

Dept. of Justice: AG Kaul announces court ordered divestiture of two former Dean Foods plants

Posted on Thursday, Oct 8, 2020

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

MADISON, Wis. – United States District Judge Gary S. Feinerman approved the proposed final judgment against Dairy Farmers of America this week, noting that the proposed divestiture will save jobs at those facilities. Attorney General Kaul, along with the U. S. Department of Justice and Commonwealth of Massachusetts, filed a complaint in May against Dairy Farmers of America (DFA), which acquired Dean Foods property out of bankruptcy.

The final judgment requires that DFA divest two plants, one in De Pere, Wisconsin, and one in Harvard, Illinois (also known as the Chemung plant) to a buyer within thirty days. DFA is also required to divest the intellectual property associated with the De Pere plant, including the exclusive right to using the “Dean’s” name in Wisconsin, Illinois, Indiana, and the Upper Peninsula of Michigan, and licenses for the “TruMoo” and “DairyPure” brand names nationwide.

“Judge Feinerman is right: this judgment will save critical Wisconsin jobs,” AG Kaul said. “Maintaining strong competition in Wisconsin’s dairy market is important for our state’s economy, especially as the economy continues to be impacted by the effects of the global pandemic.”

The judge noted that the proposed divestiture would save the jobs at those facilities while addressing the Clayton Act competition concerns.

In early April, a U.S. bankruptcy court in Texas approved the sale of Dean Foods plants to DFA for \$433 million. That decision came five months after Dean, at the time the largest dairy processor in the country, filed for Chapter 11 bankruptcy

protection.

The U.S. Department of Justice will approve the buyer of the De Pere and Harvard plants.

Assistant Attorney General Gwendolyn J. Lindsay Cooley represented the State of Wisconsin in this matter.