

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

March 2, 2022

1:00 P.M.

Room 309 – AG Building

1. CALL OF MEETING TO ORDER/ROLL CALL:

Chairman Rob Barley called the regular Sunshine Meeting of the Pennsylvania Milk Marketing Board to order at 1:00 P.M. in room 309 in the Ag Building, in Harrisburg, PA.

Secretary Hardbarger called the roll. Those in attendance and constituting a quorum were:

Board Members:

Present: Chairman Robert Barley, Consumer Member Kristi Kassimer,
Member James Van Blarcom

Absent: None

2. ACCEPTANCE OF MINUTES:

A. Acceptance of Minutes of the March 2, 2022 Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the minutes for the February 2, 2022 Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the March 2, 2022 Sunshine Meeting). **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

3. PUBLIC INPUT (PERTAINING TO GENERAL ISSUES:

N/A

4. OLD BUSINESS:

N/A

5. NEW BUSINESS:

1. OGO A-954 (CRO 12) Cost Replacement Order for Western Milk Area 5

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept OGO A-954 (CRO 12) Cost Replacement Order for Western Milk Area 5.

Seconded by Consumer Member Kassimer. Motion carried without dissent.

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

2. OGO A-956 (CRO 12) Cost Replacement Order for West Central Milk Area 6

PRESENTED by: Chairman Barley

MOTION by: Consumer Member Kassimer

Moved to accept OGO A-956 (CRO 12) Cost Replacement Order for West Central Milk Area 6.

Seconded by Member Van Blarcom. Motion carried without dissent.

6. REPORT OF CHIEF COUNSEL:

DISCUSSION: Attorney Eberly stated that the Board met on several occasions to review and discuss items regarding the Over-Order Premium hearings. No official action nor deliberations taken.

7. LEGAL CASE DISPOSITIONS

1. Shettters Milk Hauling Hauler

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented **1. Legal Docket No. CA-21-007** for failure to file its May 2021 milk Hauler reports on or before due date. A consent order was signed and a penalty of \$50.00 was paid.

MOTION by: Member Van Blarcom

Moved to accept the consent order as presented. (**1. Legal Docket CA-21-007 – Shettters Milk Hauling.**) **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

8. LICENSE APPLICATIONS:

1. Harmony Milk Producers Cooperative Inc Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Harmony Milk Producers Cooperative Inc. has submitted an application for a dealer license for 2021-2022. Applicant will purchase milk from its members producers only. Applicant will sell bulk raw milk to an out of state dealer. No bond required. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received

and are in order, and that the applicant has met the requirements of the Milk Marketing Law. A Provisional License was granted on 2/7/22. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

MOTION by: Consumer Member Kassimer

Moved to approve a dealer license to Harmony Milk Producers Cooperative Inc. as presented.

Seconded by Member Van Blarcom. Motion carried without dissent.

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

2. Perrystead Dairy LLC Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Perrystead Dairy LLC has submitted an application for a dealer license for 2021-2022. Applicant will purchase bulk milk from a dealer. Applicant will manufacture cheese for resale to subdealers in Area 1. No bond is required. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. A Provisional license was granted on 2/9/22. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

MOTION by: Member Van Blarcom

Moved to approve a dealer license to Perrystead Dairy LLC, as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

3. Wakefern Food Corp - Lansdale Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Wakefern Food Corp - Lansdale has submitted an application for a dealer license for 2021-2022. Applicant will purchase bulk milk from a dealer. Applicant will process/package milk/cream products pursuant to a service contract with a dealer, which has been provided and approved by Staff, pending final Board approval. Applicant will sell packaged milk products to stores in Areas, 1, 2, 3, and 4. No bond is required. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. A Provisional license was granted 2/2/22. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

MOTION by: Member Van Blarcom

Moved to approve a dealer license to Wakefern Food Corp - Lansdale, which includes approval of the Service contract, as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

4. Wakefern Food Corp – Schuylkill Haven

Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Wakefern Food Corp – Schuylkill Haven has submitted an application for a dealer license for 2021-2022. Applicant will purchase bulk milk from a dealer. Applicant will process/package milk/cream products pursuant to a service contract with a dealer, which has been provided, and approved by Staff, pending final Board approval. Applicant will sell packaged milk products to stores in Areas 1, 2, 3, and 4. No bond is required. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. A Provisional license was granted on 2/2/22. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

MOTION by: Consumer Member Kassimer

Moved to approve a dealer license to Wakefern Food Corp – Schuylkill Haven, which includes approval of service contract, as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

9. REMINDERS:

PRESENTED by: Chairman Barley

<u>MEETING (s)</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Regular Sunshine meeting	Wed. Apr 6, 2022	1:00 P.M.	Room 309 - Ag Bldg.

HEARING (s)

DISCUSSION: Chairman Barley announced a Special Sunshine Meeting will held on March 22, 2022 at 1:00 P.M. to consider the Over-Order Premium order, OGO A-1013

DISCUSSION: Attorney Statler expressed his appreciation to the Board and Staff for how the Over-Order Premium hearing was conducted. It was a lot of work in the preparation and process of it all, but he commended the Board on a great job done.

Chairman Barley stated that the Board is looking forward in having dialogue on direction ahead, open to discussions and work sessions to see the possibilities. Realizing that some things may require legislation to move things forward.

10. ADJOURNMENT:

Chairman Barley hearing no further matters to come before the Board, adjourned the meeting 1:12 P.M.