



UPPER MIDWEST MARKETING AREA
Federal Order No. 30

2150 Western Court, Suite 100
P.O. Box 4469
Lisle, IL 60532
Telephone: (630) 810-9999
Fax: (630) 810-1788

H. Paul Kyburz, Market Administrator
4570 W. 77th St., Suite 210
Minneapolis, MN 55435-5037
Telephone: (952) 831-5292
Fax: (952) 831-8249

Agricultural Marketing Service
Dairy Programs

Home Page:
www.fmma30.com

2701 International Lane, Suite 102
Madison, WI 53704
Telephone: (608) 242-1822
Fax: (608) 242-1846

May 17, 2006

TO: Interested Persons - Upper Midwest Marketing Area

SUBJECT: Issuance of Recommended Decision

Enclosed is a recommended decision issued by the Secretary of Agriculture for all Federal milk orders, including the Upper Midwest Order. The Decision recommends changes to the fluid milk product definition and is based on the record of a hearing held June 20-23, 2005 in Pittsburgh, Pennsylvania. A press release is also enclosed. These documents are also available on our website at: www.fmma30.com/Homepage/OrderActions.html.

Specifically, this decision recommends maintaining the current 6.5 percent nonfat milk solids criteria and incorporating an equivalent 2.25 percent true protein criteria in determining if a product meets the fluid milk product definition. This recommended decision also proposes to clarify how milk and milk-derived ingredients should be priced under all Federal orders. In addition, "drinkable" yogurt products containing at least 20 percent yogurt, kefir and products designed to be meal replacements, regardless of packaging, are proposed to be exempted from the fluid milk product definition.

Comments should be submitted on or before **July 17, 2006**. Comments (six copies) should be sent to:

Hearing Clerk
STOP 9200 – Room 1031
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-9200

Comments may also be submitted at the Federal eRulemaking portal: <http://www.regulations.gov> or by e-mail to: amsdairycomments@usda.gov. Reference should be made to the title of action and docket number.

/s/ H. Paul Kyburz
Market Administrator

Enclosures