

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

July 6, 2022

1:00 P.M.

Call in: 267-332-8737 - ID: 633 743 069#

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.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 June 1, 2022 Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the meeting minutes for the June 1, 2022 Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the July 6, 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. PMMB Over-Order Premium Hearing request

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the hearing petition with the inclusion of the existence of Over-Order Premium, duration of the Over-Order, and the amount of the Over-Order, here to include all. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

DISCUSSION: Attorney Howard inquired if the hearing is to include the possibility that the Over-Order Premium will not continue past the September 30th deadline.

Chairman Barley stated that with the specific approved motion by Member Van Blarcom, the level was granted, and it was opened for duration, and for existence, which covers whether it continues or not.

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

Dissenting: None

6. REPORT OF CHIEF COUNSEL:

DISCUSSION: Attorney Eberly stated that the Board held a regulatory hearing earlier in the day regarding the Amendments to 7 Pa. Code Chapters 149. That information is posted on the website, to include Mr. Zalman's testimony along with the proposed amendments. It is listed under Other Hearings on the public hearing page. He further stated that he will draft all the miscellaneous other submissions that go with the proposed amendments in the next couple of weeks. Will circulate those items to the interested parties, and by mid-August submit them to the Attorney General to start the formal review process. If anyone has any input, and later there will be a public comment period.

DISCUSSION: Chairman Barley mentioned in reference to the Over-Order Premium hearing, the Board would like to tentatively schedule a 3-day hearing for August 30, 31, and September 1. In which he asked if anyone had any issues with that.

Attorney Yoviene stated that there were no issues with the provided dates.

7. LEGAL CASE DISPOSITIONS

N/A

8. LICENSE APPLICATIONS:

1. Nittany Valley Creamery Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Nittany Valley Creamery has submitted an application for a dealer license for 2022-2023. Applicant will process and sell milk/cream produced on own farm. Applicant will process/package milk products to resale to restaurants, stores and subdealers in Area 3 and 6. 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: Consumer Member Kassimer

Moved to approve a dealer license to Nittany Valley Creamery as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

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

Dissenting: None

2. Vendmack, Inc. DBA A-1 Vending Co. Subdealer

PRESENTED by: Attorney Petruscu

DISCUSSION: Attorney Petruscu presented that Vendmack, Inc. DBA A-1 Vending Co. has submitted an application for a subdealer license for 2022-2023. Applicant will purchase milk from an in-state dealer, for resale to restaurants, and stores in Area 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. A Provisional license was granted on July 1, 2022. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

MOTION by: Member Van Blarcom

Moved to approve a subdealer license to Vendmack, Inc. DBA A-1 Vending Co. as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

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

Dissenting: None

3. Greater Washington County Food Bank. Subdealer

PRESENTED by: Attorney Petruscu

DISCUSSION: Attorney Petruscu presented that Greater Washington County Food Bank has submitted an application for a subdealer license for 2022-2023. Applicant will purchase milk from another subdealer for charitable redistribution to agency partners in Area 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 subdealer license will be issued.

MOTION by: Consumer Member Kassimer

Moved to approve a subdealer license to Greater Washington County Food Bank as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

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

Dissenting: None

4. Helping Harvest Fresh Food Bank Subdealer

PRESENTED by: Attorney Petruscu

DISCUSSION: Attorney Petruscu presented that Helping Harvest Food Bank. has submitted an application for a subdealer license for 2022-2023. Applicant will purchase packaged milk/cream product from an in-state dealer for charitable redistribution to agency partners in Areas 2 and 3. 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. A Provisional license was granted on July 1, 2022. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

MOTION by: Member Van Blarcom

Moved to approve a subdealer license to Helping Harvest Food Bank as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

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

Dissenting: None

5. Hidden Rock Farm LLC. Subdealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Hidden Rock Farm LLC. has submitted an application for a subdealer license for 2022-2023. Applicant will purchase packaged milk/cream from an in-state dealer, for resale to restaurants, and stores, and home deliveries in Areas 3 and 6. 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 subdealer license will be issued.

MOTION by: Consumer Member Kassimer

Moved to approve a subdealer license to Hidden Rock Farm LLC 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. Aug 3, 2022	1:00 P.M.	Virtual only

HEARING (s)

DISCUSSION: Chairman Barley stated that the intent is to have the Over-Order Premium hearing in person for August, 30, 31, and Sept. 1st.

10. ADJOURNMENT:

Chairman Barley hearing no further matters to come before the Board, adjourned the meeting 1:15 P.M.