

Region	States	Milk production (mil lbs)*	Percentage of total milk production	Current number of board members	Adopted number of board members
1	Oregon, Washington	7,713	4.5	1	2
2	California	34,884	20.6	6	7
3	Arizona, Colorado, Idaho, Montana, Nevada, Utah, Wyoming.	16,291	9.6	3	3
4	Arkansas, Kansas, New Mexico, Oklahoma, Texas	15,313	9.0	3	3
5	Minnesota, North Dakota, South Dakota	10,447	6.2	3	2
6	Wisconsin	22,074	13.0	5	5
7	Illinois, Iowa, Missouri, Nebraska	8,971	5.3	2	2
8	Alabama, Kentucky, Louisiana, Mississippi, Tennessee	4,265	2.5	1	1
9	Indiana, Michigan, Ohio, West Virginia	13,264	7.8	3	3
10	Florida, Georgia, North Carolina, South Carolina, Virginia	7,194	4.2	2	1
11	Delaware, Maryland, New Jersey, Pennsylvania	12,492	7.4	3	3
12	New York	12,217	7.2	3	3
13	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.	4,518	2.7	1	1
Total	48 Contiguous States	169,643	100	36	36

*Based upon preliminary 2002 data that was released in Milk Production, Distribution & Income, NASS, USDA, April 2003. This data will later be updated, revised, and finalized.

Upon the basis of its review of geographic milk production volume, the Dairy Board proposed that the number of members in four of the 13 geographic regions be changed. The Dairy Board was last modified in 1998 based on 1997 milk production data. The current review conducted by the Dairy Board is based on 2002 data. In 2002, total milk production was 169,643 million pounds, which indicates that each of the Dairy Board members would represent 4,712 million pounds of milk. For 1997, total milk production was 156,464, which indicated that each of the Board members represented 4,346 milk pounds of milk.

Based on the 2002 milk production data, the Dairy Board proposed that member representation in Region 1 (Oregon and Washington) and Region 2 (California) each be increased by one member, and member representation in Region 5 (Minnesota, North Dakota, and South Dakota) and Region 10 (Florida, Georgia, North Carolina, South Carolina, and Virginia) each be decreased by one member. Milk production in Region 1 increased to 7,713 million pounds in 2002 up from 6,915 million pounds in 1997, indicating two Dairy Board members (7,713 divided by 4,712 = 2) compared to one Dairy Board member based on 1997 milk production data. Milk production in Region 2 increased in 2002 to 34,884 million pounds up from 27,628 million pounds in 1997, indicating seven Dairy Board members (34,884 divided by 4,712 = 7) compared to 6 Dairy Board members based on 1997 data. Also, in Region 5, milk production decreased to 10,447 million pounds in 2002 down from 11,307 million pounds in 1997, indicating two Dairy Board members

(10,447 divided by 4,712 = 2) compared to three Board members based on 1997 milk production data. Additionally, milk production in Region 10 decreased to 7,194 million pounds in 2002 down from 7,523 million pounds in 1997, indicating one Dairy Board member for the region (7,194 divided by 4,712 = 1) compared to two members based on 1997 data.

Interested parties were provided an opportunity to file comments on the proposed rule. One comment from a producer recommended that, due to Region 5's large geographical area, the number of representatives for Region 5 remain at the current level of three Dairy Board members. As discussed above, the proposed number of representatives for Region 5 (i.e., two regional representatives) is reflective of the volume of milk produced in the region.

This final rule adopts the Dairy Board's proposal that member representation in Region 1 be increased from one member to two members, Region 2 representation be increased from six members to seven members, Region 5 representation be decreased from three members to two members, and Region 10 representation be decreased from two members to one member. The amendment is necessary to ensure that regional representation on the Dairy Board reflects geographic milk production in the contiguous 48 States.

The proposed amendment to the Order is made final in this action. The final rule will be effective one day after publication in the **Federal Register** to allow for the timely appointment of Dairy Board members based on current distribution of milk production in the contiguous 48 States.

Thus, good cause exists for making this rule effective less than 30 days from the date of publication in the **Federal Register**.

List of Subjects in 7 CFR Part 1150

Dairy Products, Milk, Promotion, Research.

■ For the reasons set forth in the preamble, 7 CFR part 1150 is amended as follows:

PART 1150—DAIRY PROMOTION PROGRAM

■ 1. The authority citation for 7 CFR part 1150 continues to read as follows:

Authority: 7 U.S.C. 4501–4513.

■ 2. In § 1150.131, paragraphs (a)(1), (a)(2), (a)(5), and (a)(10) are revised to read as follows:

§ 1150.131 Establishment and membership.

(a) * * *

(1) Two members from region number one comprised of the following States: Washington and Oregon.

(2) Seven members from region number two comprised of the following State: California.

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(5) Two members from region number five comprised of the following States: Minnesota, North Dakota and South Dakota.

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(10) One member from region number ten comprised of the following States: Florida, Georgia, North Carolina, South Carolina and Virginia.

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