

U.S. judge dismisses dairy co-op's suit

SYRACUSE, N.Y. — A U.S. District Court dismissal of an anti-trust suit, ended a seven year courtroom battle between Fairdale Farms, Inc. of Bennington, Vermont and the Regional Cooperative Marketing Agency, Inc. of Syracuse.

In 1975, Fairdale Farms, Inc. charged RCMA and one of its members, Yankee Milk, Inc. now Agri-Mark, Inc., with raw milk price fixing and monopoly, said RCMA attorney John M. Freyer.

Federal Judge Albert W. Coffin, in his decision held "that because plaintiff raises no genuine issue as to any fact material to the question of whether defendants engaged in predatory conduct, the defendants are entitled to judgement as a matter of law."

Freyer said the charges were a result of "over order" pricing in the New England order during 1973 to 1975. He said at that time, Federal Order prices were going down and farmers were caught in a cost-price squeeze.

The RCMA was organized in 1973, by cooperatives in the Nor-

theast in an attempt to improve prices for their members by charging a production incentive differential, which was set between the New England Order price and a "reasonable price," Freyer explained. From 1973-75, RCMA collected for member-farmers in the Northeast more than \$20 million.

"The right of cooperatives to join together in a common marketing agency is clearly reaffirmed by the decisions in this case," remarked Arthur D. Little, RCMA executive director.

RCMA member cooperatives include: Northeast Dairy Cooperative Federation, Inc., Syracuse, N.Y.; Agri-Mark, Inc., Andover, Mass.; Cabot Farmers Cooperative Creamery, Inc., Cabot, Vt.; Richmond Cooperative Association, Richmond, Vt.; Niagara County Milk Producers Cooperative Corporation, Inc., Niagara Falls, N.Y.; Upstate Milk Cooperatives, Inc., Leroy, N.Y.; and Dairylea Cooperative, Inc., Pearl River, N.Y.

"Dairy farmers, through their

cooperatives, have persistently defended their actions in this matter with the firm belief that the Capper-Volstead Act makes it possible for farmer-producers to organize together, set association policy, fix prices at which their cooperative will sell their product and otherwise carry on like a business corporation without

thereby violating anti-trust laws," Little added.

RCMA attorney Freyer remarked that the seven year court case was the product of several appeals.

"Anti-trust cases are complicated just by nature," said Freyer.

According to Fairdale Farms general manager Ed Holden, his co-op is undecided on appealing Coffin's decision.

"We are waiting to review the decision," Holden said.

At press time, attorneys representing Fairdale Farms, Inc. could not be reached for comment. —DT

Butler-Lawrence counties receive PFU charter

PROSPECT - Roy Simpson, a dairyman from Butler, was elected president of the newly-chartered, Butler-Lawrence County Farmers Union, Monday night, at an organizational meeting at Garden Gate Inn.

Over 60 members attended the banquet meeting to discuss issues facing farmers in each county. The highlight of the meeting was a roundtable discussion of the dairy industry with representatives of the Pennsylvania Farmers Union.

Taking part in the discussion were PFU President Jim Brown; Norman Hutchinson, general manager of the Farmers Union Milk Producers Association Cooperative of Western Pennsylvania; Carl Kaufman, state director of the Farmers Union; Jack Philson, chairman of the

statewide Legislative Committee; Art Freehling, a milk inspector from Cabot, Butler County and Simpson, PFU Fieldman Chuck chaired the panel discussions.

The county organization strongly opposed the proposed statewide milk referendum. The Department of Agriculture will conduct the balloting next month. If approved, dairymen will be deducted \$.10 per hundredweight of milk to fund a generic promotion program. Dairymen would lose over \$9

million a year from their milk checks.

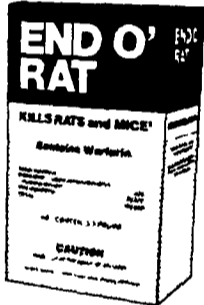
Officers and committee chairmen of the Butler-Lawrence Farmers Union also were elected.

Serving as vice president is Charles Powell of Evans City; Janet Morgain of Butler, secretary/treasurer; Art Freehling of Cabot, legislative chairman; Teresa Lesney of Butler, publicity chairman, and Rose Freehling of Cabot, organizational program director.

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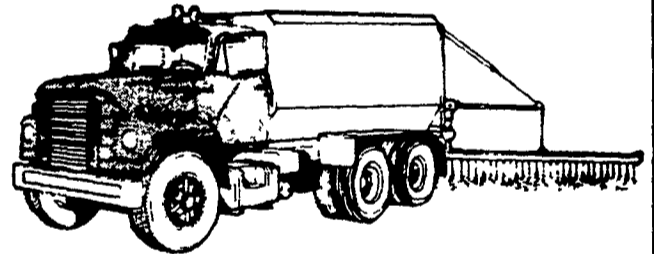
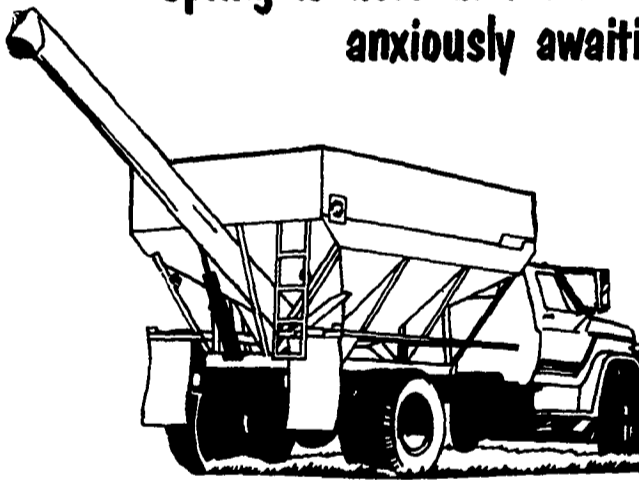
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