Order Market Statistics, Annual Summary, Dairy Programs, AMS, USDA, for the years 1994, 1995, 1999, and 2002. All available at: <https://onlinebooks.library.upenn.edu/webbin/serial?id=fedmilkmktstats>
12. Federal Milk Order Market Statistics, 2001 Annual Summary, Dairy Programs, AMS, USDA, published May 2002 <http://dairyprogramhearing.com/getfile8f978f97.pdf?dDocName=STELPRD3106919&acct=dmktord>
13. Federal Milk Order Market Statistics, 2020 Annual Summary, Dairy Programs, AMS, USDA, published Feb. 2022. <https://www.ams.usda.gov/sites/default/files/media/FMMOS2020AnnualSummary.pdf>
14. Marketing Order Statistics Price Formulas 2019, Dairy Program, AMS, USDA <https://www.ams.usda.gov/sites/default/files/media/PriceFormula2019.pdf>
15. Announcement of Advanced Prices and Pricing Factors, Dairy Program, AMS, January 18, 2024, and future releases through March 2024 <https://usda.library.cornell.edu/concern/publications/ms35t8620?locale=en>
16. Final Class Prices by Order, Dairy Program, AMS, monthly release, 2022 – Jan. 2024, and future releases through March 2024 <https://www.ams.usda.gov/resources/marketing-order-statistics/final-class-and-component-prices-order>

17. National Dairy Products Sales Report, Dairy Program, AMS, January 24, 2024, and future releases through March 2024
<https://usda.library.cornell.edu/concern/publications/zs25x847n?locale=en>
18. *A Preliminary Report on Alternatives to the Basic Formula Price*. Basic Formula Price Committee, Dairy Division, AMS, April 1997, access at
<https://web.archive.org/web/19970709133050/http://www.ams.usda.gov/dairy/dybfprep.pdf>
19. ANNOUNCEMENT OF BASIC FORMULA PRICE INFORMATION, AMS, USDA., Monthly price announcements for September 1998 – December 1999.
<https://web.archive.org/web/20010211143958/http://www.ams.usda.gov/dairy/mncs/bfp.htm>

NASS

20. NASS, USDA, Prices Received Minnesota-Wisconsin Manufacturing Grade Milk, (M-W Milk Price Series) Annual Summary, 1995 – 1999.
<https://web.archive.org/web/20000816171442/http://usda.mannlib.cornell.edu/reports/nassr/price/zpr-bb/>

Basic Formula Price Committee, TAMU

21. AN ECONOMIC EVALUATION OF BASIC FORMULA PRICE (BFP) ALTERNATIVES Interim Report AFPC Working Paper 96-5
<https://www.afpc.tamu.edu/research/publications/89/bfp1.htm>

U. S. Food and Drug Administration

22. IMS LIST SANITATION COMPLIANCE AND ENFORCEMENT RATINGS OF INTERSTATE MILK SHIPPERS. U.S. Department of Health and Human Services Public Health Service Food and Drug Administration, latest ed. July, 2023 (Grade A milk product manufacturers and milk suppliers by name, location and products)
<https://www.fda.gov/media/170083/download?attachment>

Census of Agriculture, USDA

23. Ag. Census 2017 (<https://www.nass.usda.gov/Publications/AgCensus/2017/>) Table 11, Cattle and Calves 2012 and 2017 ²
https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_US_State_Level/st99_2_0011_0011.pdf
24. Ag. Census, Cows and Heifers That Had Calved - Inventory: 2017 and Milk Cows - Change in Inventory: 2012 to 2017 (Map), Scroll down access page under “select map to display” then scroll to Livestock and Animals tab for map selection, access at
https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/Ag_Census_Web_Maps/index.php
25. USDA, Ag Census, Milk Cow Inventory Map 2007
https://agcensus.library.cornell.edu/wp-content/uploads/2007-Ag_Atlas_Maps-Livestock_and_Animals-07-M140-RGBDot1-largetext.pdf
26. USDA, Ag. Census, Milk Cows - Change in Inventory: 2002 to 2007 (Map)
https://agcensus.library.cornell.edu/wp-content/uploads/2007-Ag_Atlas_Maps-Livestock_and_Animals-07-M141-RGBDot2-largetext.pdf

Bureau of Labor Statistics and Census Bureau

27. Producer Price Index Detailed Report, Bur. of Labor Statistics, Reports for the month of December in each year of 2005 – 2023, data under “raw milk,” “dairy products” and “fluid milk manufacturing” in Tables 2, 7, 8, 9, 11 and 12. All available at: <https://www.bls.gov/ppi/detailed-report/>
28. Consumer Price Index (CPI-U), Annual Index Value and Annual Percent Change in Price Series, 1947-2022, Bur. of Census, (Dec. 1999 = 100), access Excel spreadsheet at: <https://www.census.gov/topics/income-poverty/income/guidance/current-vs-constant-dollars.html> or access spreadsheet directly at https://www2.census.gov/programs-surveys/demo/tables/p60/279/annual-index-value_annual-percent-change.xls
29. Consumer Price Index, Summary, Dec. 2023 (CPI-U), BLS, USDL-24-0019
<https://www.bls.gov/news.release/cpi.nr0.htm>

² Relevant milk and dairy data from the 2022 Ag Census may be released while briefs and comments are under consideration in this Milk Pricing Formula Hearing. As appropriate, NAJ may then request the Secretary to take official notice of his new Census data.

30. CPI Inflation Calculator, BLS, <https://data.bls.gov/cgi-bin/cpicalc.pl>

Respectfully submitted,
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January 29, 2023

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