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February 25, 2009

**Via E-Mail Only - dana.coale.@usda.gov**

Ms. Dana Coale, Deputy Administrator  
Dairy Programs, AMS, USDA  
USDA-AMS-Dairy Programs  
STOP 0231 - Room 2971  
1400 Independence Avenue, SW  
Washington, D.C. 20250-0225

Re: Invitation to submit proposals for consideration -  
Producer Handler/Exempt Plant Hearing

Dear Ms. Coale:

This letter is submitted on behalf of Michigan Milk Producers Association, Inc. (MMPA) and Dairy Farmers of America, Inc. (DFA).

MMPA and DFA are proponents of Proposal Number 10 in the Order 33 hearing Docket No. AO-166-A72; DA-05-01. That proposal was deferred and not heard at the time the other proposals in that proceeding were heard. As a consequence, it remains pending.

The subject proceeding, with the proposals submitted by National Milk Producers Federation and the International Dairy Foods Association, addresses the issues for Order 33 which were the subject of Proposal 10 in the prior docket. Therefore, should the Department grant a hearing upon the NMPF and IDFA proposals, that hearing would address the issues of the Order 33 proposal and, at that time, as proponents of that proposal, we would request that the Department terminate that proceeding accordingly.

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Should you have any questions please do not hesitate to contact me. Thank you for your assistance.

Very truly yours,

Marvin Beshore

MB/tlm

cc: Carl Rasch, Michigan Milk Producers Association, Inc.  
Elvin Hollon, Dairy Farmers of America, Inc.