



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

Division of Milk Control & Dairy Services  
518-457-5731

**TO:** Retailers of Milk

**DATE:** December 21, 2007

**SUBJECT:** Announcement of threshold price relative to milk price gouging law,  
**effective JANUARY 2008.**

For **JANUARY 2008**, 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)	\$4.41	\$2.25	\$1.16
Upstate Region: (Remaining Counties)	\$4.19	\$2.15	\$1.11

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.

Compared to the previous threshold, prices increased \$0.16 a gallon, \$0.08 a half gallon and \$0.04 a quart in both Metro NY and Upstate NY. The increase reflects the underlying change in the federal order Class I (fluid) milk price (3.5% butterfat) which increased \$0.93 per hundredweight or \$0.080 per gallon from last month. 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.