



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
10-B AIRLINE DRIVE  
ALBANY, NEW YORK 12235

DIVISION OF MILK CONTROL AND DAIRY SERVICES  
518-457-5731

**TO:** Retailers of Milk

**DATE:** November 19, 2004

**SUBJECT:** Announcement of threshold price relative to milk price gouging law,  
**effective DECEMBER 2004.**

Threshold prices are unchanged from previous month. For **DECEMBER 2004**,  
threshold prices for milk, lowfat milk, or skim milk offered for retail sale in the state are:

	<u>Gallon</u>	<u>Half Gallon</u>	<u>Quart</u>
Metro Region: (NYC and Counties of Nassau Suffolk, Rockland, Westchester, Orange, Putnam and Dutchess)	\$3.26	\$1.68	\$0.87
Upstate Region: (Remaining Counties)	\$3.04	\$1.57	\$0.82

A retailer who sells above the threshold price may be in violation of the law unless such selling price is justified as not being unconscionably excessive. Such justification includes net invoice price paid for the milk item plus actual costs incurred in handling and selling that milk item.

Please be advised that the threshold price is only changed if there is at least a \$0.02 per gallon (\$0.23/cwt) change in the underlying price for Class I (fluid) milk at 3.5% butterfat. Compared to November, December's minimum federal order Class I price (3.5% butterfat) is up \$0.14/cwt or \$0.012 per gallon. The threshold price is calculated by multiplying by two the total of two components, the minimum federal order price and the premium paid for Class I milk.