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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 11-0333
AMS-DA-11-0067; DA-11-04

In re:
Milk in the Mideast Marketing Area

ORDER CERTIFYING TRANSCRIPT

On October 4, 2011 and October 5, 2011, a hearing was held in Cincinnati, Ohio, regarding proposed amendments to a tentative marketing agreement and Order (“proposed amendments”), pursuant to notice issued September 8, 2011. Pursuant to my oral Order at the hearing, interested parties filed proposed corrections to the transcript¹. This certifies that to the best of my knowledge and belief, the transcript of the testimony given during the hearing is a true rendition of the testimony, except for obvious or immaterial spelling, typing or grammatical errors, with the following corrections²:

All corrections proposed by the proponents of the proposed amendments are hereby adopted, as are all corrections proposed by the United States Department of Agriculture (“USDA”). I note that the proposed correction of Volume II, page 191, line 8, substituting “Marva Maid” for “marketing” was also proposed by the attorneys for Guers Dairy, Galliker Dairy Company, Schneider’s Dairy, and Dean Foods. In addition, both the proponents of the

¹ The transcript of each day’s proceedings is contained in a separate volume, identified as Volume I (pages 1 through 337) and Volume II (pages 1 through 230). The transcript was filed with the Hearing Clerk for the Office of Administrative Law Judges for USDA (“Hearing Clerk”) and may also be accessed at the following web site: <http://www.ams.usda.gov/AMSV1.0/PoolProvisions2011Transcripts>

² The proposed corrections were filed with the Hearing Clerk and the parties exchanged their proposed corrections with other interested parties.

proposed amendments and USDA proposed the correction at Volume II, page 194, line 10, substituting "profit" for "proffer".

Further, the following corrections shall be made on my own motion:

At Volume I, page 124, line 2, substitute "proponents" for "components"; and at Volume I, page 169, line 16, substitute "arching" for "marching".

In accordance with 7 C.F.R. § 900.10, the corrections identified herein and reflected in the parties' filings, shall be made by the Hearing Clerk upon the official record copy of the transcript.

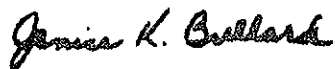
The record also includes the Exhibits³ filed by the parties, identified as Exhibits 1 through 34, including 6 (A) through 6 (D); 11 (A) through 11 (D); 21 (A); 25 (A); 33 (A) through (C).

By Order issued by the Hearing Clerk on November 3, 2011, I granted unopposed motions of interested parties to take official notice of certain portions of the Federal Register, and of certain state regulated pricing programs that result in regulated prices that are above the Federal Milk Marketing Order minimum price.

The record remains open for the parties to file briefs as set forth at the oral hearing.

Copies of this Order shall be sent to interested parties by the Hearing Clerk. Service should be effected upon counsel for parties of record, as well as representatives for the Agricultural Marketing Service.

So ORDERED this 8th day of November, 2011 in Washington D.C.



Janice K. Bullard
Administrative Law Judge

³ The exhibits are filed with the Hearing Clerk, and may also be accessed at the following website:
<http://www.ams.usda.gov/AMSV1.0/PoolProvisions2011Exhibits>