

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AMA Docket No. M-10-0283
)	
GH Dairy, a partnership,)	
)	Ruling Granting IDFA and NMPF's
Petitioner)	Motion for Leave to File Amicus Brief

On November 25, 2011, the International Dairy Foods Association [hereinafter IDFA] and the National Milk Producers Federation [hereinafter NMPF] filed “Motion of the International Dairy Foods Association and the National Milk Producers Federation for Leave to File an Amicus Brief in Opposition to Petitioner GH Dairy’s Appeal to the Judicial Officer” [hereinafter Motion for Leave to File Amicus Brief]. Attached to the Motion for Leave to File Amicus Brief is the brief which IDFA and NMPF seek to be permitted to file.

The rules of practice governing this proceeding¹ provide that any person (other than the petitioner) showing a substantial interest in the outcome of a proceeding may be permitted to intervene, as follows:

¹The rules of practice governing this proceeding are the “Rules of Practice Governing Proceedings on Petitions To Modify or To Be Exempted From Marketing Orders” (7 C.F.R. §§ 900.50-.71).

§ 900.57 Intervention.

Intervention in proceedings subject to this subpart shall not be allowed, except that, in the discretion of the Secretary or the judge, any person (other than the petitioner) showing a substantial interest in the outcome of a proceeding shall be permitted to participate in the oral argument and to file a brief.

7 C.F.R. § 900.57. IDFA and NMPF assert each has a substantial interest in the outcome of the instant proceeding. The parties did not respond to IDFA and NMPF's Motion for Leave to File Amicus Brief. After consideration of IDFA and NMPF's Motion for Leave to File Amicus Brief, I find each has shown a substantial interest in the outcome of the instant proceeding. Therefore, I grant IDFA and NMPF's Motion for Leave to File Amicus Brief.

Done at Washington, DC

March 19, 2012

William G. Jenson
Judicial Officer