

Hoge, Paul

2777

**From:** Louise S. Smith [louisess@verizon.net]  
**Sent:** Monday, September 21, 2009 10:20 PM  
**To:** Hoge, Paul  
**Cc:** irrc@irrc.state.pa.us  
**Subject:** Dairy Regulations -

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

Dear Mr. Hoge:

As a concerned resident of Pennsylvania, I support all of the comments and questions as submitted by Brian Snyder, Executive Director of PASA as outlined below. The Proposed Rulemaking regarding Milk Sanitation standards recently issued by the Pennsylvania Department of Agriculture (PDA) should be improved by addressing these twelve issues prior to approving any new regulations.

Thank you for considering the concerns of PA residents.

Sincerely,  
Louise Smith

#### **Further Extension of Public Comment Period and Additional Hearings**

It was refreshing to read in the stated *Purpose* of the new regulations, as published in the *Pennsylvania Bulletin*, PDA's impression that "The regulated community is quite diverse, with the size and sophistication of dairy production and processing operations varying dramatically." But this introduction seems to be where such awareness – or at least any accommodation to it – topped rather abruptly.

Pennsylvania certainly is home to one of the most diverse agricultural communities in our nation – if we are not, in fact, the top of the list in that regard. In our survey of member dairy farmers who would be impacted by the proposed regulations, we have found profound confusion about what is happening and how folks should proceed to have their voices heard in the process. We find it unacceptable that information has been made available only via the Internet, particularly when a not-insignificant portion of the Commonwealth's dairy farmers have poor access to such information, and indeed, very many live with cultural inhibitions or restrictions in this regard.

We also note that, while one hearing on these new regulations has been held, the notice period was very short, the hearing was held in a month when most farmers are extremely busy, and the topics covered at that hearing were, by clear public notice, to be very restrictive. As your notice of the hearing stated, "This hearing will be focused only on the proposed changes to bacterial standards – and not on the entire proposed new regulation." The distance involved for many farmers to attend that hearing, along with the relentless schedule of most dairy farmers, were also limiting factors for those wishing to know more about the intended regulatory changes.

We propose that a) the public comment period on this proposed rulemaking be extended an additional 30 – 60 days, to as late as the end of November, b) that open, free-ranging public hearings be scheduled in three locations across the Commonwealth, in the eastern, central and western regions specifically, and c) that "redline" versions of the new regulations, highlighting all significant changes being proposed, be made available, both online and in hardcopy, to whomever should request them in advance of those hearings. 3