

**DETERMINATIONS AND ORDER 104  
OF THE SECRETARY OF FOOD AND AGRICULTURE  
FOR THE MILK POOLING PLAN FOR MARKET MILK**

In Regard to the Public Hearing Held on August 4, 2004

**DETERMINATIONS**

A duly noted public hearing was held by the Department of Food and Agriculture (Department) on August 4, 2004, to consider amendments to the Milk Stabilization and Marketing Plans for Market Milk (Stab Plans) and the Pooling Plan for Market Milk (Pool Plan). The amendments under consideration regarded changes to milk movement incentives, namely, transportation allowances and transportation credits. The Department called the hearing after receiving a petition from Clover Stornetta Farms, Inc. Five alternative proposals were then submitted to the Department from California Dairies, Inc., Dairy Farmers of America, Dairy Institute of California, Land O'Lakes, and Security Milk Producers Association.

The Department weighed the information before it, including the Department's hauling rates studies, energy cost data, testimony on the record and hearing briefs. The Department has determined that changes to the current Pool Plan are warranted and necessary to continue to effectuate the declared purpose of the Food and Agricultural Code and accepts the Panel's recommendations.

**ORDER**

It is hereby ordered that the Milk Pooling Plan for Market Milk, Order Number 104, shall become effective at 12:01 am, October 1, 2004.

*Original signed by :*

Kim I. Myrman, Deputy Secretary  
California Department of Food and Agriculture

Signed and entered in  
The Office of the Secretary  
of Food and Agriculture at  
Sacramento, California  
on September 20, 2004