

23 September 2008

Project Officer Proposal P1007  
Food Standards Australia New Zealand  
PO Box 10559  
WELLINGTON 6036

FS350-118-1007

Dear Sir/Madam

## **Proposal P1007 – Primary Production & Processing Requirements for Raw Milk Products (Australia only) – Discussion Paper**

Thank you for the opportunity to comment on the Discussion Paper for this proposal. The New Zealand Food Safety Authority (NZFSA) has the following comments to make.

### **General Comment**

NZFSA supports the approach being taken by FSANZ in providing an opportunity for public comment on issues relating to the production and processing requirements for raw milk products in Australia.

The New Zealand Government is taking a similar approach to the work FSANZ is undertaking on raw milk products. In August 2008, the New Zealand Government approved the release of a public discussion document developed by NZFSA, which outlines a proposed framework for the manufacture, importation, export and sale of raw milk products in New Zealand: (<http://www.nzfsa.govt.nz/dairy/publications/consultation/discussion-raw-milk/discussion-doc/index.htm>). NZFSA has invited public submissions by 30 September 2008. The NZFSA discussion document proposes that the New Zealand framework for raw milk products should be based on technical requirements consistent with those that have been outlined by FSANZ in Proposal P1007.

In releasing the public discussion document, NZFSA is addressing similar issues to those faced by FSANZ. For example, NZFSA has received requests from New Zealand consumers, manufacturers, importers and some trading partners that it develop technical criteria or guidance material to enable the local manufacture, domestic sale, or export of raw milk products and that it allow the import of similar products. NZFSA is also acknowledging evidence that, while consumption of some raw milk products can pose risks to vulnerable consumers (the young, elderly, pregnant and immuno-compromised), a number of raw milk products can be produced so as to be safe for the remainder of the population.

Like FSANZ, NZFSA is proposing that raw milk products be placed in one of three categories according to their food safety risk to human health. In addition to this “three category” approach, there are other areas where there is good alignment between the proposals made by

New Zealand and Australia. These include the reasons for initiating this work, the scope in terms of the milking animals covered by the framework, the likely categorisation of some raw milk products e.g. high moisture content cheeses in Category 3, and the undertaking of microbiological and social science assessments to inform development of the proposed framework and risk management decisions.

One point of difference between the current legislation in New Zealand and Australia is that raw drinking milk is not currently able to be sold in New Zealand (with the sole exception of New Zealand producers who can sell up to five litres of raw milk at any one time from their farm gate to people who intend to consume it themselves or provide it to their family).

If the framework being proposed by NZFSA for raw milk products in New Zealand is adopted, NZFSA has indicated that raw drinking milk will fall into Category 3 and will therefore be unable to be produced or imported into New Zealand. This is with the exception of farm gate sales, as discussed above.

## **Risk Management**

NZFSA will continue to consult and cooperate with FSANZ in developing the technical basis for risk management measures applicable to the specific circumstances of New Zealand and Australia, particularly with respect to the needs for any changes to labelling requirements which are set out in the Australia New Zealand Food Standards Code (the Code).

While P1007 addresses the primary production and processing requirements for raw milk products in Australia, the proposal might result in the need for amendments to the labelling requirements in the Code. NZFSA is also considering labelling as one of the risk management options.

The timeline for P1007, as stated in the Administrative Assessment Report, is longer than New Zealand is working towards. If the proposed frameworks for raw milk products are adopted on both sides of the Tasman at different times, there is the possibility New Zealand may need to issue a standard under the Food Act pursuant to Annex D III of the Food Treaty, Temporary Food Standards, to address the changes to the labelling requirements.

Yours sincerely

Carole Inkster  
Director  
Joint Food Standards