



UNITED STATES DEPARTMENT OF AGRICULTURE  
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May 17, 2006

To: Interested Parties

From: Richard Fleming, Market Administrator, Carrollton, Texas

Subject: Recommended Decision to Amend All Federal Orders

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## AMS NEWS RELEASE

Release No. 050-06

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### USDA ISSUES RECOMMENDED DECISION ON AMENDMENTS TO ALL MILK ORDERS

WASHINGTON, May 16, 2006 – The U. S. Department of Agriculture today issued a recommended decision to amend the Class I fluid milk product definition for all federal milk marketing orders. The decision was based on the record of a hearing held June 20-23, 2005, in Pittsburgh, Pa.

Specifically, the 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. It also proposes to clarify how milk and milk-derived ingredients should be priced under all orders.

USDA is also proposing that, regardless of packaging, “drinkable” yogurt products containing at least 20 percent yogurt, kefir and products designed to be meal replacements be exempted from the fluid milk product definition.

The recommended decision will be published in the May 17 Federal Register. Public comments are due July 17, 2006 and should be sent to the Hearing Clerk, Stop 92---1031, U.S. Department of Agriculture, 1400 Independence Ave., S.W., Washington, D.C. 20250-9200. Comments may also be submitted at the Federal E-Rulemaking portal: <http://www.regulations.gov> or through e-mail to [amsdairycomments@usda.gov](mailto:amsdairycomments@usda.gov).

The recommended decision can be found at the following address on the internet:  
[http://www.ams.usda.gov/dairy/ne\\_etat/fluid\\_milk\\_product.htm](http://www.ams.usda.gov/dairy/ne_etat/fluid_milk_product.htm)

For additional information about the decision, please contact our office.

/s/ Richard Fleming

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Market Administrator