

DEPARTMENT OF AGRICULTURE
Office of Milk Industry

Regulations re-

Milk pricing, etc.

OFFICE OF THE DIRECTOR OF MILK CONTROL
Trenton, New Jersey

REGULATION NO. F-1

By virtue of the authority vested in me pursuant to the provisions of P. L. of 1941, Chapter 274, it is hereby ORDERED that:

All dealers and processors who shall purchase milk from producers shall supply to each producer a statement of the milk received from the producers each day showing the weight in pounds or the quantity in quarts of milk so received by the said dealer or processor from the producer on the particular day covered by said statement. The said statements shall be delivered to the producer at least semimonthly.

This regulation shall take effect immediately.

ARTHUR F. FORAN
Director of Milk Control
State of New Jersey

Dated: November 15, 1941

OFFICE OF THE DIRECTOR OF MILK CONTROL
Trenton, New Jersey

REGULATION NO. F-3

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, it is hereby ordered that:

1. Before a processor or milk dealer may sell any milk, cream, or milk products to another processor or milk dealer, the former milk dealer or processor shall apply to the Director of Milk Control (executing Form X-1 which will be provided for that purpose) to ascertain whether the latter processor or milk dealer has paid in full for milk, cream, or milk products purchased from the milk dealer or processor from whom he has been buying these products provided, however, that this regulation shall apply only to purchases made on a continuing basis, daily or weekly supply when said purchases have continued for not less than 30 days. A milk dealer or processor shall not directly or indirectly sell to a processor or dealer until a copy of Form X-1 has been returned to the milk dealer or processor by the Director stating that the second milk dealer or processor has made full payment for milk, cream, or milk products previously purchased. All credit information furnished by the Director to a milk dealer or processor relative to the status of any dealer's or processor's account shall be deemed strictly confidential and shall not be divulged by the milk dealer and/or processor to anyone.
2. All milk dealers or processors shall furnish to the Director of Milk Control, correctly and forthwith, such credit information as requested by the Director respecting the status of the account of any processor or dealer.
3. Each processor or milk dealer shall notify the Director of Milk Control within five days if a dealer or processor discontinues purchasing milk, cream, or milk products from him, and, if the dealer or processor who discontinues purchasing from a processor or milk dealer is indebted to the processor or milk dealer, the latter shall file a sworn statement with the Director, stating the amount of this indebtedness for milk, cream, or milk products.
4. In case a dealer or processor acquires the milk business of another dealer or processor, and wishes to change the source of supply of the acquired business, the processor or milk dealer who proposes to supply this dealer or processor with milk, cream, and/or milk products for the acquired business shall comply with the terms of this order relative to that supply.

This regulation shall take effect immediately.

ARTHUR F. FORAN
Director of Milk Control
State of New Jersey

DATED: May 14, 1942

OFFICE OF THE DIRECTOR OF MILK CONTROL
Trenton, New Jersey

REGULATION F-9

By virtue of the authority vested in me pursuant to the provisions of p. l. 1941, Chapter 274, it is hereby ORDERED that:

A dealer who sells milk in more than one Marketing Area of the State shall file a separate report of his sales for each Marketing Area on the forms provided.

This regulation shall become effective immediately, and shall include sales of milk made during the month of May, 1946 for which report shall be made during the month of June, 1946.

ARTHUR F. FORAN
Director of Milk Control
State of New Jersey

DATED: May 24, 1946

OFFICE OF THE DIRECTOR OF MILK CONTROL
Trenton, New Jersey

REGULATION F-10

By virtue of the authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, and at the request of New Jersey distributors in this state that prices for sales of bulk milk and bulk cream between dealers and processors and other dealers and other processors were presently a burden to the industry, it is hereby ORDERED that:

The minimum prices for sales of bulk milk and bulk cream between dealers and processors and other dealers and other processors are hereby rescinded.

This regulation shall take effect at 12:01 A. M., Eastern Standard Time, Tuesday, January 28, 1947.

ARTHUR F. FORAN
Director of Milk Control
State of New Jersey

DATED: January 27, 1947

STATE OF NEW JERSEY
ARTHUR F. FORAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-14

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, as amended by P. L. 1948, Chapter 447, it is hereby ordered that:

1. In addition to the information required by Official Order C-4 and Regulation F-3, each Processor, Dealer or Producer-Dealer selling to other Dealers, Processors and to Sub-Dealers shall show on their monthly reports the license number of the licensee to whom they sell and the exact name as listed on the license. If the ownership of any license changes, the selling Dealer or Processor shall notify the Office of Milk Industry immediately.

This regulation will take effect July 1, 1949.

ARTHUR F. FORAN, Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: June 24, 1949.

STATE OF NEW JERSEY
ARTHUR F. FORAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-21

If a dealer finds it necessary to discontinue a producer, at least thirty days' written notice shall be given to the producer. If a producer wishes to discontinue selling to a dealer, at least thirty days' written notice shall be given to the dealer.

Notice of discontinuance shall be filed with the Office of Milk Industry on Form PR-I properly executed, at the same time that the notice of discontinuance is given to the producer. If a dealer takes on a producer, he shall file Form PR-II with the Office of Milk Industry properly executed.

This Regulation shall take effect on May 17, 1950.

ARTHUR F. FORAN, DIRECTOR
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: May 17, 1950

STATE OF NEW JERSEY
ARTHUR F. FORAN, DIRECTOR, OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-22

After a careful study of conditions existing in the milk industry regarding the delivery of milk I have found it necessary to amend Regulation F-20.

Therefore, by virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274 as amended by P. L. 1948, Chapter 447, it is hereby ordered that:

1. No wholesale deliveries may be made on Sunday in any week in Milk Marketing Areas #1, 4 and 5. In Milk Marketing Area #3 beginning 12:01 A.M. Eastern Daylight Saving Time, May 15th and continuing until 11:59 P.M. Eastern Daylight Saving Time, September 15th, the delivery of milk may be made to wholesale customers without restriction. From September 16th to May 14th the maximum number of days on which wholesale deliveries of milk and/or cream may be made in Milk Marketing Area #3 during any week shall be no more than six. In Milk Marketing Area #2 the maximum number of days on which wholesale deliveries of milk and/or cream may be made during any week shall be no more than six.
2. The maximum number of retail deliveries of milk and/or cream during any week shall be not more than four to any retail customer.
3. No two retail deliveries may be made on the same day.
4. No exception is made from the deliveries fixed in Sections One and Two when milk and/or cream is delivered with any other product.
5. Contracts with government agencies and hospitals which stipulate daily deliveries shall be submitted to the director for approval before daily deliveries may be made.
6. Licensees serving wholesale customers who are located in the vacation resort areas of the state may petition the Director for exception to Sunday delivery rule during the period beginning May 15th to September 15th both inclusive. Where such rule in the opinion of the Director will work a hardship on the resort establishment, written permission will be granted for Sunday delivery.
7. The provisions of any order or regulation inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This regulation supersedes Regulation No. F-20.

This regulation shall take effect Tuesday, August 15, 1950

ARTHUR F. FORAN, Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: August 10, 1950

STATE OF NEW JERSEY
ARTHUR F. FORAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-24

On May 17, 1950 Regulation F-21 was made effective. By this regulation a dealer or processor is obliged to give thirty days notice before he may discontinue the purchase of the producers milk.

This regulation has at times been a cause of hardship to some milk dealers and processors who having lost trade have been obliged to continue purchasing milk from producers for thirty days, which they were unable to sell in the fluid milk market. In order that this cause of hardship may cease and so that this phase of industry may function in a more orderly manner, therefore, by the virtue of authority vested in me pursuant to the provision of P. L. 1941, Chapter 274, as amended by P. L. 1948, Chapter 447, it is hereby ordered that:

(1) Before a dealer or a subdealer files with the Office of Milk Industry an application, on Form X - 1, to change his source of supply of milk and/or milk products as required by Order C-4 and Regulation F-3 he shall give on forms provided by the Office of Milk Industry to his milk processor or dealer a sworn or affirmed notice of his intent to discontinue his present source of supply at least thirty days before he files the application (Form X - 1) and shall forward to the Office of Milk Industry by registered mail a sworn or an affirmed copy of his notice of intent to discontinue his present source of supply.

(2) Before a milk processor or dealer discontinues supplying milk and/or milk products to a dealer or a subdealer he shall give to the subdealer, on forms provided by the Office of Milk Industry, at least thirty days notice of his intent to discontinue the supply of milk and/or milk products to the dealer or subdealer and a copy shall be forwarded to the Office of Milk Industry by registered mail. The notice and the copy shall be sworn to or affirmed.

(3) Nothing in this regulation shall be construed to change, mitigate, or annul any of the provisions of Official Order C-4 or Regulation F-3.

This regulation shall take effect at 12:01 a.m., Eastern Daylight Saving Time, on Tuesday, May 22, 1951.

ARTHUR F. FORAN, Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: May 9, 1951

State of New Jersey
Department of Agriculture
Office of Milk Industry
Trenton 8, N. J.

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-28

To insure enforcement of Regulation F-27, drawn to eliminate unfair trade practices which might harm the producers' interests, we find it necessary to make the store licensee or receiver equally responsible with the supplier in the event of a violation.

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274 as amended by P. L. 1948, Chapter 447 and P. L. 1952, Chapter 159, it is hereby ordered that:

1. No store licensee shall receive as a gift or loan from any dealer, producer-dealer, processor or subdealer any ice box, refrigerating equipment, or milk or cream dispenser of any type for the purpose of storing or dispensing milk, cream and milk products.

2. The provisions of any order or regulation inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This regulation shall take effect Thursday, September 11, 1952.

C. WESLEY ARMSTRONG, JR., Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: September 11, 1952

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-27

After considerable investigation regarding the sales of milk by dealers, producer-dealers and subdealers to stores, restaurants, soda fountains and other wholesale outlets, we have found that the installation of electric ice boxes, refrigerating equipment and other types of dispensers for milk and cream is demoralizing the legitimate sale of milk, cream and milk products.

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274 as amended by P. L. 1948, Chapter 447 and P. L. 1952, Chapter 159, it is hereby ordered that:

1. No licensee shall give or lend to any customer an ice box, refrigerating equipment, or milk or cream dispenser of any type for the purpose of storing or dispensing milk, cream and milk products.

2. Where a licensee sells, leases or rents any of the above described equipment to a customer, a copy of the bill of sale, lease or rental contract therefor shall be filed with the Office of Milk Industry not later than the date of installation.

3. The provisions of any order or regulation inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This regulation shall take effect Tuesday, August 19, 1952.

C. WESLEY ARMSTRONG, JR., Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: August 13, 1952



State of New Jersey
DEPARTMENT OF AGRICULTURE
W. H. ALLEN, SECRETARY
TRENTON 8

OFFICE OF MILK INDUSTRY

C. WESLEY ARMSTRONG, JR., DIRECTOR

September 11, 1952

TO ALL DEALERS, PRODUCER-DEALERS, PROCESSORS AND SUBDEALERS:

Inquiries relative to Regulation F-27 have caused us to realize the need of a clear interpretation of the Regulation.

It should be thoroughly understood that the prime issue behind this Regulation is to eliminate unfair trade practice in the sale of milk to stores and other wholesale outlets which might harm the producers' interest.

A study by our staff has indicated certain questions, some of which we believe are self-explanatory. For example, paragraph 1 reads - "No licensee shall give or lend to any customer an ice box, refrigerating equipment, or milk or cream dispenser of any type for the purpose of storing or dispensing milk, cream and milk products." I cannot understand why there should be any misunderstanding about this paragraph. It clearly prohibits the giving away or lending of refrigeration equipment.

A cataloguing of other inquiries relative to Section 2 of the Regulation seems to resolve itself into two general headings: what type of lease or sale will be permitted under the Regulation and what disposition shall be made of equipment already in service at the time the Regulation was issued. After discussing this matter with several members of the industry, conferring with various members of our staff, and considerable deliberation, we list the following plans which will have the approval of this Office:

RENTALS

An ice box, refrigerating equipment, or milk or cream dispenser of any type for the purpose of storing or dispensing milk, cream and milk products shall be leased at the following minimum prices per month:

Value up to	\$350.00	-	\$10.00 per month
Value from \$351.00 to	\$500.00	-	\$15.00 per month
Value from \$501.00 to	\$750.00	-	\$20.00 per month
Value from \$751.00 to	\$1000.00	-	\$30.00 per month
Value from \$1001.00 to	\$1500.00	-	\$45.00 per month

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SALES

CASH SALES - for new equipment furnished since the date of issuance of Regulation F-27, the minimum price shall be the current list price, plus handling, installation and freight charges.

TIME PAYMENT SALES - for new equipment furnished since the date of issuance of Regulation F-27, the minimum price shall be the current list price plus 6% interest, plus handling, installation and freight charges; payments totaling the above to be spread evenly over a maximum period of not more than three years.

EQUIPMENT IN USE

Equipment in use, that is, equipment that was furnished by the dealer previous to August 19, 1952, shall be exempt from sales or rental arrangements. This equipment shall, however, be registered with the Office of Milk Industry by filing a list of the names and addresses of the recipients, type of equipment installed, and a sample copy of the form used in placing this equipment. This information shall be supplied not later than ten days from the date of this letter.

It must be understood that when it becomes necessary to replace the equipment now in use, the replacement equipment shall be installed in accordance with the regulation for new equipment.

MAINTENANCE OF EQUIPMENT

Maintenance of equipment where it is leased to the customer will be the responsibility of the lessor. Maintenance of the equipment where it is sold either on time payments or for cash shall be the responsibility of the purchaser.


GENERAL

The sale or lease of any equipment tied in with a price concession for milk or milk products will be a violation.

As a matter of information, upon the receipt of contracts, the Office of Milk Industry will forward to the dealer a label carrying the State Seal. This label shall be located by the dealer, producer-dealer, processor or subdealer in a conspicuous place on the equipment to indicate that it has been recorded.

In keeping with the Regulation, all contracts for both new and used equipment shall be registered with the Department. Any equipment furnished by dealer, producer-dealer, processor or subdealer, found by the inspectors not recorded in the Office of Milk Industry, will cause the Department to place charges against the owners for violation of the Regulation.

Sincerely yours,


C. Wesley Armstrong, Jr.
Director

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-28

To insure enforcement of Regulation F-27, drawn to eliminate unfair trade practices which might harm the producers' interests, we find it necessary to make the store licensee or receiver equally responsible with the supplier in the event of a violation.

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274 as amended by P. L. 1948, Chapter 447 and P. L. 1952, Chapter 159, it is hereby ordered that:

1. No store licensee shall receive as a gift or loan from any dealer, producer-dealer, processor or subdealer any ice box, refrigerating equipment, or milk or cream dispenser of any type for the purpose of storing or dispensing milk, cream and milk products.

2. The provisions of any order or regulation inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This regulation shall take effect Thursday, September 11, 1952.

C. WESLEY ARMSTRONG, JR., Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: September 11, 1952

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-29

In order that all unfair trade practices may be eliminated which might harm the producers' interests and which would tend to reduce a wholesome supply of milk for the health and welfare of the citizens of this State, we find it necessary to regulate the practice of giving or lending things of value in the sale and solicitation for sale of milk and milk products.

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, as amended by P. L. 1948, Chapter 447 and P. L. 1952, Chapter 159, it is hereby ordered that:

1. No licensee of the Office of Milk Industry shall give or lend any thing of value to any customer served by the licensee or solicited to be served by the licensee.
2. Industry practices normally pursued at the holiday season are not intended to be regulated at this time.
3. The provisions of any order or regulation inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This regulation shall take effect Wednesday, September 24, 1952.



C. WESLEY ARMSTRONG, JR., Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: September 22, 1952

STATE OF NEW JERSEY
BEFORE
C. WESLEY ARMSTRONG, JR.

REGULATION F-31

In order to simplify the discount regulation on sales by Processors to Subdealers, we are continuing those presently in effect in this regulation.

1. A subdealer who uses his own cases and bottles may be allowed a discount of 1/4¢ per quart by the dealer or processor for the use of bottles and cases. Pints, half-pints, or other type container must be converted into quarts. Where the dealer furnishes the bottles, a bottle deposit of \$.03 each shall be charged, and where a container box is furnished, 50¢ shall be charged for each box. Caps are to be furnished by the dealer.

2. Discounts allowed on volume purchases shall be determined on the average daily purchases for each week. Such discounts may only be allowed a subdealer who purchases quantities in accordance with the aforesaid schedule. This schedule of prices may become applicable to a subdealer, who, by actual purchase, acquires the business of another subdealer, thereby increasing his volume of business to conform to the above schedule.

3. If a subdealer or dealer transports or arranges for the transportation of the milk which he purchases from a dealer's or processor's depot, bottling or processing plant, to his plant or distributing point, including return of empty bottles and cases, the actual cost of cartage may be deducted from the prices as fixed by the Director. This cost is to be credited to the subdealer's account by the dealer or processor upon the presentation of receipts covering the cartage, and in no case shall the deductions exceed the following schedule:-

From plant or depot to distribution point, one way	Up to 6 miles	None
	6 miles and up to 11 miles	1/4¢
	11 " " " " 26 "	1/2¢
	26 " " " " 51 "	3/4¢
	51 " and over	1¢

Computations are to be made on the basis of quarts; pints, half-pints or other type containers must be converted into quart equivalent.

In the application of the above schedule of deductions, the distance shall be that which exists by the most direct route between the subdealer's plant or central distributing point (address listed on license) and the processor's or dealer's nearest depot or bottling or processing plant.

This regulation shall take effect at 12:01 A. M., Eastern Daylight Saving Time, Friday, May 1, 1953.

DATED: April 16, 1953

C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-33

No licensee or other person, association or corporation shall hereafter contrary to the public interest operate in any municipality under any mutual or secret agreement, arrangement, combination, contract or common understanding, with any other licensee or person, firm, association or corporation, whereby the price for milk to be paid to producers in this State is reduced or the price to be paid by dealers, processors, subdealers, stores or consumers for such milk is decreased in pursuance of such mutual or secret agreement, arrangement, combination, contract or common understanding, and each such contract, arrangement, agreement or understanding is hereby prohibited and declared to be contrary to the public interest and in restraint of trade and commerce, and shall subject the violator or violators to the penalty in this act prescribed.

By the terms of this section of the law, both the buyer and the seller will be held equally responsible in any violation.

This regulation shall take effect at 12:01 A. M. Eastern Daylight Saving Time, Friday, May 1, 1953.

C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

DATED: April 16, 1953

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

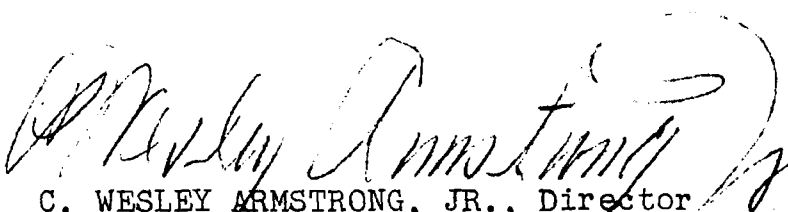
REGULATION F-34

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, as amended by P. L. 1948, Chapter 447, and as amended by P. L. 1952, Chapter 159, it is hereby ordered that:

1. Regulation F-23 is herewith rescinded. It is no longer necessary for processors, dealers, producer-dealers and subdealers to post with the Office of Milk Industry the prices at which they will sell milk.

2. The provisions of any order or regulation inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This regulation shall take effect 12:01 A. M., Eastern Daylight Saving Time, Friday, May 1, 1953.


C. WESLEY ARMSTRONG, JR., Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: April 27, 1953

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION F-37

This regulation concerning bottle deposits is being issued to adjust certain conditions which were found impractical in Regulations F-30 and F-32.

1. Regulation F-30 is hereby repealed.
2. Regulation F-32 is hereby repealed.

Hereafter deposits on bottles shall be confined to licensed stores only.

3. The minimum glass bottle deposit for bottled milk delivered to licensed stores (for consumption off the premises) in the counties of Cumberland and Salem shall be five cents per bottle. Bottle deposits shall not be mandatory in any other sections of Area One.

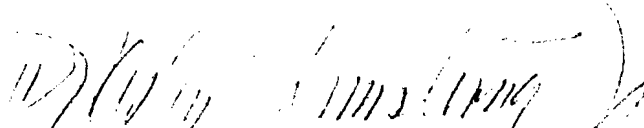
4. Bottle deposits shall not be mandatory in Area Two and Three.

5. The minimum glass bottle deposit for bottled milk delivered to licensed stores (for consumption off the premises) in Areas Number Four and Five shall be three cents per bottle.

6. Bottle deposits shall not be mandatory in the town of Phillipsburg, the Borough of Alpha, the townships of Lopatcong, Pohatcong and Greenwich in Warren County, the Borough of Bloomsbury in Hunterdon County situated in Area Number Five.

7. Each dealer shall use what is commonly known in the industry as a special store bottle or a band to designate the store bottle, except in the areas where a bottle deposit is not mandatory.

This regulation shall take effect at 12:01 A. M. Eastern Daylight Saving Time, Saturday, August 1, 1953.


C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

Dated: July 15, 1953

STATE OF NEW JERSEY
FLOYD R. HOFFMAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION H-1

After several conferences held by committees of milk dealers' associations regarding enforcement of resale price and after considerable investigation, I find that it is necessary to ask each licensee in the milk industry to state his position regarding compliance to price orders. In order that the Office of Milk Industry may better enforce its orders, I deem compliance with the following regulation necessary.

By virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, as amended by P. L. 1948, Chapter 447, as amended by P. L. 1952, Chapter 159, I herewith issue the following regulation.

1. It is hereby ordered that all licensed processors, dealers, producer-dealers and subdealers selling or buying milk or milk products at prices less than these established in resale price orders shall report on form H-1A prescribed and furnished by the Office of Milk Industry monthly giving the following information. The completed form H-1A shall be filed with the Office of Milk Industry not later than the 10th day of the month following.

- a. Name and address of the account
- b. Daily average quarts
- c. Amount of discount

2. Wholesale accounts acquired during the period of the report, giving the following information:

- a. Name and address of the account
- b. Daily average quarts
- c. Name of salesman who is familiar with the account.
- d. The reason given by the account to you for making the change.

This is the information formerly required by Regulation F-35.

3. The same information as required in Section 2 above must be given for wholesale accounts discontinued. This also is in accordance with former Regulation F-35.

Page 2.

REGULATION H-1

4. When a dealer, producer-dealer or subdealer obtains a new wholesale account, it will be necessary to have form H-1B completed and filed with the Office of Milk Industry within 72 hours. The forms will be furnished by the Office of Milk Industry at the request of the licensee. The information required is: name and address of the account and an affidavit of both parties (buyer and seller) that the account is obtained in compliance with all regulations, and the orders regarding prices fixed by the Office of Milk Industry.

5. Where none of the items in Section 1, 2 and 3 above apply, the form must be completed stating that none apply, and the affidavit must be completed on the form each month. The form must be sworn or affirmed to by the licensee in the case of an individual operating as a licensee. In a partnership, the form must be completed by a partner of the partnership. In the case of a corporation, the form must be completed and sworn to by an officer of the corporation. Failure to file the form required with the Office of Milk Industry could result in action brought about by the Office of Milk Industry on Order to show Cause why the licensee should be permitted to continue or why an application for renewal of license should not be refused.

6. This regulation rescinds Regulations F-35 and F-36.

This regulation shall take effect at 12:01 A. M. on May 1, 1954.

FLOYD R. HOFFMAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

Dated: April 19, 1954

STATE OF NEW JERSEY
FLOYD R. HOFFMAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

REGULATION H-2

Since the re-establishment of resale prices by the Office of Milk Industry, effective May 1, 1953, the records of this office show numerous violations of the price orders, by dealers, subdealers and producer-dealers to stores. These violations in the main indicate failure on the part of many stores to promptly pay for milk purchased; the demanding and receiving of discounts, so that a price less than the fixed minimum price is obtained by stores; the seeking and obtaining of equipment and other facilities from dealers, all at dealer expense, and other violations numerous in character, all of which constitute unjust and unfair trade practices that tend to demoralize the industry, with the consequent weakening of the price structure which at all times must be maintained if the milk control act is to be effective and to accomplish the purpose for which it was enacted. From an examination of the records in this office and from a study that I have made in the field, I have concluded that these unfair and unjust practices must be forthwith discontinued and in order to bring about closer supervision and insure more orderly marketing, this regulation is issued.

Therefore, by virtue of authority vested in me pursuant to the provisions of P. L. 1941, Chapter 274, as amended by P. L. 1948, Chapter 447, as amended by P. L. 1952, Chapter 159, I hereby order that:

1. Before a licensed store may change its source of supply, the licensee must file on Form H-2A notice of intent to change its source of supply, or to engage an additional supply. This form is to be completed in triplicate, the original copy sent to the licensed dealer, subdealer, or producer-dealer selling milk to the licensed store, and the duplicate copy is to be filed with the Office of Milk Industry, and the third copy is to be kept in its files. It is necessary that this notice of intent to change its source of supply by the licensed store shall be filed twenty days in advance of the date of the proposed change. The completed form must be sent by registered mail.

2. The licensed dealer, subdealer or producer-dealer receiving a form H-2A giving notice of intent to change must complete form H-2B within ten days after receipt of form H-2A, sending the original copy to the Office of Milk Industry by registered mail, the duplicate copy to the licensed dealer, subdealer or producer-dealer from whom the store proposes to purchase its supply or additional supply and retain the third copy for his own files. If form H-2B is not received by the Office of Milk Industry in the time specified, permission will be granted to the store to make the proposed change.

3. No licensed store will be permitted to change its source of supply or engage an additional supply until it receives notice from the Office of Milk Industry that Regulation H-2 has been complied with.

This regulation shall take effect at 12:01 A. M. Thursday, May 27, 1954.

FLOYD R. HOFFMAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

Dated: May 20, 1954

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Records and:
Reports by Milk Dealers :

OFFICIAL ORDER NO. B-6

By virtue of authority vested in the Milk Control Board by Chapter 169, Laws of 1933, it is hereby ORDERED

Official Orders No. 4, 5, 8, 13, 22, 23 and 26 heretofore promulgated by this Board, are hereby annulled.

It IS HEREBY ORDERED that until further notice each milk dealer, purchasing milk or cream from producers and/or importing milk or cream into the State of New Jersey, as defined in Chapter 169 of the Laws of 1933, of the State of New Jersey, shall keep books of record and account and other data readily available at his or its office or other principal place of business which shall give information as follows:

1. A monthly record of all milk and/or cream produced by dealer's own herd, whether in the State of New Jersey or outside of the State of New Jersey.
2. A monthly record of all purchases of milk and/or cream, from producers and from dealers showing quantities in pounds, butterfat content, prices and differentials paid, detailed as to whether said milk and/or cream was produced within the State of New Jersey or outside of the State of New Jersey.
3. A monthly record of all milk and/or cream sales according to the following classifications:
 - (a) Route Sales
 - (b) Store Sales
 - (c) Sales to Welfare and Charitable Organizations
 - (d) Sales to Hotels, Restaurants, Hospitals in bulk
 - (e) Wholesale in bulk
 - (f) Sales to State, Municipal and Federal Government upon bids or for municipal relief upon bids.

Each of the foregoing classifications shall be subdivided as follows:

- (a) Grade A fluid milk
- (b) Fluid Milk Other than A
- (c) Heavy Cream
- (d) Medium Cream
- (e) Light Cream
- (f) Heavy Sour Cream
- (g) Medium Sour Cream
- (h) Light Sour Cream
- (i) Buttermilk

Under these subdivisions, a monthly record shall be kept of quantities in quarts, pints, one-half pints and bulk quarts sold,

showing unit price of each, equivalent in quarts of milk, the sales value of each product in the subdivision.

- 4. A daily record of utilization or disposal of all milk received whether from producers, dealers or produced by own herd.
- 5. A monthly record of wastage or loss of milk or butterfat.
- 6. A monthly record of spread or processing and distribution expense.

In addition to the regular monthly report, dealers who import milk into the State of New Jersey are required to submit on a form provided (Schedule C), a reconciliation of all milk received and its disposal, as well as Schedule D, showing classification and price paid for such milk.

Any cooperative association or cooperative corporation paying producers a blended price for milk produced in New Jersey, shall file with the Milk Control Board, a monthly report giving the quantities and prices for each classification which enters into the determination of such blended price.

Special reports will be required from producer-dealers who distribute exclusively the milk which they produce.

IT IS FURTHER ORDERED that dealers purchasing milk or cream from producers, when making final payment each month, shall render to each producer a statement on the form given below. If dealers wish to submit additional facts to producers this form may be supplemented.

PRODUCER'S STATEMENT

Established Norm _____ Butterfat test _____%

Name of Dealer _____ Report for _____

Name of producer _____ Grade _____

Norm- sold for fluid
consumption _____ lbs. _____% norm milk, Rate _____ Amt. _____

Norm- separated into
Cream _____ lbs. _____% norm milk. Rate _____ Amt. _____

Excess- over establish-
ed norm _____ lbs. Rate _____ Amt. _____

Total _____

IT IS FURTHER ORDERED that each milk dealer shall keep available at his office for at least two years after filing such reports, the books of account and such records upon which these reports are based, and these books of account and record shall be in a form which can readily substantiate and afford a check upon the information contained in the report.

This order shall take effect at 12:01 A. M., Daylight Saving Time.

MILK CONTROL BOARD

William B. Duryee

John V. Bishop

M. B. Swenson

Dated at Trenton, New Jersey
the 2nd day of July, 1934.

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Regulating :
Sales of Milk and/or Cream :
by Milk Dealers and/or Pro- :
cessors to Subdealers. :

OFFICIAL ORDER NO. C-4

By virtue of authority vested in the Milk Control Board by Chapter 175, Laws of 1935, and more particularly but not in limitation of the foregoing by Section 308, and the Board having found, by such investigation and proof as the emergency permits, including a public hearing held on November 6, 1935, in the Assembly Room of the First Mechanics National Bank Building, Trenton, New Jersey, in accordance with the provisions of rules VIII, IX, and X adopted by the Board for the Conduct of its proceedings, to which milk dealers, processors, subdealers, producers, consumers, local dealers, and public health officials of this State were invited to attend and submit such proof as they desired and at which many such did appear and submit such proofs and by a careful consideration of all the facts, that it is necessary to control and regulate in the manner following, credit conditions existing between milk dealers, subdealers, and processors to effectuate the purposes for which the Milk Control Board of the State of New Jersey has been established, it is hereby ORDERED

1. That before a processor or milk dealer may sell any milk, cream, or milk products to a subdealer (as defined in Chapter 175, Laws of 1935), the milk dealer or processor shall apply to the Milk Control Board (executing Form X-1 which will be provided for that purpose) to ascertain whether the subdealer has paid in full for milk, cream, or milk products purchased from the milk dealer or processor from whom he has been buying these products. A milk dealer or processor shall not directly or indirectly sell to a subdealer until a copy of Form X-1 has been returned to the milk dealer or processor by the Board stating that the subdealer has made full payment for milk, cream, or milk products previously purchased. All credit information furnished by the Board to a milk dealer or processor relative to the status of any subdealer's account shall be deemed strictly confidential and shall not be divulged by the milk dealer and/or processor to anyone.
2. All milk dealers or processors shall furnish to the Board correctly and forthwith, such credit information as requested by the Board respecting the status of the account of any subdealer.
3. Each processor or milk dealer shall notify the Milk Control Board within five days if a subdealer discontinues purchasing milk, cream, or milk products from him, and, if the subdealer who discontinues purchasing from a processor or milk dealer is indebted to the processor or milk dealer, the latter shall file a sworn statement with the Board, stating the amount of this indebtedness for milk, cream or milk products.

-2- OFFICIAL ORDER NO. C-4

4. In case a subdealer acquires the milk business of another subdealer, and wishes to change the source of supply of the acquired business, the processor or milk dealer who proposes to supply this subdealer with milk, cream, and/or milk products for the acquired business shall comply with the terms of this order relative to that supply.

5. This Order shall take effect at 11:59 P. M. Saturday, November 30, 1935.

MILK CONTROL BOARD

Dated at Trenton, New Jersey
the 21 day of November, 1935

William B. Duryeo
D. G. Humphreys
F. E. Becker
John V. Bishop

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Minimum Prices and :
Payments for Milk Purchased from : OFFICIAL ORDER NO. E-2
Producers in the State of New Jersey :

By virtue of authority vested in the Milk Control Board by Chapter 175, Laws of 1935, as amended and supplemented by Chapter 56, Laws of 1937, the Board having found, by such investigation and proof as the emergency permits, including a public hearing held on July 20, 1937, in the War Memorial Building, Trenton, New Jersey, in accordance with the provisions of rules VIII, IX and X adopted by the Board for the conduct of its proceedings, to which milk dealers, processors, subdealers, producers, consumers, local dealers and public health officials of this State, were invited to attend and submit such proof as they desired and at which many such did appear and submit such proofs and by a careful consideration of all the facts, that it is necessary, it is hereby ORDERED

1. The provisions of this Order shall apply to the entire State of New Jersey, except as provided hereinafter.

Area Number One includes Mercer, Burlington, Atlantic, Cape May, Cumberland, Salem, Gloucester and Camden Counties, (except those sections included in Area Number Two).

Area Number Two includes all shore points between Brigantine Inlet and Cape May, including the municipalities of Egg Harbor and Mays Landing and the territories adjacent to these shore points that are naturally included in such marketing area.

Area Number Three includes the portions of Monmouth and Ocean counties bordering on the Atlantic Ocean, including the costal area designated as the north shore resort section. The municipalities of Morgan, Keyport, Red Bank, Long Branch, Asbury Park, Lakewood, Toms River, and points south to Brigantine Inlet, which separates the counties of Ocean and Atlantic, are included in this area.

Area Number Four includes Bergen, Passaic, Essex, Hudson, Union, Morris Somerset and Middlesex counties.

Area Number Five includes Sussex, Warren and Hunterdon counties and the sections of Monmouth and Ocean counties not included in Area Number Three.

2. Norm milk, Grade A or Other than Grade A, shall be paid for at the Class I or Class II price, according to its utilization in these two classes.

3. Class I milk includes all milk purchased, received or handled, which is marketed as fluid milk, flavored milk, cultured milk, or creamed buttermilk.

4. Class II milk includes all milk purchased, received or handled which is separated into cream and marketed as fluid cream, sweet cream or sour cream. It shall likewise include all norm milk not utilized as Class I milk. Class II milk shall be specifically accounted for.
5. Excess milk, Grade A or Other than Grade A, shall be paid for at the Class I price, the Class II price, or the Class III price, according to its utilization.
6. Class III milk includes all milk purchased, received or handled, which is in excess of the established norm, and which is used for manufacturing purposes. Class III milk shall be specifically accounted for.
7. A dealer who uses excess milk for manufacturing purposes, and pays to his producers the Class III price for excess milk purchased from them, shall render an affidavit with his monthly report to the Milk Control Board, which shall show the kind and quantities of products manufactured, the butterfat content thereof, the quantity of milk used therein, and the butterfat content of the milk.
8. A dealer who sells excess milk for manufacturing purposes, and pays his producers the Class III price for excess milk purchased, shall file with his monthly report to the Milk Control Board, affidavits from the party or parties who used the excess milk for manufacturing purpose, which shall show the kind and quantities of products manufactured and the butterfat content thereof, the quantity of milk used therein and the butterfat content of milk.
9. The minimum price to be paid to producers in Area Number One and Two, for Grade A, Class I milk delivered at receiving stations shall be at the rate of \$3.08 per hundredweight, or \$.0662 per quart for milk of 3.5% butterfat content. There shall be added a differential of \$.06 per 1/10 point of butterfat.

A dealer maintaining laboratory facilities may purchase Class I, Grade A milk on the basis of \$2.68 per hundredweight, to which butterfat and bacteria bonuses shall be added as follows: Six cents per 1/10 point of butterfat above 3.5%. For an average bacteria count of 30,000 or less, there shall be added forty cents per hundredweight, and for an average count of less than 100,000 and more than 30,000, there shall be added twenty-five cents per hundredweight. Five bacteria tests shall be made each month for each producer. The highest test shall be discarded and the average of the remaining four tests shall determine the producer's average bacteria count for the month.
10. The minimum price to be paid to producers in Area Number three, Four and Five for Grade A, Class I milk delivered at receiving stations shall be at the rate of \$3.27 per hundredweight, or \$.0703 per quart for milk of 3.5% butterfat. There shall be added a differential of \$.06 per 1/10 point of butterfat.

The prices fixed in this section shall be paid for Grade A, Class I milk purchased in Areas Number One and Two for utilization in Areas Number Three, Four and Five.

11. The minimum price to be paid to producers for Other than Grade A, Class I milk delivered at receiving stations, shall be at the rate of \$2.68 per hundredweight, or \$.0576 per quart for milk of 3.5% butterfat content. There shall be added a differential of \$.04 per 1/10 point of butterfat above 3.5% and deducted for each 1/10 point of butterfat below 3.5%.
 12. The minimum price to be paid to producers for Grade A, Class II milk separated into Grade A cream shall be \$1.95 per hundredweight, or \$.0419 per quart for milk of 3.5% butterfat. There shall be added a butterfat differential of \$.06 per 1/10 point above 3.5% butterfat content.
 13. The minimum price to be paid to producers for Class II, Grade A milk and Other than Grade A milk, separated into cream and sold or distributed as Other than Grade A cream, shall be \$1.85 per hundredweight, or \$.0397 per quart for milk of 3.5% butterfat content. There shall be added a butterfat differential of \$.04 for each 1/10 point of butterfat above 3.5% and deducted for each 1/10 point below 3.5%.
 14. The price to be paid per hundredweight for Grade A and Other than Grade A, Class III excess milk, purchased during any calendar month, shall be four times the average wholesale price of 92 score butter at New York City, during that month, as reported by the Bureau of Agricultural Economics of the United States Department of Agriculture. There shall be added a differential of \$.04 per 1/10 point of butterfat above 3.5% and \$.04 deducted for each 1/10 point below 3.5% per hundredweight.
- The price of Class III milk will be released each month by the Milk Control Board, shortly after the close of the calendar month for which it shall be effective.
15. The prices specified in this Order are net to producers, and the only deductions which may be made therefrom are stipulated in this section.

Producers may authorize a dealer to make a deduction from the amount due them, payable to an organization charged with the responsibility of promoting milk consumption. The organization must be approved by the Milk Control Board. Producers may also authorize deductions for the support of producer organizations.

Where a country plant or country receiving station is maintained, producers are expected to deliver their milk to such country plant or country receiving station at their own responsibility and cost.

Where a dealer does not maintain a country plant or country receiving station, producers are expected to deliver their milk to platforms, or other points of general assembly, at their own responsibility and cost.

Cartage from a country plant, country receiving station, platform or other points of general assembly, to the city processing plant shall be borne in full by the dealer.

In the event that milk is transported from the producer's milk house by the dealer, or other transportation agency, the charge or deduction for this service shall not exceed 4¢ per hundredweight of milk per day, and in no instance shall the amount of the cartage deductions exceed the sum of 25¢ per day, except when unusual circumstances warrant it, and then only with the written permission of the Milk Control Board, after a hearing by said Board.

16. If during any month a dealer's sales in New Jersey exceed purchases from New Jersey producers, the dealer shall pay to New Jersey producers the fluid, or norm price for each grade of milk as specified in the Order or Orders of the Board for that month.

17. The term "grades" as used herein shall be for the purpose of fixing prices only and shall not supersede or abrogate or affect the status of standard or requirement for milk as are or may be established in ordinances of boards of health or other bodies exercising the powers thereof in any municipality.

18. All Milk sold in the State of New Jersey as Grade A and designated by any use of the letter "A" shall meet the following distinctive requirements:

(1) The total solids shall not be less than 12 per cent and the percentage of butterfat shall be not less than 3.5%. All the sanitary regulations of the Department of Health of the State of New Jersey shall be met.

(2) A temperature of fifty degrees Fahrenheit or below shall be reached within sixty minutes from the time of production and such temperature shall be maintained at all times; provided, however, that morning's milk need not be cooled between the time of milking and time of delivery to receiving station if such delivery is made before eight o'clock A. M., Standard Time.

(3) Semi-annual examinations shall be made by a veterinarian of all cows used in the production of this milk, and all animals found to be unhealthy by such examination, or at any other time, shall be removed from the herd. In addition, the cows shall have been tuberculin tested and shall be maintained under State and Federal cooperative supervision.

(4) If sold as pasteurized milk, there shall not be present more than 100,000 bacteria before pasteurization and not more than 30,000 after pasteurization. If sold as raw milk, not more than 30,000 bacteria shall be present at any time prior to delivery to the consumer.

(5) The bottles in which such milk is sold shall be mechanically filled and mechanically capped and the cap shall completely cover the pouring lip of the bottle, except that plug caps may be used on half-pint bottles.

19. Milk to be marked "Official New Jersey Grade A", produced exclusively in this State, shall comply with the above minimum standards, and in addition must meet all of the requirements of the Department of Agriculture contained in the promulgation of such grades by that Department.

20. Milk Other than Grade A may be labelled Grade B, provided such milk shall contain not less than 11.5% total solids and not less than 3% butterfat and comply with all the sanitary regulations of the Department of Health of the State of New Jersey.
21. Where producers' norms have been fixed by agreement between the dealers and the producers or producers' committees and approved by the Board, these norms shall prevail for the period commencing January 1, 1937, and until further order of the Board. Where such agreements are presently in process and are completed and approved by the Board on or before January 1, 1937, the norms so fixed shall prevail for the period commencing January 1, 1937, and until further order of the Board. Agreements between producers and dealers relating to norms entered into subsequent to January 1, 1937, and approved by the Board may be used after such approval as of the effective date.
22. In all cases in which no agreements between producers and their dealers relating to norms have been entered into and approved by the Board on or before January 1, 1937, the producer's monthly norm shall be fixed for the period commencing January 1, 1937, by adding his entire deliveries of milk to a dealer for the months of January, February, March, April, July, August, September, October, November and December 1936, and dividing the total thereof by ten.
23. Where it appears that producers' herds have been depleted by tests or his production has been adversely affected by other causes beyond his control the provisions of paragraph 22, of this order, the Board may in its discretion make such adjustments in the norm as appears to be equitable. No requests for such adjustments will be considered by the Board unless same have been submitted to and acted upon by the producers' committee under whose jurisdiction the producer is shipping.
24. If a dealer finds it necessary to discontinue a producer, at least two weeks' written notice shall be given to the producer. If a producer wishes to discontinue selling to a dealer, at least two weeks' written notice shall be given to the dealer.
25. On or before the twentieth day of each month all dealers purchasing milk or cream from New Jersey producers and those who import milk or cream for fluid consumption in the State, are required to file a report on forms obtainable from the Board for the previous month's purchases. Special reports may be required from producer-dealers who distribute exclusively the milk which they produce.
26. Dealers receiving milk and cream from producers shall in no case fail to pay them in full later than the sixteenth of each month for all milk and cream received the previous month.
27. This Order shall take effect at 11:59 P. M., Eastern Daylight Saving Time, Saturday, July 31, 1937.

MILK CONTROL BOARD

Damon G. Humphreys
Edith P. Cooke
Floyd E. Becker
William J. Lauderdale

Dated at Trenton, New Jersey

MEMORANDUM

Since the re-establishment of retail prices on May 1, 1953 by official price orders from the Office of Milk Industry, considerable confusion has arisen within the industry regarding the boundary line of marketing Area No. 2 which is outlined in Official Order E-2 dated at Trenton, N.J. the 22nd day of July, 1937 which reads as follows:

Area Number Two includes all shore points between Brigantine Inlet and Cape May, including the municipalities of Egg Harbor and Mays Landing and the territories adjacent to these shore points that are naturally included in such marketing area.

In order to dispel this confusion the following definition is established by the Office of Milk Industry as to what is meant by the exact boundaries outlined above. They are as follows:

The northern boundary of Brigantine Inlet westerly through Great Bay and following the Mullica River to Pleasant Mills then south on the Pleasant Mills-Ellwood Road to the territory adjoining to Highway #30 one mile west of the Ellwood light, then following the Ellwood-Weymouth Road south to the junction of the Ellwood-Weymouth Road and Highway 322, but not to include the town of Weymouth - then in a southeasterly direction following the Great Egg Harbor River to the town of Mays Landing and to include the town of Mays Landing, then in a southerly direction following Highway #50 to and including the town of Tuckahoe, then to continue in a southerly direction following P.R.S.L. Railroad including the town of Dennisville, to Dennis Creek, then in a southwesterly direction following the line of the Dennis Creek to Delaware Bay.

All of the territory south and east of the boundary lines given is interpreted to be in Marketing Area No. 2.

The reference of the above given boundaries will be found on New Jersey State Highway Department map published in 1946 "Map of New Jersey Highways."

C. Wesley Armstrong, Jr.

C. WESLEY ARMSTRONG, JR. DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

DATED: December 4, 1953
at Trenton, N. J.

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Fixing Minimum :
Prices for Milk and Cream in the : OFFICIAL ORDER NO. E-3
State of New Jersey :

By virtue of authority vested in the Milk Control Board by Chapter 175, Laws of 1935, as amended and supplemented by Chapter 56, Laws of 1937, the Board having found, by such investigation and proof as the emergency permits, including a public hearing held on July 20, 1937, in the War Memorial Building, Trenton, New Jersey, in accordance with the provisions of rules VIII, IX and X adopted by the Board for the conduct of its proceedings, to which milk dealers, processors, subdealers, producers, consumers, local dealers, and public health officials of this State were invited to attend and submit such proof as they desired and at which many such did appear and submit such proofs, and by a careful consideration of all the facts, that it is necessary, it is hereby ORDERED

1. Official Orders No. D-21, D-21 A and D-25, heretofore promulgated by the Milk Control Board, are hereby annulled.
2. The provisions of this Order shall apply to all sales of milk and/or cream within the State of New Jersey by a dealer, processor or producer-dealer to a subdealer, except as a separate or different provision may be made by this Order or any subsequent Order of the Board.
3. For the purpose of this Order, a dealer or processor is defined as a person, firm, association, partnership, or corporation operating a milk plant equipped for processing, pasteurizing and/or bottling milk and/or cream for sale or resale, or a cooperative association, or a cooperative corporation marketing milk and/or cream for or on behalf of its members.
4. For the purpose of this Order, a producer-dealer is defined as a person, firm, association, partnership, or corporation engaged in the business of producing milk and operating a milk plant equipped for processing, pasteurizing and/or bottling milk and/or cream for retail distribution.
5. For the purpose of this Order, a subdealer is defined as a person, firm, association, partnership, or corporation purchasing milk and/or cream from a dealer, processor or producer-dealer, as herein defined, for resale to consumers and stores.
6. For the purpose of this Order, the term "store" includes a grocery store, delicatessen, hospital, institution, hotel, restaurant, soda fountain, dairy product store, roadside stand and similar mercantile establishment.

7. The following are the minimum prices for milk which shall be charged in this State, delivered to subdealers:-

GRADE "A" (bottled)	Up to 300 qts.	\$.11-1/4
	301 qts. or more	.11
	Pint bottles	.06
	Half-pint bottles (Hood caps)	.03-1/2
	Half-pint bottles (Plug caps) for school milk only	.03-1/4

GRADE "A" (bulk)	Less than 40 qts.	.10-1/4
	1 to 10, 40 qt. cans (pasteurized)	3.95
	11 to 25, 40 qt. cans (pasteurized)	3.85
	1 to 10, 40 qt. cans (raw)	3.85
	11 to 25, 40 qt. cans (raw)	3.75

26, 40 qt. cans of raw milk or more shall be based on Milk Control Board prices to producers plus \$.20 per hundredweight net at country receiving station, and plus transportation charges if purchased from a city plant operator.

OTHER THAN GRADE "A" (bottled)	Up to 120 qts.	.09-1/4
	121 to 1200 qts.	.09-1/8
	1201 qts. or more	.09
	Pint bottles	.05
	Half-pint bottles	.02-3/4

OTHER THAN GRADE "A" (bulk)	Less than 40 qts.	.08-3/4
	1 to 10, 40 qt. cans (pasteurized)	3.35
	11 to 25, 40 qt. cans (pasteurized)	3.25
	26, 40 qt. cans or more "	3.15
	1 to 10, 40 qt. cans (raw)	3.25
	11 to 25, 40 qt. cans (raw)	3.15

26, 40 qt. cans of raw milk or more shall be based on Milk Control Board prices to producers, plus \$.20 per hundredweight net at country receiving station, and plus transportation charges if purchased from a city plant operator.

8. A subdealer who uses his own cases and bottles may be allowed a discount of $\frac{1}{4}$ ¢ per quart by the dealer, processor or producer-dealer for the use of bottles and cases. Pints, half-pints or other type container must be converted into quarts. Where the dealer furnishes the bottles and cases, a bottle deposit of \$.03 each shall be charged. Caps are to be furnished by the dealer.

9. Discounts allowed on volume purchases shall be determined on the average daily purchases for each week. Such discounts may only be allowed a subdealer who purchases quantities in accordance with the aforesaid schedule. This schedule of prices may become applicable to a subdealer, who, by actual purchase, acquires the business of another subdealer, thereby increasing his volume of business to conform to the above schedule.

10. A dealer, processor, producer-dealer, or subdealer purchasing or acquiring the business of another dealer, processor, producer-dealer or subdealer must secure a properly executed Bill of Sale, and the seller must surrender his or her Milk Control Board license to the Milk Control Board of this State.

11. The following are the minimum prices for cream which shall be charged in the State, delivered to a subdealer for fluid utilization:

HEAVY CREAM (Sweet or Sour)	1 to 12 qts.	\$.57
	13 qts. or more	.53
	1 to 20 pints	.29
	21 pints or more	.27
	1 to 200 half-pints	.15
	201 half-pints or more	.14
	Bulk (less than 40 qts.)	.51
	Per 40 qt. can	19.60
	Five 40 qt. cans or more (Single delivery)	18.70
MEDIUM CREAM (Sweet or Sour)	1 to 12 qts.	.44
	13 qts. or more	.42
	1 to 20 pints	.24
	21 pints or more	.23
	1 to 200 half-pints	.13
	201 half-pints or more	.12
	Bulk (less than 40 qts.)	.39
	Per 40 qt. can	15.30
LIGHT CREAM (Sweet or Sour)	1 to 24 qts.	.31
	25 qts. or more	.30
	1 to 20 pints	.16
	21 pints or more	.15-1/2
	1 to 200 half-pints	.09
	201 half-pints or more	.08
	Bulk (less than 40 qts.)	.26
	Per 20 qt. can	9.90

12. The term "Heavy Cream" as used herein means sweet or sour cream containing not less than 40% of milk fat; the term "Medium Cream" as used herein means sweet or sour cream containing not less than 30% of milk fat; and the term "Light Cream" as used herein means sweet or sour cream containing 20% of milk fat. Any cream containing a greater percentage of milk fat than hereinbefore provided for such respective grade designation shall be sold at a minimum price correspondingly greater than that fixed for the respective grade designation, and any cream containing less than 20 per cent of milk fat shall be sold at a minimum price correspondingly less than that fixed for that respective grade designation. No term or designation other than "Heavy Cream",

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of the Establishment :
of Norms for Producers of Milk in :
the State of New Jersey :

OFFICIAL ORDER NO. E-9

By virtue of authority vested in the Milk Control Board by Chapter 175, Laws of 1935, as amended and supplemented by Chapter 56, Laws of 1937, the Board having found, by such investigation and proof as the emergency permits - the emergent nature of this action making it impractical to delay until a public hearing could be held - and by a careful consideration of all the facts appearing, that it is necessary to amend the orders referring to this heretofore issued in the manner following, it is hereby ORDERED

1. The provisions of this Order shall apply to the entire State of New Jersey.
2. The Board has decided that future plans for the establishment of norms must be undertaken by the producers, and the dealer to whom the producers are selling milk, or a producers' committee representing all the producers. To facilitate these negotiations the Board directs that each dealer shall call a meeting of his producers within ten days after the effective date of these regulations to the end that a producers' committee may be chosen, if one is not already functioning, and arrangements made by the dealer to meet with the producers or producers' committee for the development of a production equalization program to be filed with the Board on or before January 15, 1938, which agreement will be analyzed, and if it is equitable and prepared in accordance with instructions hereinafter outlined, it will receive the Board's approval.
3. Where producers' norms have been fixed by agreement between the dealers and the producers or producers' committees and approved by the Board, these norms shall prevail for the period commencing January 1, 1938, and until further Order of the Board. Where such agreements are presently in process and are completed and approved by the Board on or before January 1, 1938, the norms so fixed shall prevail for the period commencing January 1, 1938, and until further Order of the Board. Agreements between producers and dealers relating to norms entered into subsequent to January 1, 1938, and approved by the Board may be used after such approval as of the effective date.

(over)

4. In all cases in which no agreements between producers and their dealers relating to norms have been entered into and approved by the Board on or before January 1, 1938, the producer's monthly norm shall be fixed for the period commencing January 1, 1938, by adding his entire deliveries of milk to a dealer for the months of January, February, March, April, July, August, September, October, November and December, 1937, and dividing the total thereof by ten.

5. Where it appears that producers' herds have been depleted by tests or his production has been adversely affected by other causes beyond his control, under the provisions of paragraph four of this Order, the Board may in its discretion make such adjustments in the norm as appears to be equitable. No requests for such adjustments will be considered by the Board unless same have been submitted to and acted upon by the producers' committee under whose jurisdiction the producer is shipping.

6. This Order shall take effect at 11:59 P. M., Eastern Standard Time, Friday, December 31, 1937.

MILK CONTROL BOARD

Damon G. Humphreys
Edith P. Cooke
Floyd E. Becker
John C. Welsh

Dated at Trenton, New Jersey
the 23rd day of December, 1937

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Records and Reports by Subdealers : OFFICIAL ORDER NO. E-13

By virtue of authority vested in the Milk Control Board by 2 Revised Statutes (1937) App. A:8 and more particularly but not in limitation of the foregoing by section App. A:8-17, and the Board having found, by such investigation and proof as the emergency permits- the emergent nature of this action making it impractical to delay until a public hearing could be held - and by a careful consideration of all the facts appearing, that it is necessary to amend the orders referring to this heretofore issued in the manner following, it is hereby ORDERED that until further notice each subdealer purchasing milk or cream shall keep books of record and account and other data readily available at his or its office or other principal place of business which shall give information as follows:

1. A monthly record of all purchases of milk and/or cream, from producers, processors and from dealers showing quantities in quarts, butterfat content and prices paid, detailed as to whether said milk and/or cream was purchased within the State of New Jersey or outside of the State of New Jersey.

2. A monthly record of all milk and/or cream sales according to the following classifications:

- (a) Retail Sales
- (b) Store Sales
- (c) Sales to Welfare and Charitable Organizations
- (d) Sales to Hotels, Restaurants, Hospitals in bulk
- (e) Wholesale in bulk
- (f) Sales to State, Municipal and Federal Government upon bids or for municipal relief upon bids

Each of the foregoing classifications shall be subdivided as follows:

- (a) Grade A milk
- (b) Other than Grade A milk
- (c) Special Milk
- (d) Heavy Cream (Sweet and Sour)
- (e) Medium Cream (Sweet and Sour)
- (f) Light Cream (Sweet and Sour)
- (g) Buttermilk

Under these subdivisions, a monthly record shall be kept of quantities in quarts, pints, one-half pints and bulk quarts sold, showing unit price of each, equivalent in quarts of milk, the sales value of each product in the subdivision.

3. Each subdealer shall keep a route book showing daily sales of milk and cream as specified in Section 2 of this Order. He shall also keep a complete record showing his cash receipts and disbursements.

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OFFICIAL ORDER NO. E-13

4. On or before the 10th day of the month each subdealer shall file with the Milk Control Board on a form obtainable from the Board, a complete report covering the transactions of his milk and cream business for the previous month.

5. IT IS FURTHER ORDERED that each subdealer shall keep available at his office for at least two years after filing such reports, the books of account and such records upon which these reports are based, and these books of account and record shall be in a form which can readily substantiate and afford a check upon the information contained in the report.

6. This Order shall take effect at 12:01 A. M., Eastern Standard Time, Friday, April 1, 1938.

MILK CONTROL BOARD

John V. Bishop
C. D. Schomp
Jacob Tanis
P. D. Van Mater
William H. Hyatt

Dated at Trenton, New Jersey
the 21st day of March, 1938

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Providing Regulations :
for Sale of Milk as Defined in the Act: OFFICIAL ORDER NO. 40-1
under Term Agreements in the State of :
New Jersey

By virtue of authority vested in the Milk Control Board by Chapter 82, Pamphlet Laws of 1939, and more particularly but not in limitation of the foregoing by sections ten (10) and twenty (20) of the aforesaid act and the Board having found after a careful consideration of all the facts appearing that it is necessary to promulgate this order to carry out the purposes and provisions of the law, it is hereby ORDERED

1. Official Order No. 39-28, heretofore promulgated by the Milk Control Board, is hereby amended as hereinafter set forth.
2. The provisions of this Order shall apply to the entire State of New Jersey.
3. Whenever proposals, bids, or contracts are made by dealers, subdealers or stores to furnish milk to the state, a county, a municipality, or to the Federal Government, or any branch or agency of the aforesaid, for a definite fixed period in excess of three months, said proposal, bid, or contract shall have included therein a provision or clause providing that all quotations and prices are not below the minimum prices fixed by the orders of the Board and applicable thereto and are subject to increases to meet the minimum price provisions of the subsequent orders of the Board applying thereto at the time of delivery and that no sales will be made below such minimum prices.

This clause or provision shall be in the following language, or such as is equivalent thereto:

All prices herein contained are not below the minimum prices fixed by the official orders of the Milk Control Board of the State of New Jersey applying thereto. Should said minimum prices be increased during the period of this agreement, deliveries made during the period of such increased prices shall be at prices not below the minimum prices so fixed in the orders of the Board and applicable thereto.

4. This Order shall take effect at 12:01 A. M., Eastern Standard Time, Monday, January 15, 1940.

MILK CONTROL BOARD

John V Bishop
Jacob Tanis
P. D. Van Mater
Marc C. Waldron

Dated at Trenton, New Jersey
the 8th day of January, 1940.

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Providing Regulations:
for the Sale of Milk in the State of : OFFICIAL ORDER NO. 40-8
New Jersey, as Defined in the Act :

By virtue of authority vested in the Milk Control Board by Chapter 82, P. L. 1939, and more particularly but not in limitation of the foregoing by Paragraph 35, Chapter 82, Laws of 1939, and the Board having found, by such investigation and proof as the emergency permits - the emergent nature of this action making it impractical to delay until a public hearing could be held - and by a careful consideration of all the facts appearing, that it is necessary to amend the orders referring to this heretofore issued in the manner following, it is hereby ORDERED

1. This Order shall apply to the entire State of New Jersey.
2. No ice under any circumstances whatsoever may be left, delivered, or otherwise provided by any dealer or subdealer, nor received, accepted, or otherwise acquired by any store or consumer in connection with the sale, purchase or delivery of milk and cream, except
 - (a) A quantity of cracked ice which shall not exceed fifteen pounds, of which no piece shall exceed three inches in size at its largest dimension, may be delivered as the refrigerant in a case of bottled milk at the time of delivery;
 - (b) A quantity of cracked ice which shall not exceed twenty-five pounds of which no piece shall exceed three inches in size at its largest dimension, may be delivered as a refrigerant for a forty-quart can of milk to be sold for fluid purposes at retail;
 - (c) A quantity of ice sufficient to maintain the proper temperature until the time of consumption on the date of delivery of which no piece shall exceed three inches in size at its largest dimension, may be left with milk delivered to schools and industrial plants.
3. All other transactions in ice between dealers, subdealers, stores and consumers are hereby forbidden, including therein the furnishing and acceptance of ice in block form, of ice for use as a refrigerant for any other merchandise or cooler, of ice delivered at any other time than that at which the milk is delivered, and of ice delivered with case milk in a container other than the case in which the milk is delivered.
4. This Order shall take effect at 12:01 A.M., Eastern Daylight Saving Time, Thursday, August 1, 1940.

Dated at Trenton, New Jersey
the 25th day of July, 1940

MILK CONTROL BOARD
John V Bishop
William H. Hyatt
Jacob Tanis
P. D. Van Mater
Marc C. Waldron

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of Fixing Regulations :
Governing the Sale of Grade A Milk : OFFICIAL ORDER NO. 40-14
in the State of New Jersey :

By virtue of authority vested in the Milk Control Board by Chapter 82, P.L. 1939, and more particularly but not in limitation of the foregoing by Paragraph 10, Chapter 82, Laws of 1939, and the Board having found after investigation and examination of proofs and by a careful consideration of all the facts appearing, that it is necessary to amend the orders referring to this heretofore issued in the manner following, it is hereby ORDERED

1. The provisions of this Order shall apply to the entire State of New Jersey.

2. No fluid milk shall be sold, offered for sale, advertised, represented as Grade A milk, or designated as "A" milk, Grade A, or by terms implying Grade A quality in any manner, unless it conforms to the following minimum requirements.

(a) The total solids shall be not less than 12.5 per cent and the percentage of butterfat shall be not less than 3.8%. All the sanitary regulations of the Department of Health of the State of New Jersey shall be met.

(b) Semi-annual examinations shall be made by a veterinarian of all cows used in the production of this milk, and all animals found to be unhealthy by such examination, or at any other time, shall be removed from the herd. In addition, the cows shall have been tuberculin tested and shall be maintained under State and Federal cooperative supervision.

(c) If sold as pasteurized milk there shall not be present more than 30,000 bacteria per c.c. (standard plate count) when received from producer, and not more than 5,000 bacteria per c.c. after pasteurization when sold in bottles, and not more than 10,000 bacteria per c.c. when sold in bulk. If sold as raw milk, not more than 30,000 bacteria per c.c. shall be present at any time prior to delivery to the consumer.

(d) The bottles in which such milk is sold shall be mechanically filled and mechanically capped and the cap shall completely cover the pouring lip of the bottle, except that plug caps may be used on half-pint bottles.

3. This order shall take effect at 12:01 A.M., Eastern Daylight Saving Time, Friday, August 16, 1940.

MILK CONTROL BOARD

Dated at Trenton, New Jersey
the 6th day of August, 1940

JOHN V BISHOP
WILLIAM H. HYATT
P. D. VAN MATER
JACOB TANIS
MARC C. WALDRON

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

In the Matter of fixing the Boundries: Official Order No.40 - 20
of Marketing Area Number Three in the:
State of New Jersey :

By virtue of authority vested in the Milk Control Board by Chapter 82, P.L. 1939, and more particularly but not in limitation of the foregoing by Paragraph 34, Chapter 82, Laws of 1939, and the Board having found, by such investigation and proof as the emergency permits - the emergent nature of this action making it impractical to delay until a public hearing could be held - and by a careful consideration of all the facts appearing, that it is necessary to amend the orders referring to this heretofore issued in the manner following, it is hereby ORDERED

1. The provisions of this order shall apply to Marketing Area Number Three of the State of New Jersey.
2. Official Order No. 39-31, Section 3, heretofore promulgated by the Milk Control Board, is hereby amended as hereinafter set forth.
3. Area Number Three includes all those municipalities in Monmouth and Ocean Counties which are bounded on the north by Raritan Bay, and on the east by the Atlantic Ocean. The western boundary begins at the northernmost point in the county line between the County of Monmouth and the County of Middlesex on Raritan Bay, and follows this county line in a southerly direction to the intersection of the county line with the southern boundary line of Matawan township, thence along the southern boundary of Matawan township to its junction with the western boundary of Holmdel township; thence along the eastern boundary of Matawan township to the intersection of this township line with the southern boundary of Raritan township; thence along the southern boundary of Raritan township to its intersection with the western boundary of Middletown township; thence in a general southerly direction along the western and southern boundaries of Middletown township to its intersection with Shrewsbury township; thence in a southerly direction along the western boundary of Shrewsbury township to its junction with the northern boundary of Wall township; thence in a westerly direction along the Wall township line to its junction with Howell township; thence in a southerly direction along the western boundary of Wall township to the Monmouth County line; thence along the Monmouth County line in a westerly direction along the northern, westward and southern boundaries of Lakewood township in Ocean County to a point one mile west of New Jersey State Highway #4 and thence in a general southerly direction one mile west of New Jersey State Highway #4 to the County line between Ocean and Burlington Counties and along this county line in a general southerly direction to that body of water known as Great Bay. The southern boundary of this area is Great Bay.
4. The bottle deposit provision as outlined in Paragraph 8 of Official Order No. E-1 is not mandatory in this area in accordance with the provisions of Official Order No. 40-18.
5. This Order shall take effect at 12:01. A. M., Eastern Standard Time, December 23, 1940.

Dated at Trenton, New Jersey
the 17th day of December, 1940

John V Bishop
William H. Hyatt
P. D. Van Meter
Marc C. Waldron

STATE OF NEW JERSEY
MILK CONTROL BOARD
TRENTON

OFFICIAL ORDER NO. 41-3

By virtue of authority vested by Chapter 274,
P. L. 1941, and after a careful consideration of all the
facts appearing, it is hereby ORDERED that:

All Rules and Regulations of the Milk Control
Board, in force and effect on June 30, 1941, be restored
temporarily, to full force and effect until further notice.

This Order shall take effect immediately.

ARTHUR F. FORAN

DIRECTOR OF MILK CONTROL

Dated at Trenton, N.J.
the 23rd day of July, 1941.

STATE OF NEW JERSEY
BEFORE
ARTHUR F. FORAN
DIRECTOR OF MILK CONTROL

<u>In the Matter of Fixing of</u>	:	
<u>Minimum Prices to Producers for</u>	:	
<u>Class 1 Milk.</u>	:	
* * *	:	
In the Matter of the Fixing of	:	DETERMINATION OF FACTS
Minimum Prices for the Sale of	:	AND ORDER NO. 41-18
Milk to Consumers and Stores.	:	
* * *	:	
In the Matter of the Fixing of	:	
Minimum Prices to be Charged for	:	
Milk by Processors and Milk	:	
Dealers to Other Milk Dealers,	:	
<u>Processors, and Subdealers.</u>	:	

This order concerns the minimum prices to be paid producers for certain Class 1 milk, the minimum prices to be charged consumers and stores for the said milk and the minimum prices to be charged by milk dealers and processors to other milk dealers, processors, and subdealers for said milk, and is made pursuant to the provisions of P. L. 1941, Chapter 274.

This order is made after a public hearing was duly held on November 26, 1941, in accordance with the statute, after due notice thereof by public advertisement inserted in at least three daily newspapers in the State five days prior to the date of said hearing. Testimony was duly taken at the hearing.

From investigation and proof, including advices given to me and recommendations made to me by the Department of Agriculture of the State of New Jersey, I have concluded that all milk which is purchased or sold as New Jersey Grade "A" milk, New Jersey Premium milk, or the equivalent thereof, should be purchased and sold at the same price.

It is, therefore, on the 8th day of December, 1941, ORDERED, by me, Arthur F. Foran, Director of Milk Control of the State of New Jersey, pursuant to the authority vested in me by the statute in such case made and provided:

1. That all milk purchased from producers and sold as either New Jersey Grade "A" milk, New Jersey Premium milk, or the equivalent thereof, shall be paid for to producers at not less than the price fixed by the orders to be paid to producers for milk sold as Grade "A".

2. All sales of any New Jersey Grade "A" milk, New Jersey Premium milk, or the equivalent thereof, to consumers and stores in all areas, shall be at not less than the price provided for in the orders for the sale of milk sold as Grade "A" and anything provided in the orders respecting the sales of Grade "A" to consumers and stores shall apply with equal force to sales of

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ORDER NO. 41-18

New Jersey Grade "A" milk, New Jersey Premium milk, or the equivalent thereof.

3. All sales of New Jersey Grade "A" milk, New Jersey Premium milk, or the equivalent thereof, by milk dealers to other milk dealers, processors, and subdealers and by processors to subdealers shall be at not less than the prices provided in the orders for the sale of milk sold as Grade "A" and anything provided in the orders respecting sales of Grade "A" by milk dealers to other milk dealers, processors, and subdealers and by processors to subdealers, shall apply with equal force to sales of New Jersey Grade "A" milk, New Jersey Premium milk, or the equivalent thereof.

4. The provisions of any orders inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This order shall take effect at 12:01 A. M., Eastern Standard Time, Monday, December 22, 1941.

ARTHUR F. FORAN
Director of Milk Control
State of New Jersey

STATE OF NEW JERSEY
ARTHUR P. FORAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

DETERMINATION OF FACT
AND ORDER NO. 49-2

By virtue of authority vested by Chapter 447,
P. L. 1948, and after careful consideration of all the
facts appearing, it is hereby ORDERED that:

All the Rules and Regulations of the Milk
Control Board and the Director of Milk Control, in
force and effect as of December 31, 1948, are hereby
adopted by the Office of Milk Industry and will
continue in full force and effect until such time
as they are modified, amended or suspended by the
Office of Milk Industry of the Department of Agriculture
of the State of New Jersey.

This Order shall take effect immediately.

ARTHUR P. FORAN, Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: January 6, 1949.

STATE OF NEW JERSEY
ARTHUR F. FORAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

In the Matter of the Fixing of :
Minimum Prices to Producers for : DETERMINATION OF FACT
Class I, Class II and Class IIIA : AND ORDER NO. 50-4
Milk :

A Public Hearing was held by me in the War Memorial Building in Trenton, New Jersey on Monday, August 7th, 1950, in compliance with the statute and from investigations made independently the following facts have been established:

A. The prices paid by farmers for commodities used in the production of milk, except purchased feeds, are at an all time high, being more than six per cent greater than a year ago.

B. The price of mixed dairy feed has increased eight per cent over a year ago; corn is 8.8% higher than during the same period in 1949; Alfalfa Hay and Mixed Hay show these same conditions to exist.

C. Farm wages have shown little change, but will in all likelihood increase, due to present employment conditions and the demand which will draw labor from the farm.

D. The average weekly earnings in manufacturing industry as reported by the New Jersey Department of Labor show a steady increase and in June amounted to \$62.80 per week, an all time high.

These facts having been established, I have come to the conclusion that to remedy this situation and to comply with the mandate of the act "to prevent possible curtailment of a sufficient supply of fresh, wholesome, sanitary milk for our citizens", the price to be paid to producers of milk in the State of New Jersey should be increased \$.42 per hundredweight.

I find, likewise, that there should be some adjustment in prices of milk used for making cream; and that in view of the changed production situation, it is no longer necessary to permit a handling allowance of \$.22 per hundredweight on Class II-A milk.

It is, therefore, ORDERED this 1st day of September, 1950, by me, Arthur F. Foran, Director of the Office of Milk Industry of the State of New Jersey, pursuant to the authority vested in me by the statute in such case made and provided that:

1. The provisions of this order shall apply to the entire State of New Jersey, except as specified herein.

2. The minimum price to be paid to producers for Class I Milk, the same being all that milk purchased, received, or handled which is marketed as fluid milk, flavored milk, cultured milk, or creamed buttermilk, as defined in the regulations shall be a price of \$5.65 per hundredweight or \$.1215 per quart for milk of 3.5% butterfat content, except as hereinafter provided, f.o.b. receiving plant.

There shall be added a butterfat differential of \$.06 per 1/10 point of butterfat above 3.5% and \$.06 deducted for each 1/10 point below 3.5% per hundredweight on any milk which is not of 3.5% butterfat content.

3. The minimum price to be paid to producers for Class I milk sold as Grade "A", New Jersey Grade "A" milk, New Jersey premium milk, or the equivalent thereof, as aforesaid, shall be a price of \$6.05 per hundredweight, or \$.1301 per quart for milk of 3.5% butterfat, f.o.b. receiving plant. There shall be added a differential of \$.08 per 1/10 point of butterfat above 3.5% butterfat content.

In areas Numbers One and Two, a dealer maintaining laboratory facilities may purchase Class I, Grade "A" milk, as herein referred to on the basis of \$5.65 per hundredweight, to which the following butterfat and bacteria bonuses shall be added: \$.08 per hundredweight for 1/10 point of butterfat above 3.5% and \$.40 per hundredweight for an average bacteria count of 30,000 or less. Five bacteria tests shall be made each month for each producer. The highest test shall be discarded and the average of the remaining four tests shall determine the producer's average bacteria count for the month.

4. The minimum price to be paid to producers in all marketing areas of the State for Class II milk shall be the price of \$3.14 per hundredweight or \$.0675 per quart for milk of 3.5% butterfat content, f.o.b. receiving plant.

There shall be added a butterfat differential of \$.06 per 1/10 point of butterfat above 3.5% and \$.06 deducted for each 1/10 point below 3.5% per hundredweight on any milk which is not of 3.5% butterfat content.

5. Class II-A milk shall be all milk purchased, received or handled which is not marketed as Class I or Class II milk. Norm milk shall not be classified as Class II-A milk.

6. The minimum price to be paid to producers for Class II-A milk shall be for each month four times the average wholesale price of 92-score butter at New York City, New York, during the month the milk is purchased from producers, as reported by the Bureau of Agricultural Economics of the United States Department of Agriculture.

There shall be added a butterfat differential of \$.06 per 1/10 point of butterfat above 3.5% and \$.06 deducted for each 1/10 point below 3.5% per hundredweight on any milk which is not of 3.5% butterfat content.

7. The price of Class II-A milk will be released each month by the Office of Milk Industry shortly after the close of the calendar month for which it shall be effective.

8. A dealer who uses milk for other than Class I or Class II purposes, and pays to his producers the Class II-A price for milk purchased from them, shall render an affidavit with his monthly report to the Office of Milk Industry, which shall show the kind and quantities of products for which the milk was used, the butterfat content thereof, the quantity of milk used therein and the butterfat content of the milk.

9. A dealer who sells milk for other than Class I or Class II purposes, and pays his producers the Class II-A price for the milk purchased, shall file with his monthly report to the Office of Milk Industry, affidavits from the party or parties who purchased the Class II-A milk, which shall show the kind and quantities of products for which the milk was used, and the butterfat content thereof, the quantity of milk used therein and the butterfat content of the milk.

10. Waste not to exceed 2% may be classified in the lowest classification. All waste in excess of 2% shall be classified as Class I.

11. The means of delivery from the place of production to the receiving plant shall be at the producer's election and where he shall elect that the hauling or cartage shall be by the dealer or Processor, no greater sum shall be charged the producer, directly or indirectly, than \$.15 per hundredweight; provided however, that in exceptional cases when the distance of the hauling exceeds thirty miles, the producer and the dealer or processor may contract in writing, with the written approval of the Director for the charging of a greater sum for said carting or hauling.

12. The provisions of any orders inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

This order shall amend and supersede Official Order 49-8, 50-2 and 50-3.

This order shall take effect at 12:01 A.M. Eastern Daylight Saving Time, Saturday, September 16, 1950.

ARTHUR F. FORAN, Director
Office of Milk Industry
Department of Agriculture
State of New Jersey

DATED: September 1, 1950

STATE OF NEW JERSEY
C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

In the Matter of the Fixing of :
Minimum Prices to Producers for:
Class II Milk :

DETERMINATION OF FACT
AND ORDER NO. 53-7

This Order amends Official Order No. 50-6, Section 1, B, wherein the weighted average price of 40% quality cream as computed by the Milk Control Board of the Commonwealth of Massachusetts and the Marketing Administrator for the Federal Marketing Order #4 in Boston is used as a part of the determination of the price of Butterfat for Class II milk in the State of New Jersey.

There have been times during heavy flush periods of milk production when the weighted average Boston price has not been computed because of lack of quotations.


In order that a situation of this kind may not affect the price determination of Class II milk in the State of New Jersey, I have decided on a proviso which will meet this condition.

It is hereby ordered therefore that;

If the United States Department of Agriculture should fail to announce a Boston "average cream price" by the 6th day following the end of the milk delivery period, the Director shall determine an "equivalent average cream price" on the following basis: Compute the average of all of the per pound price quotations for 92 score butter (using as one quotation the midpoint on any range that might be given) which are published (under the designation of Grade A butter in the New York Market) by the United States Department of Agriculture in the "Daily Market Report" during the delivery period; to this average add 2 cents, multiply by 1.22 then multiply this result by 33. This result shall be known as the "equivalent average cream price" for Boston.

This order shall apply to the entire State of New Jersey.

This order shall take effect at 12:01 A. M., Eastern Daylight Saving Time, Friday, May 1, 1953.


C. WESLEY ARMSTRONG, JR., DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

DATED; April 16, 1953

STATE OF NEW JERSEY
FLOYD R. HOFFMAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE

In the Matter of the Fixing of :
Minimum Prices to Producers for:
Class I Milk and Class II Milk :

DETERMINATION OF FACT
AND ORDER NO. 54-1

In accordance with the Finding of Fact and Determination filed this 16th day of March, 1954, with Edward J. Patten, Secretary of State of the State of New Jersey, it is hereby ordered, this 16th day of March, 1954 that the prices to be paid to producers for Class I and Class II milk shall be in accordance with the following:

1. The provisions of this order shall apply to the entire State of New Jersey, except as specified herein.

CLASS I PRICES

2. The minimum price to be paid to producers for Class I milk, the same being all that milk purchased, received, or handled which is marketed as fluid milk, flavored milk, cultured milk or creamed butter-milk, as defined in the regulations shall be a price of \$5.01 per hundred-weight or \$.1077 per quart of milk of 3.5% butterfat content, except as hereinafter provided f.o.b. receiving plant.

There shall be added a butterfat differential of \$.06 per 1/10 point of butterfat above 3.5% and \$.06 deducted for each 1/10 point below 3.5% per hundredweight on any milk which is not of 3.5% butterfat content.

3. The minimum price to be paid to producers for Class I milk sold as Grade "A", New Jersey Grade "A" Milk, New Jersey premium milk, or the equivalent thereof, as aforesaid, shall be a price of \$5.41 per hundred-weight, or \$.1163 per quart of milk of 3.5% butterfat, f.o.b. receiving plant. There shall be added a differential of \$.08 per 1/10 point of butterfat above 3.5% butterfat content.

In areas Numbers One and Two, a dealer maintaining laboratory facilities may purchase Class I, Grade "A" milk, as herein referred to on the basis of \$5.01 per hundredweight, to which the following butterfat and bacteria bonuses shall be added: \$.08 per hundredweight for 1/10 point of butterfat above 3.5% and \$.40 per hundredweight for an average bacteria count of 30,000 or less. Five bacteria tests shall be made each month for each producer. The highest test shall be discarded and the average of the remaining four tests shall determine the producer's average bacteria count for the month.

CLASS II PRICE

4. Butterfat

A. Add all market quotations (using midpoint of any weekly range as one quotation of prices for 40 quart can of fresh sweet cream of bottling quality in the Philadelphia, Pennsylvania Market reported for

each week and within the month by the United State Department of Agriculture or such other Federal Agency as is authorized to perform this price reporting function,) and divide by the number of quotations.

B. Divide the results of the calculations made pursuant to Section 1A by 33, multiply by 3.5 and subtract $26\frac{1}{2}$ cents.

5. Skim Milk

Multiply by 7.875 the average of all the prices per pound quoted for nonfat dry milk solids under the designated "roller, other brands, human consumption, carlots, bags, or barrel" (using midpoint of any range as one quotation,) as published for such month in the "Producers Price Current" and subtract 44¢ in the months of July through March and subtract 69¢ for the months of April through June.

6. Butterfat Differential

The Class II price shall be subject to a butterfat differential for each 1/10 of one percent variation above or below 3.5% calculated as follows: divide the average of a cream quotation used in calculating the Class II price by 333 and subtract 0.67¢.

7. The price of Class II milk will be released each month by the Office of Milk Industry as soon as the calculations have been made for the month for which it shall be effective.

8. The means of delivery from the place of production to the receiving plant shall be at the producer's election and where he shall elect that the hauling or cartage shall be by the dealer or processor, no greater sum shall be charged the producer, directly or indirectly, than \$.15 per hundredweight; provided however, that in exceptional cases when the distance of the hauling exceeds thirty miles, the producer and the dealer or processor may contract in writing, with the written approval of the Director for the charging of a greater sum for said carting or hauling.

9. This price order shall be operative and effective from the date hereof until 12:01 A. M. on July 1, 1954, at which time the minimum price thereafter to be paid to producers shall be \$5.87 per hundredweight or \$.1262 per quart for milk of 3.5% butterfat content. For milk sold as Grade A, New Jersey Grade A, New Jersey Premium Milk or equivalent, the price shall be \$6.27 per hundredweight or \$.1348 per quart for milk of 3.5% butterfat content.

This does not in any way change or affect the butterfat and bacteria bonus provisions in Marketing Areas Nos. 1 and 2.

10. The provisions of any orders inconsistent with the provisions hereof are modified in so far as the same are inconsistent.

11. This order supersedes Official Orders Nos. 53-11, 53-12, 53-13, 53-14 and 53-15.

This order shall take effect at 12:01 A.M. Thursday, April 1, 1954.

FLOYD R. HOFFMAN, DIRECTOR
OFFICE OF MILK INDUSTRY
DEPARTMENT OF AGRICULTURE
STATE OF NEW JERSEY

Dated: March 16, 1954