

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

August 3, 2022

1:00 P.M.

Call in: 267-332-8737 - ID: 761 040 783#

**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. via Telephone conference, in which he opened with a moment of reflection.

Steven Zalman 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 July 6, 2022 Sunshine Meeting.

**PRESENTED by:** Chairman Barley

**MOTION by:** Member Van Blarcom

Moved to accept the meeting minutes for the July 6, 2022 Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the August 3, 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:**

N/A

**6. REPORT OF CHIEF COUNSEL:**

**DISCUSSION:** Attorney Eberly stated he had nothing to report

**7. LEGAL CASE DISPOSITIONS**

N/A

**8. LICENSE APPLICATIONS:**

**DISCUSSION:** Chairman Barley asked Att. Petruscu to present all the dealers as listed in the agenda, as 1 thru 12, due to the volume, and allowing for questions, followed with a motion and Board approval. The same will take place for subdealers.

**1. F. Mark Weber DBA Allegheny Valley Farms** Dealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that F. Mark Weber DBA Allegheny Valley Farms has submitted an application for a dealer license for 2022-2023. Applicant will purchase bulk milk from dealers to manufacture/package sour cream, and purchase packaged milk for resale to restaurants, and stores in Areas 2 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**2. Chobani LLC – Twin Falls Facility.** Dealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that Chobani LLC – Twin Falls Facility has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk from Cooperatives. Process/package milk products for resale to stores, and subdealers in Areas 2, 3, 4, and 5. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**3. Country View Creamery LLC**

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that Country View Creamery LLC has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk from out of state independent producers. Process and package milk products and manufacture cheese, for resale to stores and markets in Area. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**4. Flint Hill Farm Educational Center, Inc**

Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented that Flint Hill Farm Educational Center Inc. has submitted an application for a dealer license for 2022-2023. Applicant will process and sell milk/cream produced on own farm. Process and package milk products. Manufacture ice cream, and cheese for resale to stores in Areas 1 and 2. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**5. Fresh Dairy Company**

Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented that Fresh Dairy Company has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk directly from individual producer, and other dealers, and will manufacture cheese for resale to stores in Area 1. A COD has been provided in lieu of a bond. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**6. Gossner Foods, Inc**

Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented that Gossner Foods, Inc has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk directly from individual producer out of state, as well as from other dealers. Will process and package milk/cream products for resale to schools, stores, subdealer, and foodbanks, in Areas 1 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**7. Kurtz Family Dairy**

Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented that Kurtz Family Dairy has submitted an application for a dealer license for 2022-2023. Applicant will process and sell milk/cream that is produced on own farm. Process and package milk products, and manufacture ice cream for resale to stores in Area 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**8. Rothenbuhler Cheesemakers, Inc**

Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petruscu presented that Rothenbuhler Cheesemakers, Inc. has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk directly from individual producers and purchase bulk milk from dealers. Will use milk/cream to manufacture cheese for out of state sales. A bond has been provided. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**9. Twilight Acres Creamery**

Dealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that Melvin H. Oberholtzer DBA Twilight Acres Creamery has submitted an application for a dealer license for 2022-2023. Applicant will process and sell milk/cream produced on own farm only. Will process and package milk/cream products for resale to stores in Area 2. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**10. WWF Operating Company - VA**

Dealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that WWF Operating Company - VA has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk directly from individual producer, and cooperatives. Will process and package milk/cream products for resale to stores and subdealers in all six Areas. A bond has been provided. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**11. WWF Operating Company - TEXAS**

Dealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that WWF Operating Company - TEXAS has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk directly from out of state individual producers, and cooperatives. Will process and package milk/cream products for resale to stores and subdealers in all six Areas. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**12. WWF Operating Company - UTAH**

Dealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that WWF Operating Company – UTAH has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk directly from individual producer, and cooperatives. Will process and package milk/cream products for resale to stores and subdealers in all six Areas. 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. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**MOTION by:** Member Van Blarcom

Moved to accept the dealer licenses as listed in the agenda, 1 through 12, as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

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

**Dissenting:** None

**DISCUSSION:** Chairman Barley asked Attorney Petruscu to proceed in introducing the subdealers as listed 13-16 on the agenda.

**13. Diversified Foods, Inc**

Subdealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that Diversified Foods, Inc. has submitted an application for a subdealer license for 2022-2023. Applicant will purchase packaged milk/cream products from out of state dealers, for resale to schools, foodbanks, and food service entities in all six Areas. 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. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

**14. Naturally Brand Inc.**

Subdealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that Naturally Brand Inc. has submitted an application for a subdealer license for 2022-2023. Applicant will purchase packaged milk/cream products from out of state dealers, for resale to foodbanks in all six Areas. 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. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

**15. Philabundance**

Subdealer

**PRESENTED by:** Attorney Petruscu

**DISCUSSION:** Attorney Petruscu presented that Philabundance has submitted an application for a subdealer license for 2022-2023. Applicant will purchase packaged milk/cream from a dealer, for charitable redistribution to agency partners in Area 1. A bond has been submitted. 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. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

**16. Sherwood Food Distributors**

Subdealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented that Sherwood Food Distributors has submitted an application for a subdealer license for 2022-2023. Applicant will purchase packaged milk/cream products from in state dealer, for resale to stores in Areas 5, and 6. A bond has been provided. 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. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

**MOTION by:** Consumer Member Kassimer

Moved to accept the subdealer licenses as listed in the agenda, 13 through 16, 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. Sept. 7, 2022	1:00 P.M.	Virtual only

HEARING (s)

**DISCUSSION:** Chairman Barley reminded all the Over-Order Premium hearing is scheduled for August, 30, at 9:00 AM in Susquehanna Room A & B, Pennsylvania Dept. of Environmental Protection Building, 909 Elmerton Ave, Harrisburg. If necessary, the hearing will continue August 31<sup>st</sup>, and September 1, at the same location.

**10. ADJOURNMENT:**

Chairman Barley hearing no further matters to come before the Board, adjourned the meeting 1:16 P.M.