

Petition to Reapprove the QIP #2



July 15, 2021

Madame Secretary,

We the undersigned, Petition the Secretary to call for a Hearing to determine if industry supports the continuation of the Quota Implementation Plan. CDFA holds a continuation hearing where witnesses provide testimony regarding whether the program should be continued. If the hearing record contains overwhelming support for the continuation of the Quota Implementation Plan, the Secretary will announce its continuation. If the hearing record contains a mixture of both support and opposition, CDFA will hold a producer referendum to determine if the Quota Implementation Plan will continue. The Secretary shall submit the referendum in the same manner as provided for its initial approval, under Article 11 Section 1103 of the QIP Plan. Quota Implementation Plan was issued as a Milk Marketing Pool Plan issued per referendum under the California Marketing Act [CMA] and under Division 21 Chapter 3 and Chapter 3.5 under the Food and AG Code

59086. A marketing order shall not be submitted for reapproval until one year after the original enactment, or within one year of any prior approval . . . The vote for reapproval shall be the same as used for original approval of a marketing order.

59083. If at least 25 percent of the producers that are directly affected that produce at least 25 percent of the product and at least 25 percent of the handlers that are directly affected that handle at least 25 percent of the product request, within a 90-day period, that such marketing order be submitted to reapproval, the director shall hold a hearing on the question of the reapproval of such marketing order, and whether such reapproval shall be by assent or referendum.

If the director finds after the hearing that a substantial question exists as to whether such marketing order is contrary to, or does not effectuate the declared purposes or provisions of, this chapter within the standards and subject to the limitations and restrictions which are imposed in this chapter, such marketing order shall be submitted for the reapproval of those producers and handlers that are directly affected, as provided in this article, within 120 days of the receipt of the original request. . . .

Before circulating a petition to hold a public hearing on a marketing order, its proponents shall notify the director of their intent to do so in order to ascertain the beginning date of the 90-day period.

After such notification to the director, the petition may be circulated among the producers or handlers affected. The petition shall bear a copy of the notice of intention. Signatures shall be secured within the time limit specified in this section. Any person may withdraw his name from a petition to hold a public hearing on any marketing order until the time the petition is presented to the director.

(Amended by Stats. 1976, Ch. 644.)

59085. At any time the director finds that a substantial number of persons that are directly affected by an order are in opposition to it, he shall hold a hearing on the question of the termination, suspension, amendment, or reapproval of such order, and shall, not more than 60 days after such hearing, terminate, suspend, or submit for amendment or reapproval such order, or make a finding that there is not sufficient opposition to the order to warrant any action. (Enacted by Stats. 1967, Ch. 15.)

Dairy Name _____

Address (no PO Box#) _____

Owner – Producer _____

Signature _____

Date July 20, 2021

Pool Producer State # _____

Avg. Monthly Milk Volume (cwts.). _____