



June 4, 2019

**Notice of a Minor Amendment to the  
Marketing Order for Advertising, Promotion, Research and Education Relating to  
Fluid Milk Products in California**

TO ALL INTERESTED PARTIES:

The California Department of Food and Agriculture (CDFA), upon the recommendation of the California Milk Processor Board (Board), has approved a minor amendment to the Marketing Order for Advertising, Promotion, Research and Education Relating to Fluid Milk Products in California (Marketing Order). The specific language for this amendment, which will become effective on June 10, 2019, is included as Exhibit "A", beginning on the reverse side of this notice.

The minor amendment clarifies the definition of "fluid milk products" in the Marketing Order for the purposes of assessment and specifically exempts buttermilk and eggnog from assessment. The amendment does not add authority to the Marketing Order beyond what already exists.

This amendment was recommended by the Board to achieve clarify the Marketing Order assessment for fluid milk products in California following the transition on November 1, 2018, to the Federal Milk Marketing Order for Area 51 for California. Under the federal order, buttermilk and eggnog were classified as "class I" products. Prior to this, buttermilk and eggnog were not classified as "fluid milk" and were not assessed in California. Once the amended order takes effect, CDFA will calculate for refund, all of the assessments collected and paid on buttermilk and eggnog for the period November 1, 2018 through June 9, 2019.

An updated version of the Marketing Order is available online at [www.cdfa.ca.gov/mkt/mkt](http://www.cdfa.ca.gov/mkt/mkt). If you have any questions regarding this minor amendment or the activities of the Board, please contact Steve James, Executive Director for the California Milk Processor Board at (949) 481-6620 or David Hillis, Senior Agricultural Economist, with the CDFA Marketing Branch at (916) 900-5018.

Sincerely,

Robert Maxie, Chief  
Marketing Branch

Enclosure



# Exhibit A

## PROPOSED AMENDMENT

To the

**Marketing Order for Advertising, Promotion, Research,  
and Education Relating to Fluid Milk Products In California**

### Article I

#### Section A

##### Definition 5. "Fluid Milk Products":

5. "Fluid Milk Products" means ~~the following Class 1~~ products that are both processed (pasteurized, ultrapasteurized, or UHT processed) and sold within the State of California: flavored and unflavored forms of whole, lowfat, extra light, and nonfat milks, as well as any of these products with added cultures and lactose-reduced versions of any of these products. Fluid milk products do not include ~~products~~ (a) buttermilk and eggnog, ~~(a)~~ (b) products resembling fluid milk products and sold in competition with such dairy products but in which all or part of the milkfat or nonfat milk solids have been replaced by non-dairy ingredients, ~~(b)~~ (c) products processed in the State but sold outside the State, or ~~(e)~~ (d) products sold within the State but processed outside the State.