



1315 K STREET
MODESTO, CALIFORNIA 95354-0917
TELEPHONE (209) 527-6453
FAX (209) 527-0630

May 27, 2011

Karen Ross
Secretary
California Department of Food and Agriculture
Sacramento, CA 95814

Dear Secretary Ross:

The Department recently announced an extremely expedited dairy hearing schedule to consider adjustments to both the 4a and 4b milk pricing formulas. We are concerned that the abbreviated time schedule related to this hearing will compromise the ability of California producers and processors to adequately inform members and prepare for a complicated hearing of this magnitude.

Western United Dairymen, not dissimilar from the Dairy Institute, engages our members in a grass roots process to arrive at policy decisions by diligently analyzing proposed changes to our milk pricing formulas and informing producers of the impacts of various proposals on their businesses.

You are aware of the extremely difficult financial hurdles that California producers have faced over the past several years. A hearing to adjust formulas, given the economic fragility of California dairy families, is something that demands thoughtful due diligence, analysis and deliberation.

Since 2004, according to the Department's website, we have had 12 milk pricing hearings (See Attachment A). The average time between the filing of a petition with the Department and the holding of the hearing has been 95 days. The median has been 81 days. Those average and median time frames allowed for thoughtful discussion and deliberation. This hearing has been called within a very compressed time frame allowing only 50 days from the filing of the petition. In the past 7 years, only the 2009 hearing granted on an emergency basis was on a faster track than this hearing. That emergency hearing was held 35 days from the filing of the petition.

Western United Dairymen respectfully requests a 15-day extension of the established hearing schedule to allow for appropriate analysis and preparation for a complicated hearing of such magnitude.

Karen Ross
May 27, 2011
Page 2 of 2

Thank you for your consideration of our modest request.

Very truly yours,



Michael L. H. Marsh, CPA
Chief Executive Officer

cc: Sandra Schubert, Undersecretary
Kevin Masuhara, California Department of Food and Agriculture
Candace Gates, California Department of Food and Agriculture
Rachel Kaldor, Dairy Institute of California
Richard Cotta, California Dairies, Inc.
Pete Garbani, Land O' Lakes
Glenn Wallace, Dairy Farmers of America
Rob Vandenheuvel, Milk Producers Council
Kevin Abernathy, California Dairy Campaign
Bill van Dam, Alliance of Western Milk Producers
John Vlahos, Hansen Bridgett Marcos Vlahos, LLP

Attachment A

													Emergency
Petition date	1-Jun-04	7-Sep-04	1-Feb-05	3-Oct-05	7-Feb-06	18-Apr-06	6-May-06	15-Jun-07	15-Aug-07	1-May-08	4-Aug-08	5-Oct-09	
Hearing date	4-Aug-04	1-Feb-05	3-May-05	31-Jan-06	1-Jun-06	5-Dec-06	6-Jul-06	28-Aug-07	10-Oct-07	1-Jul-08	30-Oct-08	9-Nov-09	
Number of days between Petition and Hearing	64	147	91	120	114	231	61	74	56	61	87	35	

Average	95
Median	81

Upcoming Hearing	
Petition	11-May-11
Hearing date	30-Jun-11
Days in between	50