

Testimony of Barry Murphy

On behalf of BESTWHEY, LLC, San Francisco, CA (Cheese and Whey Industry Consultant)

at the

Consolidated Stabilization and Marketing Plan and Pooling Plan Hearing

Sacramento, California

June 6, 2012

POST-HEARING BRIEF

Mr. Hearing Officer and Members of the Hearing Panel:

I would like to correct an incorrect statement from my testimony last week :

1. "Smaller cheese plants pay \$150.00-\$400.00 per load to dispose of whey, the equivalent of \$6.00 – 16.00 per CWT, and they pay for the whey factor of up to \$0.65/CWT as well." This should read \$0.30-\$0.80/CWT for hauling charges.

Dairy Farmers of America (DFA) and Land O' Lakes (LOL) testified that they had no problems operating and selling their Whey Protein Concentrate (WPC) from their Orland, CA and Turlock, CA plants, respectively. While this is true and they have no problems selling their liquid unfinished WPC product, the only reason that they have an outlet for their product is because other privately held companies have made the investment in advanced membrane processing and drying capacity. For some reason, neither DFA nor LOL have made the investment in further concentration technology or dryers for their whey protein concentrate.

Best regards,

Barry Murphy

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