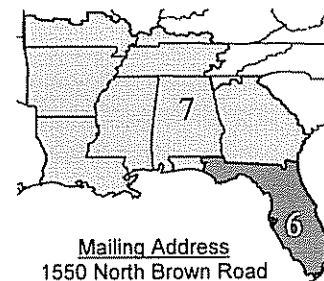




United States Department of Agriculture
Agricultural Marketing Service
Dairy Programs
Market Administrator
Federal Order No. 6 – Florida Marketing Area
Federal Order No. 7 – Southeast Marketing Area



Phone: 770-682-2501
Fax: 770-822-1038
E-mail: FMMA6&7@fmmatlanta.com
Home Page: www.fmmatlanta.com

Mailing Address
1550 North Brown Road
Suite 120
Lawrenceville, GA 30043

July 28, 2014

TO: Interested Parties

FROM: 
Market Administrator, Southeast Marketing Area

SUBJECT: Invitation for Written Data, Views, and Arguments Regarding Diversion Limit Percentages

The Florida and Southeast Market Administrator has received a request to lower the diversion limit percentages of Southeast Order 7 as specified in section 1007.13(d)(3) and (4) from 25 percent to zero percent for the months of August, September, October and November 2014.

A copy of this request is available on the Market Administrators website: www.fmmatlanta.com.

This office has started an investigation regarding this request to lower the diversion limit percentages on the Southeast order; however, there is insufficient time to conduct a proper investigation to address revisions to August 2014. Therefore, consideration will only be given to lowering the diversion limit percentages for September, October and November 2014.

The Market Administrator invites the submission of comments, data, or views on this request to lower the diversion limits on Southeast Order 7 to zero percent for the months of September, October and November 2014.

All responses to this invitation must be received in this office no later than August 11, 2014 by any of the following methods:

Email – FMMA6&7@fmmatlanta.com
Fax – 770-822-1038
Mail – 1550 North Brown Road, Suite 120, Lawrenceville, GA 30043

Please contact this office directly if you have any questions regarding this matter.

From: [Robey Farms](#)
To: [FMMA6&7](#)
Subject: Diversions
Date: Wednesday, July 23, 2014 5:42:23 PM

Patrick S. Clark - Market Administrator

Florida Marketing Area - Federal Order 6
Southeast Marketing Area - Federal Order 7
1550 North Brown Road, Suite 120
Lawrenceville, Georgia 30043
Phone: 770-682-2501
Fax: 770-822-1038
Email: FMMA6&7@fmmatlanta.com

Dear Mr. Clark

I am writing on behalf of myself and other dairy farmers located in the Southeast FMO area. Over time we believe that one or more of the provisions of the Southeast FMO creates inefficient handling of milk and results in disorderly marketing. More specifically, we believe the volume of milk diverted out of area to non-pool plants does not contribute to meeting the intent of the Southeast FMO and is exaggerating the decline of farm milk production in the Southeast FMO area. We also believe that farm milk production in the Southeast FMO area is insufficient to meet the needs of pooled distributing plants located in the Southeast FMO area and since farm milk production is insufficient FMO diversion percentages should be zero for the months of July, August, September, October and November 2014. Therefore we are requesting that you exercise your authority and reduce the diversion percentage to zero for the months of August, September, October and November 2014.

Considering everything, we believe this is an emergency and ask that you act before August 1, 2014. Because this problem is common knowledge in the industry, we believe your investigation for the need of the revision and your invitation of written data, views, and arguments can be accomplished in a short time frame and should be concluded on July 31, 2014 so that your decision can be issued on August 1, 2014.

If you choose not to exercise your authority or you cannot act before August 1, 2014 to correct this egregious problem, then as a provisional request, we ask that you immediately forward this letter to the U.S. Secretary of Agriculture. Our request to the U.S. Secretary of Agriculture is for him to suspend, for the same time period, the language in section 1007.13(d) of the Southeast FMO.

If you decide this request is invalid please respond in writing with your reasons.

Sincerely,

Lee Robey
Robey Farms

