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United States Department of Agriculture

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Federal Order No. 33

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July 25, 2002

To: Interested Persons

Subject: Interim Final Rule Effective August 1, 2002

An Interim Final Rule for the Mideast Federal milk order has been released by the United States Department of Agriculture. The order amends certain pooling provisions of the Mideast Federal milk order on an interim basis, effective August 1, 2002. More than the required number of producers in the Mideast marketing area approved the issuance of the interim order in a producer referendum held in June.

The Interim Final Rule implements amendments to the Pool Plant provisions which eliminate automatic pool plant status for the 6-month period of March through August, eliminate the inclusion of milk shipments to a distributing plant regulated by another Federal milk order as pool-qualifying shipments, eliminate the "split plant" feature, eliminate the inclusion of diversions made by a pool supply plant located outside the marketing area to a pool distributing plant as the supply plant's qualifying shipments, and establish a "net shipments" provision for supply plants. For the Producer Milk provisions, this interim order implements amendments that increase the number of days that the milk of a producer needs to be delivered to a pool plant, add August to the "touch base" period, establish year-round diversion limits for producer milk, adjusted seasonally, for distributing plants pooled on the order, and exclude from receipts the diversions made by a pool plant to a second pool plant from the calculation of the diversion limitation. The amendments in the Interim Final Rule are unchanged from the proposed amendments contained in the Final Decision issued June 4, 2002.

The Interim Final Rule states that it is necessary and in the public interest to make these interim amendments to the Mideast order effective August 1, 2002, and that it would be contrary to the public interest to delay the effective date of these amendments for 30 days after their publication in the **Federal Register**.

Copies of the Interim Final Rule are available from this office. It can also be viewed on the Mideast Web Page at www.fmmaclev.com.

/s/ David Z. Walker
Market Administrator