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November 15, 2016

VIA EMAIL

Ms. Erin Taylor
Acting Director Order Formulation and Enforcement Division
Dairy Programs
Agricultural Marketing Service
Room 2968
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Re: USDA Data Requests for Organic Milk Modified Wichita Option Proposal

Dear Ms. Taylor:

On behalf of the Organic Trade Association, and its members (“OTA”), we make the following clarifications to numbers 2, 4 and 6 of the data and information requests we submitted on June 30, 2016 with respect to our Proposal to Amend all Federal Milk Marketing Orders to Include a Modified Wichita Option for Organic Milk.

For each request, if confidentiality concerns restrict the availability of data for an order(s), please combine multiple orders as necessary. Should Class II, III and IV volume and utilization not be available, please note this and estimate it assuming that it is proportional to the order’s utilization for the PRDP and organic producer receipts.

To the extent feasible, it would be helpful to obtain the data in searchable .pdf table and excel formats. Accompanying this letter, we’ve enclosed an excel file with examples. For numbers 2, 4, and 6, please provide data on an annual basis and the months of July and October for 2013 through the most recent date available.¹

¹ After consultation with Market Administrator staff, we understand that requests for data for every month would be unduly burdensome for various reasons.

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Ms. Erin Taylor
November 15, 2016
Page 2

2. The volume and utilization by class for all products sold by partially regulated distributing plants (“PRDPs”) by order.
4. The financial impact of PRDPs on the producer settlement fund by month by order. As necessary, please assume that a PRDP is regulated by the order where it is geographically located or where it has a plurality of its sales if it is located outside of any order.
6. The volume and utilization by class of organic producer receipts by order.
7. The form(s) used by each order with PRDPs for reporting. For example, the Central Order’s partially regulated handler monthly reporting form:
<http://www.fmmcentral.com/PDFdata/R&U%20Report-Partially%20Regulated%20Handler.pdf>

We appreciate staff’s work to help us understand the data availability and estimation issues for PRDP and organic handlers. Please do not hesitate to reach out to us with any further questions about our June 30 data request.

Respectfully submitted,

Davis Wright Tremaine LLP



Chip English
Ashley L. Vulin

enc: OTA FMMO June 30 Data Request Examples.xlsx

cc: Ms. Dana Coale
Mr. Todd Wilson
Mr. Robert Schoening
Ms. Laura Batcha
Ms. Sally Keefe