

August 18, 2021

Mr. Mark Lamers, President
Lamers Dairy, Inc.
N410 Speel School Road
Appleton, Wisconsin 54915

Dear Mr. Lamers:

This letter is in response to your petition, received in our office on July 17, 2021, to amend the exempt plant definition in the Federal Milk Marketing Orders (FMMO). Your petition seeks to increase the exemption level for plants with fluid milk product sales of 150,000 pounds of route disposition and sales or less per month to 3 million pounds per month.

Your petition requests USDA enact changes to FMMOs through informal or notice and comment rulemaking rather than through a formal hearing. According to the Agricultural Marketing Agreement Act of 1937 (AMAA), USDA can only use informal rulemaking if the proposed change to the FMMOs does not have a direct impact on the uniform or blend price. USDA is currently analyzing whether your proposed change would directly impact the uniform or blend price in FMMOs. This analysis is expected to take approximately 60 days. Once completed, we will notify you of the next steps.

Thank you for your interest in the FMMO program.
Sincerely,

/s/

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