

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

September 7, 2022

1:00 P.M.

Call in: 267-332-8737 - ID: 781 327 195#

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.

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 August 3, 2022 Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Consumer Member Kassimer

Moved to accept the meeting minutes for the August 3, 2022 Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the September 7, 2022 Sunshine Meeting). **Seconded by Member Van Blarcom. 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 schedule Special Sunshine

DISCUSSION: Chairman Barley stated that the Board has set the Special Sunshine meeting date for September 21, 2022, to issue the Over-Order Premium, which will be in person, with a pre-order conference just prior to the meeting.

Consumer Member Kassimer asked if it could be scheduled for late morning to allow for travel time on the same day.

Chairman Barley therefore set the Special Sunshine meeting time for 11:00 AM on September 21st.

MOTION by: Consumer Member Kassimer

Moved to accept the Special Sunshine Meeting to be scheduled for Wednesday, September 21st, at 11:00 AM, to be in person. **Seconded by Member Van Blarcom.**

Attorney Howard inquired if the pre-order conference will take place just prior to the Special Sunshine meeting. In which Chairman Barley stated it would be at 10:55 A.M., on September 21st, though it may take longer than 5 minutes.

Attorney Eberly stated it would be at the Ag Building, and the room to be determined.

Motion carried without dissent.

6. REPORT OF CHIEF COUNSEL:

DISCUSSION: Attorney Eberly stated the Board has a decision pending from the hearing, so the Board will be discussing and deliberating in private, in accordance with the Sunshine Act. There were no other Board meetings outside of the public meetings.

7. LEGAL CASE DISPOSITIONS

1. Pequea Valley Farm LLC Dealer

PRESENTED by: Mr. Steven Zalman

DISCUSSION: Mr. Zalman presented 1. Legal Docket No. CE-22-005 for failure to account and make timely payment for milk delivered to it by producers during February 2022, and March 2022. Correct payment was made late. A consent order was signed and a negotiated penalty of \$100.00 was paid by Pequea Valley Farm LLC.

MOTION by: Member Van Blarcom

Moved to accept the consent order as presented. (1. Legal Docket CE-22-005 Pequea Valley Farm LLC.) **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

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

Dissenting: None

DISCUSSION: Chairman Barley stated that due to Attorney Jim Petrascu no longer employed with PMMB, Steven Zalman is filling in for the presentation of the specific entities. PMMB is working on a Staff Attorney replacement.

8. LICENSE APPLICATIONS:

DISCUSSION: Chairman Barley asked Mr. Zalman to present all dealers as listed in the agenda, 1 thru 5, without pause, and allowing for questions, followed with a motion and Board approval.

1. Buffalo Valley Pastures

Dealer

PRESENTED by: Mr. Steven Zalman

DISCUSSION: Mr. Zalman presented that Buffalo Valley Pastures has submitted an application for a dealer license for 2022-2023. Applicant will purchase bulk milk from Cooperative for resale to an out of state dealer. Process and sell raw milk in own directly to consumer on own farm. 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.

2. Chobani LLC – New Berlin Facility

Dealer

PRESENTED by: Mr. Steven Zalman

DISCUSSION: Mr. Zalman presented that Chobani LLC – New Berlin Facility has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk from Cooperatives. Purchase packaged milk products from dealer for resale to stores 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.

3. LALA U.S., INC.

PRESENTED by: Mr. Steven Zalman

DISCUSSION: Mr. Zalman presented that LALA U.S., INC. has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk from an out of state Cooperative, use milk to manufacture crema Mexicana 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.

4. Middlefield Original Cheese Co-op

Dealer

PRESENTED by: Mr. Steven Zalman

DISCUSSION: Mr. Zalman presented that Middlefield Original Cheese Co-op has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk from individual PA producers, which are Co-op members. Will manufacture cheese for resale to out of state distributors. 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. Minerva Dairy Inc.

Dealer

PRESENTED by: Mr. Steven Zalman

DISCUSSION: Mr. Zalman presented that Minerva Dairy Inc., has submitted an application for a dealer license for 2022-2023. Applicant will purchase milk from individual PA producers, which are Co-op members. Will manufacture cheese for resale to out of state distributors. 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 5 as presented. **Seconded by Consumer Member Kassimer. 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. Oct. 5, 2022 | 1:00 P.M. | Ag Bldg – Room 309 |

HEARING (S)

DISCUSSION: Chairman Barley reminded all that the October Sunshine meeting is subject to potential change from in person, to virtual.

10. ADJOURNMENT:

DISCUSSION: Chairman Barley commented

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