

The Milk Check

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County Agent



December Pool

The uniform price to producers for milk shipped to regulated handlers in Order 2 in December was \$13.41 or 30 cents less than November and exactly the same as December 1981. All of the 30 cent drop could be accounted for in the Louisville Plan payment you got in November which was the last one for the year.

Production was up more than four percent (on a daily basis) over November and more than three percent over December 1981. The highest for December in 18 years. However, your Class I price was up ten cents and the Class II price up six cents over November so you were able to maintain the same blend price (without the Louisville Plan payment) as you had in November.

Your increased production and the drop in Class I sales lowered the Class I utilization 2.8 percent to 42.1 but the higher class prices kept the uniform price up.

Confusion

Now that the federal judge in Columbia, South Carolina has issued a temporary injunction on January 10 stopping the Secretary of Agriculture from collecting 50 cents a hundred on all milk to cut the costs of the dairy price support program the milk marketing situation is even more uncertain

because it now goes to trial but no one knows when.

Handlers are over a barrel deciding whether or not to collect the assessment. A letter from the USDA to "responsible persons" made the handlers responsible for the collection "should it (the USDA) prevail in the litigation."

Some handlers have sent letters to their shippers giving them the choice of paying now or later if the restraining order is lifted thus shifting the responsibility to the producers. A few coops are collecting and holding the money for producers. Mostly, however, nothing is being collected with the expectations that either the injunction will be made permanent or, by the time it is lifted, there will be so many uncollected funds that the USDA would have a hard time collecting anything.

Get In Line

Besides, even if this injunction is lifted soon, you'd have to get in line to start another one against the USDA for the same purpose. It seems nearly every dairy cooperative in the country, and some state and national farm organizations, have joined with others to file a suit. They come from five different states and so far I've counted at least seven different suits that are filed or threatening to be filed.

Kirk Guernseys

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Gem hunters and members of artifact clubs have frequented the farm. In fact, Francis has collected a few crude hand tools which probably were formed more

than a 1000 B.C., he says.

Francis laughs when he says that after plowing and discing, he wouldn't mind inviting the gem hunters back to pick all the rocks they want.

But irregardless of the gem or semi-precious stones that rest in the Cedar Fringed land, the Kirks only had to walk as far as the barn in 1982 to strike gold.



A few Cedar-Fringed herd members leave the shelter of their loafing barn and make the most of a Lancaster County sunny afternoon.

If this one fails for its reason of "irreparable damage" to South Carolina producers there are more ready to go for reasons of unconstitutionality, procedures violations and ineffectiveness for the purpose intended.

It just seems like legal overkill to have seven law suits for the same purpose but maybe that's what it takes to get the job done. At least organizations joined forces to save legal fees and I hope that while they were together starting law

suits they also spent some time developing alternatives that would bring them together to save the price support program.

Happy Producers

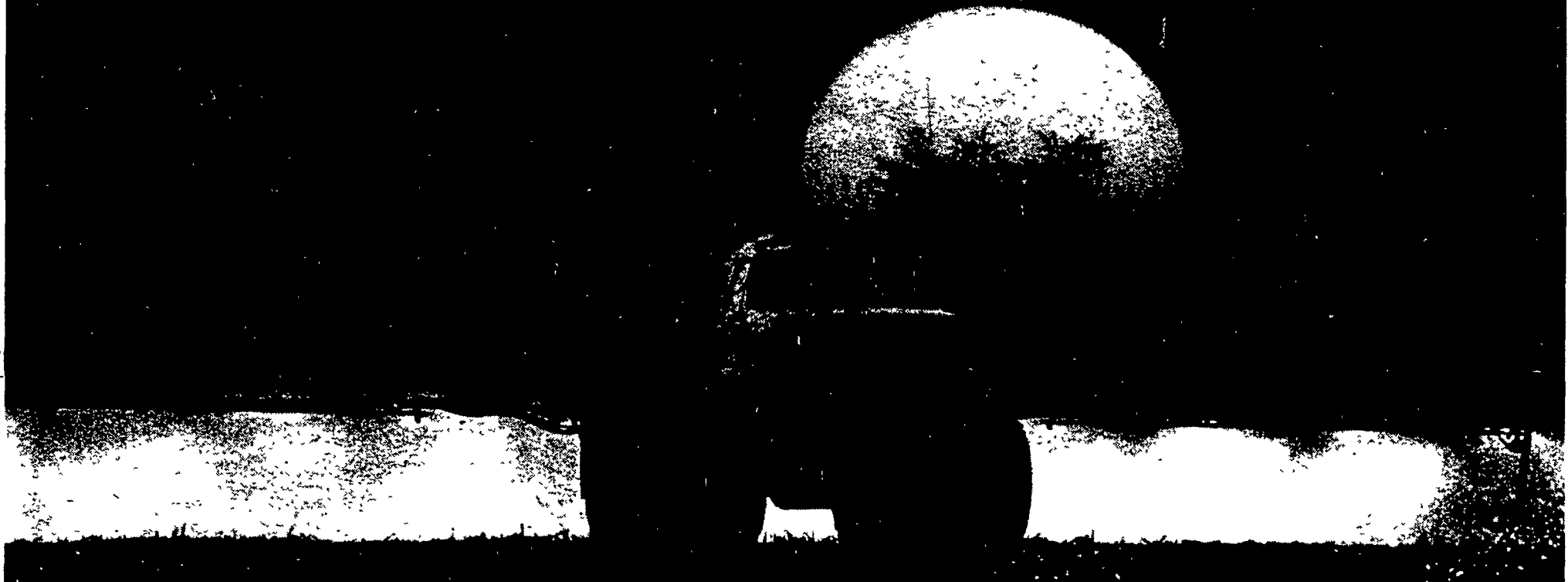
Of course, the milk producers won the battle from the injunction because for most of them there will be no 50 cent reduction in their price for December milk. And with all the possible legal maneuvers available and the number of law suits to be filed you'll probably never have that assessment. And

many producers and organizations are claiming a victory over bureaucratic power.

There's no question that a 50 cent assessment comes at a bad time for producers and for the country but I'm not sure that the reaction would have been much different two years ago when marketing conditions were better. It's just very difficult at any time for anyone to give up something they have and the timing on this one couldn't have been worse.

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