

Seamons, Colleen

From: Eric Hartill [ehartill@iinet.net.au]
Sent: Saturday, 6 September 2008 10:43 PM
To: submissions
Subject: Re: Proposal P 1007 primary production & processing Requirements for Raw Milk products (Australia only)
Follow Up Flag: Follow up
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I would like to register my support for an amendment to the code to bring Australia into line with other major international cheese manufacturing countries.

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My objections to the current standards that prohibit the production and sale of most cheese made from raw milk in Australia are as follows:

1. The purpose of the Standard is to guarantee safe Cheese however the assumption that pasteurisation as a single step will guarantee safety is not scientifically valid.
2. The single critical control point that guarantees safety for all cheese varieties is starter culture activity that creates a hostile environment to pathogens in the cheese. Starter culture activity comprises two biological components; the first is primary fermentation of milk sugar to organic acids during cheesemaking and the second is secondary fermentation/metabolism of organic acids, fat and protein during ripening. This principal is supported by scientific studies and accepted by all of the major cheese producing countries of the world e.g. European Union (EU), USA and Canada.
3. The standard is anti competitive and trade restrictive. The standard does not encourage world best practice in cheese-milk production and allows the use of milk of poor microbiological quality for cheesemaking.
4. The microbiological standards for cheese are overly onerous in relation to e coli and have led to very questionable practices in domestic production. The standard is out of step with scientific studies and the microbiological standards applied in countries overseas.
5. The standard is a breach of Australia's commitment to WTO Policy, as it cannot be justified on scientific grounds for food safety.
 WTO Article 5.1 requires members to 'ensure that their sanitary or phytosanitary measures are based on an assessment, as appropriate to the circumstance, of the risks to human, animal or plant life or health, taking into account risk assessment techniques developed by the relevant international organizations'.
 Article 5.2 states in the assessment of risks 'Members shall take into account available scientific evidence'.
 Article 5.4 states 'Members should, when determining the appropriate level of sanitary or phytosanitary protection, take into account the objective of minimizing trade effects'.
6. The Standard is overly prescriptive. It does not meet the Council of Australian Government (COAG) guidelines on primary production and processing standards that stipulate an objective of minimal effective regulation. 7. The standard is highly discriminatory. It provides for

international exemptions such as Roquefort and Swiss Cheese but denies Australian cheesemakers a choice of making similar cheese from raw milk. Australian artisanal cheesemakers deserve to have the opportunity to develop a significant point of difference to enable their products to survive in a competitive market.

7. Over the past two decades international artisan and farmhouse cheese production has enjoyed a significant growth in demand due to a revolution in consumer interest. Many of these are made from raw milk and are recognised as having an infinitely superior flavour and regional character when compared to similar cheeses made from pasteurised milk. However, unlike their counterparts overseas, Australian consumers have been denied a choice of cheeses made from raw milk.
8. There is no reason why cheese made from raw milk should represent a greater degree of risk than those produced from pasteurised milk provided recognised international guidelines are adopted in Australia.

Additional Comments:

As a member of the general public I have an interest in the right of Australian producers to compete on an equal footing with goods manufactured and imported into our country. I request that in accordance with FSANZ's code and specifically Attachment 1 relating to Background - items 1 for Historical Background; item 2 for Previous cheese assessments: that FSANZ give full and complete public announcement as to the health and scientific reasons why an application from "Grandvewe", Birchs Bay, Tasmania to produce and sell unpasteurised raw-milk cheese made from ewe milk cannot be acceptable.

Research project work in conjunction with the University of Tasmania has successfully produced such products and shown that safe raw milk cheese can be produced. This research has found that raw milk has a natural ability to reduce levels of harmful Listeria and E coli bacteria to acceptable levels.

Furthermore it appears somewhat an anomaly to Australian consumers that our country is allowing imports of such products, namely raw milk Roquefort cheese from France. This import permission has been available since 2004.

Irregardless of the discrepancy against local producers who can meet the same health standards of production relating to raw cheese manufacture there is a further anomaly in the matter of raw food products that warrants consideration.

The question that the public require confirmation of is – "why is it that there are other raw food products, for example mushrooms or raw fish, allowed for sale to the general public?" Surely every food product has a potential health impact and eventually with age all products have a detrimental impact. So, this being the case, then provided sufficient education and information is available to the general public, the matter of consumption should be left their prerogative decision.

Australia has laws regarding labelling of food products and if a manufacturer or producer can meet these labelling requirements it would seem that potential consumers would be receiving sufficient entitlement to due care and attention in relation to health laws governing distribution for sale of such products.

Therefore to differentiate against a local producer who can meet the health requirements for the production of raw-milk Roquefort cheese can only be described as an illegal preclusion under the Australian constitution.

Signed: Eric Hartill

Submission made: Sep 6th, 12:42 PM