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June 9, 2026

BY EMAIL

Robert N. Barley, Chairman
c/o Douglas Eberly, Esq.
Pennsylvania Milk Board
Agriculture Building, Room 108
2301 North Cameron Street
Harrisburg, PA 17110
Email: deberly@pa.gov

Re: Over-Order Premium Hearing: June 3, 2026
Dairy Farmers of America, Inc.'s Post-Hearing Brief

Dear Chairman Barley and Members of the Board:

Dairy Farmers of America, Inc. ("DFA") respectfully submits this post-hearing letter brief in response to the Pennsylvania Milk Board's allowance of briefs following the Over-Order Premium Hearing held on June 3, 2026.

At last week's hearing, Mr. Frommelt, who testified on behalf of DFA, was subject to questioning about the details of the ten DFA-owned processing plants in Pennsylvania.¹ During this questioning, he was asked to confirm that he did not "actually know anything about the plants in Pennsylvania." June 3, 2026 Tr., 50:22-24. Apart from this statement being inconsistent with Mr. Frommelt's previous testimony, it suggests a misapprehension of Mr. Frommelt's role at the hearing.

Although Mr. Frommelt was able to and did answer questions based on his personal knowledge of DFA's operations, he was offering testimony on behalf of DFA as a whole, which includes DFA's Pennsylvania processing operations. He is not an expert in plant-level information for DFA's Pennsylvania processing operations, nor was he presented as such.

¹ During this questioning, Mr. Frommelt misspoke, stating that the majority of DFA's Pennsylvania processing facilities are Class I. June 3, 2026 Tr., 46:14-15. He later explained that he was speculating about the breakdown in class utilization and did not review the specific numbers before testifying. June 3, 2026 Tr., 47:16-21. To clarify, three of DFA's ten processing facilities in Pennsylvania are currently Class I facilities.

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The testimony Mr. Frommelt presented, as well as his answers to questions about DFA's position on the over-order premium, were viewpoints arrived at through discussions with many DFA stakeholders. In addition to farmer-owners, who, as Mr. Frommelt testified, are the ultimate owners of DFA's Pennsylvania processing operations (June 3, 2026 Tr., 58:6-12; 60:9-17), DFA's position was also informed by discussions with employees involved in managing the finances of DFA's Class I processing operations in Pennsylvania, as well as its other Pennsylvania processing operations.

DFA's position is not solely the product of Mr. Frommelt's experiences and views, but rather is the considered result of a collaborative process intended to arrive at a position that is in the best interests of DFA's farmer-owners. Accordingly, the depth of Mr. Frommelt's personal knowledge of detailed plant-level figures related to DFA processing plants should not impact the Board's consideration of DFA's position.

Thank you.

Respectfully submitted,

s/ Lucy S. Clippinger

Lucy S. Clippinger

cc: Betsy Albright, *Secretary, Pennsylvania Milk Board*
Drew Frommelt, *Dairy Farmers of America, Inc.*
Interested Parties