

THE UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL MARKETING SERVICE

In re:

Milk in the Northeast and Other Marketing  
Areas

Doc. No. 23-J-0067

AMS-DA-23-0031

REC'D - USDA/OALJ/HCO  
2024 APR 1 12:15 PM

On March 20, 2024, Administrative Law Judges Strother and Clifton issued a “Ruling: Office Notice Taken” (“Ruling”). In that Ruling, two documents submitted by National Milk Producers Federation (“NMPF”) for official notice were excluded from the record because the webpage links provided in Exhibit 506 led to webpages with error messages. Specifically, those documents of which official notice was not taken were the second webpage link under “3) USDA Dairy Margin Coverage Program” and the only link under “15) Retail Milk Price Reports USDA AMS Dairy Programs, Market Information Branch (2023).” The Ruling invited “additional guidance” no later than April 1, 2024 (i.e., the due date for post-hearing briefs). In accordance with that invitation and pursuant 7 C.F.R. § 900.8(d)(5), NMPF provides the following additional guidance:

**3) USDA Dairy Margin Coverage Program.**

Excluded:

[https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/FactSheets/2022/202202\\_fsa\\_dairy\\_margin\\_coverage\\_sdmc\\_fact\\_sheet\\_v5.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/FactSheets/2022/202202_fsa_dairy_margin_coverage_sdmc_fact_sheet_v5.pdf).

The original webpage and the content associated therewith no longer seem to exist. As such, NMPF does not request to replace this excluded document with an alternative.

**15) Retail Milk Prices Reports, USDA AMS Dairy Programs, Market Information Branch (2023).**

Excluded:

<https://www.ams.usda.gov/sites/default/files/media/RetailMilkPrices.pdf>

As an alternative to the excluded document, NMPF requests official notice be taken of the following document. This document contains the same information as that in the webpage link originally provided in Exhibit 506.

[https://mymarketnews.ams.usda.gov/filerepo/sites/default/files/3356/2023-10-22/762904/ams\\_3356\\_00053.pdf](https://mymarketnews.ams.usda.gov/filerepo/sites/default/files/3356/2023-10-22/762904/ams_3356_00053.pdf)

Date: April 1, 2024

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## CERTIFICATE OF SERVICE

### Milk in the Northeast and Other Marketing Areas

Docket No.: 23-J-0067

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct, and this is to certify that a copy of the NATIONAL MILK PRODUCERS FEDERATION RESPONSE TO RULING: OFFICIAL NOTICE TAKEN has been furnished and was served by electronic mail upon the following parties on April 2, 2024 by the following:

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