



Commonwealth of Pennsylvania
Milk Board

In re Biazzo Dairy Products, Inc., Petition to Participate in the Milk Producers' Security Fund

I. FINDINGS OF FACT

1. On September 30, 2024, Biazzo Dairy Products, Inc. ("Biazzo"), filed a petition with the Board raising several issues related to the Pennsylvania Milk Producers' Security Act, 31 P.S. sec. 626.1 et seq ("Security Act").
2. Board Staff and Biazzo engaged in informal discussions regarding the petition. The Board held a pre-hearing conference on February 12, 2025. Following the pre-hearing conference and additional informal discussions, the Board treated Biazzo's petition as a petition to participate in the Milk Producers' Security Fund pursuant to section 626.7(c)(3) of the Security Act.
3. Participation in the security fund pursuant to section 626.7(c)(3) requires three minimum conditions be met:
 - a. Monthly contributions to the security fund greater than \$0.02 per hundredweight on all milk purchased from producers during the prior month;
 - b. More frequent payments to producers;
 - c. Filing a bond greater than 30% of the highest aggregate amount owed to producers for a 40-day period during the preceding 12 months.
4. The Board held a hearing on May 7, 2025, to consider proposed terms for Biazzo to participate in the security fund. Biazzo's General Manager, Joel Zweig, testified at the hearing and executed the attached document memorializing the proposed terms. The proposed terms are incorporated in this order by reference.
5. Biazzo was licensed as a milk dealer on July 4, 2004.

II. CONCLUSIONS OF LAW

1. Biazzo is permitted to participate in the security fund as a vested dealer pursuant to section 626.7(c)(3) of the Security Act.
2. In lieu of a hearing, Board Staff and Biazzo agreed to the attached proposed terms for Biazzo to participate in the security fund.

III. ORDER

AND NOW, to wit, this 4th day of June 2025, it is hereby ORDERED, ADJUDGED, AND DECREED, as follows:

1. On or before June 16, 2025, Biazzo shall file with the Board a bond in the amount of \$ [REDACTED] for the 2025-2026 license year.
2. Biazzo shall make weekly payments to producers, beginning for milk purchased Thursday July 3, 2025, through Wednesday July 9, 2025.
3. No later than 3:00 pm Friday each week, Biazzo shall pay producers for milk received during the preceding Thursday through Wednesday. The first such payment shall be due July 11, 2025. If the Friday payment is due is a holiday, Biazzo shall pay producers no later than 3:00 pm Thursday. Weekly payments shall be made based on the volume of milk received during the preceding Thursday through Wednesday and are not dependent on Biazzo receiving invoices.
4. The weekly payment shall be at a rate at least equal to the prior month's lowest class price.
5. Biazzo shall reconcile each month's weekly payment when it makes final payment to producers for the month.
6. Biazzo shall pay monthly \$0.021 per hundredweight to the Board on all milk purchased from producers during the prior month. The payment shall be made in conjunction with the filing of Biazzo's monthly report. The Board shall deposit the money in Biazzo's Security Fund account.
7. Biazzo shall inform producers from whom it purchases milk that Biazzo has been granted permission by the Board to participate in the Security Fund pursuant to this agreement and Board order issued thereunder. Biazzo shall notify the Board no later than May 28, 2025, that it has notified the producers and that the producers have agreed to sell milk to Biazzo under the terms of this agreement and order issued by the Board.
8. The bond requirement may increase or decrease based on application of the Pennsylvania Milk Producers' Security Act. Each year when license applications are due the Board will notify Biazzo of the minimum bond requirement for the upcoming license year. The bond requirement will be based on the daily value of Biazzo's producer purchases for the immediately prior calendar year and the number of days payments to producers are outstanding plus a four-day cushion.
9. The bond requirement may also increase by application of section 626.10a of the Milk Producers' Security Act.
10. At the time current Biazzo ownership discontinues purchasing milk from producers or transfers ownership to an unrelated person or persons, after all producers are paid in full, the

moneys, including interest and minus any administrative fee imposed pursuant to section 626.9(e) of the Milk Producers' Security Act, shall be returned to Biazzo.

A certified copy of this Order shall be served upon Defendant, according to Law, and the original Order shall be filed in the office of the Pennsylvania Milk Marketing Board, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110.

PENNSYLVANIA MILK BOARD

Robert N. Barley, Chairman

James A. Van Blarcom, Member

Kristi Kassimer Harper, Consumer Member

Date: June 4, 2025



Commonwealth of Pennsylvania
Milk Board

Proposed terms for Biazzo Dairy Products, Inc., Security Fund Participation pursuant to section 626.7(c)(3) of the Milk Producers' Security Act

1. On or before June 16, 2025, Biazzo shall file with the Board a bond in the amount of \$[REDACTED] for the 2025-2026 license year.
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9. The bond requirement may also increase by application of section 626.10a of the Milk Producers' Security Act.

10. At the time current Biazzo ownership discontinues purchasing milk from producers or transfers ownership to an unrelated person or persons, after all producers are paid in full, the moneys, including interest and minus any administrative fee imposed pursuant to section 626.9(e) of the Milk Producers' Security Act, shall be returned to Biazzo.

11. Adoption of this agreement is subject to Board approval and issuance of an appropriate order.

For Pennsylvania Milk Board:

Betsy Albright, Secretary
Printed Name and Title

Betsy Albright
Signature

5/7/25
Date

For Biazzo Dairy Products, Inc.:

Joel I Zarey General Manager
Printed Name and Title

Joel I Zarey
Signature

5-7-25
Date