



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF FOOD AND AGRICULTURE
100 CAMBRIDGE ST., BOSTON, MA 02202 617-727-3000 FAX 727-7235

WILLIAM F. WELD
Governor

ARGEO PAUL CELLUCCI
Lt. Governor

TRUDY COXE
Secretary

June 10, 1996 JONATHAN L. HEALY
Commissioner

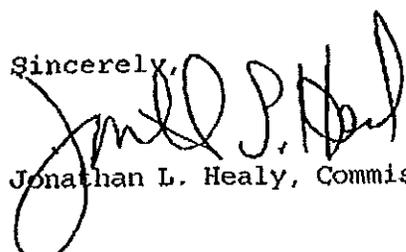
Dear Milk Store License Holder:

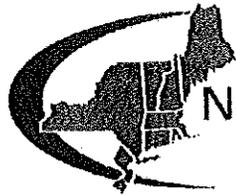
Effective July 1, 1996, I have decided to exempt milk stores from the requirement to hold a "milk dealers license" from the Department of Food and Agriculture. This will not change in any manner the laws governing the sale of milk below cost. In fact it should allow us additional staff time to pursue those entities that violate the law.

After consulting industry representatives, I have concluded no adverse effect on market conditions relative to milk. This exemption is in step with the Governor's initiative to minimize the intrusion of government in the normal activities of businesses in the Commonwealth. Those entities that sell milk wholesale to other stores or milk dealers must still acquire a milk dealers license. This action in no way impacts the requirement for any other license, state or local, that may be required.

While not a major activity, it is hoped that this elimination will be of assistance to you.

Sincerely,


Jonathan L. Healy, Commissioner



Northeast Dairy Foods Association, Inc.

Full Service Trade Association Representing Dairy Processors, Manufacturers and Distributors Since 1928

Memorandum of Opposition State of Connecticut Proposed Bill No. 5504

To: Connecticut Committee on Environment
From: Bruce W. Krupke, Executive Vice President
Date: February 18, 2009

The Northeast Dairy Foods Association respectfully submits the following position and comments to the General Assembly of the State of Connecticut, Committee on Environment.

Northeast Dairy Foods Association, Inc. is a full service membership trade association consisting of dairy product processors, manufacturers and distributors conducting business in the Northeast United States since 1928.

Our association is opposed to the passage of Bill No. 5504 for the following reasons:

1. The practice of licensing retailers to allow them to sell milk to consumers is unnecessary. In 1996, Massachusetts rescinded their licensing of retailers. Then Commissioner of the Department of Food and Agriculture Johnathan L. Healy stated "after consulting industry representatives, I have concluded no adverse effect on market conditions relative to milk. This exemption is in step with the governor's initiative to minimize the intrusion of government in the normal activities of businesses in the Commonwealth".

Connecticut should follow suit and not increase the fee to retailers to allow them to sell milk, the current fee should be rescinded as well. Government intervention is unnecessary. Other rules and regulations are already in place to oversee retail best practices; the retailer milk license fee is redundant and burdensome.

2. The dairy industry relies heavily on retailers; they are an important segment of the overall milk distribution system. Increasing the license fee does not assist the dairy industry to achieve the goal of increasing sales. In fact by mandating a fee just to allow a retailer to sell a specific product such as milk reduces the incentive for retailers to provide more shelf space; advertise; market; run incentives; invest in new equipment in a dairy section; provide a sale; tie-in with other products; increase labor to stock, rotate and clean the dairy section among many other reasons and will lead only to decreased sales of milk.
3. What is the purpose to require licensing of retailers to sell milk? Retailers are already required to keep milk and dairy products at specific temperatures. Retailers understand the proper handling of dairy products in Connecticut. The license fee is only a tax and hurts the dairy industry in the State.

201 S. Main Street
Suite 302
N. Syracuse, NY
13212-2166
Phone 315-452-6455
Fax 315-452-1643
info@nedairyfoods.org
www.nedairyfoods.org

President
Lewis P. Miller

Vice President
James Buelow

Secretary
Steven Schwartz

Treasurer
Larry Webster

Executive Vice
President
Bruce W. Krupke

Honorary Directors
Arthur Berger
Richard P. Boice

Board of Directors

Rich Boice

James Buelow

Charlene Cosman

William Fitchett

Bill Hogan

Jason Huck

Donald Merrigan

Lewis P. (Butch) Miller

Richard Rzeszotarski

Steven Schwartz

Rick Sedotto

Michael Suever

Liz VanBuren

Gary Warren

Butch Washburn

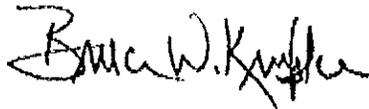
Larry Webster

4. Other surrounding states such as New York, Pennsylvania, Rhode Island and Massachusetts do not license retailers to sell milk. States with licensing such as New Jersey or Vermont require very minimal fees. The increased fee schedule proposed in Bill No. 5504 is unreasonable and extremely excessive. Should the bill pass, the extra cost to comply with the new law will be passed on to consumers since the fee will be a new cost of doing business.

For these reasons Bill No. 5504 should not be passed.

Thank you for your consideration of our association's opinion and position regarding the increase of fees on retail locations to sell milk.

Respectfully,

A handwritten signature in black ink, appearing to read "Bruce W. Krupke". The signature is written in a cursive style with some loops and flourishes.

Bruce W. Krupke
Executive Vice President