

Dairy Industry - Union

PENSION PLAN

For Philadelphia and Vicinity

09 APR -5 PM 7:11

April 29, 2009

CERTIFIED RETURN RECEIPT MAIL

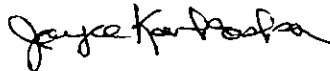
U. S. Department of Labor
Employee Benefits Security Administration
Public Disclosure Room, N-1513
200 Constitution Avenue, N.W.
Washington, DC 20210

RE: Notice under Section 204

Dear Sir/Madam:

In accordance with Federal Regulations, the above-noted Plan is providing the Notice under Section 204 of the Workers, Retiree and Employer Recovery Act of 2008 for plan year beginning January 1, 2009. The Notice was provided to relevant parties on April 29, 2009.

Sincerely,

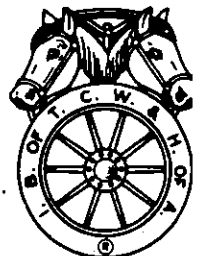


Joyce Karkoska
Fund Manager

JK:kmm

Enclosure

P.O. BOX 740 • DAVIS ROAD & OAKWOOD LANE • VALLEY FORGE, PA 19482
(215) 483-6000 (215) 483-6001 (215) 483-6002 FAX (610) 783-6835



April 29, 2009

**NOTICE UNDER SECTION 204 OF THE WORKER, RETIREE, AND EMPLOYER
RECOVERY ACT OF 2008**

**PLAN: DAIRY INDUSTRY-UNION PENSION PLAN FOR
PHILADELPHIA AND VICINITY
PLAN SPONSOR EIN: 23-6283288
PLAN EIN: 23-6283288
PLAN NO.: 001**

This Notice is to advise you that the Board of Trustees of the Dairy Industry-Union Pension Plan for Philadelphia and Vicinity has elected to treat the Plan as being in neither endangered nor critical status in accordance with Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008. Although the Plan's actuary has certified the Plan as being in seriously endangered status for the Plan Year beginning in 2009; in accordance with applicable law, the Trustees have made this election in order to allow sufficient time to address funding issues caused by the economic downturn in the stock and fixed income markets in 2008.

This election applies only for the current plan year, beginning on January 1, 2009. If the Plan is certified to be in endangered or critical status for the Plan Year beginning on January 1, 2010, then the Board of Trustees will provide you with notice of the Plan's status for that year and steps will have to be taken to improve the Plan's funded situation, which steps could include increases in contributions or reductions in future benefit accruals. You would receive advance written notice of such changes, if any.

For more information about this notice, you may contact the Dairy Industry-Union Pension Plan for Philadelphia and Vicinity, c/o Valley Forge Benefit Administrators, Inc. at (215) 483-6000, or by writing to the Board of Trustees of the Dairy Industry-Union Pension Plan for Philadelphia and Vicinity at Davis Road and Oakwood Lane, P.O. Box 740, Valley Forge, PA 19482.