



24 December 2013

Project Officer Proposal P1022
Food Standards Australia New Zealand
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WELLINGTON 6036



Dear Sir/Madam

Proposal P1022 – Primary Production and Processing Requirements for Raw Milk Products – First Call for Submissions

Thank you for the opportunity to comment on this proposal. The Ministry for Primary Industries (MPI) has the following comments to make.

MPI has provided comment during the development of this proposal (under our comments on P1007). While the proposal is primarily developing an Australia-only primary production standard, MPI is pleased to be involved with this work through participation in the standards development committee. We provide some comments in this submission on aspects that are within the scope of the joint system (namely the labelling matters and the microbiological limits). We also have provided comments on the supporting documents (SD1, SD2 and SD3).

Proposal P1022 addresses so called 'category 2' raw milk products, i.e. *those products for which the properties and/or processing factors may allow survival of pathogens that may have been present in the raw milk but do not support the growth of these pathogens.*

MPI supports option 1 on page 7, i.e. to prepare a draft variation to Standard 4.2.4 to permit raw milk products (where it can be demonstrated that the stated criteria are met). This is consistent with New Zealand's regulatory approach to permitting category 2 raw milk cheeses, rather than the case by case approach (i.e. option 2). FSANZ notes this consistency of approach on page 13 (section 2.5.3), of the Call for Submission paper.

Labelling of cheeses made from raw (unpasteurised) milk

MPI comments on labelling requirements

The Call for Submissions paper notes in section 2.3.2.2 that FSANZ does not propose to mandate additional labelling requirements, over and above the current Food Code requirements. We agree that the requirements in Standard 1.2.2. (name of the food) and Standard 1.2.4 (labelling of the true nature of ingredients) will provide consumers with the information needed to make an informed choice.

However, it is essential that producers comply with the requirements above, so that consumers are informed that the product is made from raw (unpasteurised) milk.

The editorial note in standard 4.2.4A provides some guidance on the ingredient list requirement, but does not contain any information relating to the naming of the food. MPI is of the view that the following points need consideration by FSANZ:

- Should the information in the current editorial note (in Standard 4.2.4A) be amended to clarify requirements regarding the name of the food (as well as labelling the true nature of the ingredient)?
- Placement of the editorial note – options are standard 4.2.4 (as this is where category 2 products will be captured), or in standard 1.2.2 and 1.2.4. We raise standards 1.2.2 and 1.2.4 as an option to explore, as labelling matters are within the scope of the Treaty.
- Should the guidance remain as an editorial note, or should the requirement be explicit so that there is no uncertainty.

MPI considers that appropriate labelling should not be at the discretion of the producers and marketers of raw milk cheeses, and that to avoid doubt, the requirements of standards 1.2.2 and 1.2.4 should be explicit.

MPI agrees with FSANZ that warning or advisory statements are not required.

MPI comments on the Call for Submissions document – suggestions for changes in the next Consultation document:

In addition to the comments above regarding the options for labelling the food and the ingredient, MPI has the following comments on section 2.3.2.2:

- We note that the second bullet point in section 2.3.2.2 refers to the mandatory warning and advisory statements contained in standard 1.2.3. This could be clarified in the second Call for Submissions paper, to reflect that the reference to 'unpasteurised liquid milk products' in the Table to clause 2 of Standard 1.2.3 of the Code relates only to unpasteurised liquid milks (e.g. unpasteurised milk). It does not refer to unpasteurised solid milk products such as raw milk cheeses.
- This section could also refer to the editorial note in standard 4.2.4A, which emphasises the requirements in the third bullet of paragraph 2.3.2.2.

Standard 1.6.1 comments

MPI supports the proposal in Part 2.3.2.3 of the Call for Submissions document to consolidate the food categories in standard 1.6.1 and the existing limits for unpasteurised/raw milk products (e.g. butter and raw milk cheese varieties) to a single set of limits for 'raw milk products'.

MPI agrees with the proposal to assess the current limit for *E. coli* in cheese and the role of process hygiene (indicator and index microorganisms) in the Standard. This is consistent with the current approach being used in P1017 (Criteria for *Listeria monocytogenes*) and is strongly supported by MPI. MPI asks though whether FSANZ could disseminate this information beyond the working group for P1022 to ensure that experts in the establishment and application of microbiological criteria are all engaged in the process. This is critical because the approach taken with the setting of limits in this standard will have consequential effects when establishing food safety and process hygiene limits for other foods, therefore it is essential that principles are established which will ensure that a consistent approach is taken and maintained.

Comments on the Supporting Documents

In general, it is difficult to comment on the supporting documents, in the absence of the draft Variation. We appreciate that FSANZ will provide this with the next Call for Submissions report. Some of the comments made below are based on assumptions about what the draft Variation might contain, and as a result, may not be reflective of the eventual standard or guidance documents.

SD1 – Guide to the requirements for raw milk products in Standard 4.2.4 – PPPS for Dairy Products – P1022

SD1 provides useful information on the raw milk product requirements.

MPI would like to make the following comments

1. Section 9 'Integrity of Supply' refers to 'category 2' products, but this appears to be the first use of this term in this document, and may not be understood by users of the Guide if they are not familiar with the proposal work. It could be helpful to define the three categories of raw milk products.
2. MPI notes that while there is general agreement on the nature of the requirements that are outlined in SD1 with those in the equivalent New Zealand documents, SD1 does however place more emphasis on the skills and knowledge of the cheesemaker and sets more rigorous microbiological limits for milk supplies. Specifically the bovine somatic cell count in SD1 is 200,00 cells/ml (NZ limit is 400,000 cells/ml), the aerobic plate count is 25,000cfu/ml (NZ limit is 100,000cfu/ml) and the *E. coli* limit is <10cfu/ml (NZ limit is 100cfu/ml).
3. Processing of raw milk products section - this does not address the issue of corrective action in the event of a process hygiene criterion not being met.

SD2 – Guide to the validation of raw milk products

MPI supports the through chain approach. SD2 provides a useful overview, which will help processors and enforcement agencies to understand the process for the validation of the safety of raw milk products. MPI would however like to make the following comments

1. In Section 1 Hazard Identification it is stated that “.....the control of *S. aureus* is largely managed through good hygienic practices, largely applicable to both pasteurised dairy products and raw milk products. If it can be demonstrated that control measures are in place to manage coagulase positive *S. aureus* and appropriate monitoring and verification testing is applied, then validation for this organism isn't necessary.” This statement appears to be in conflict with FSANZ's “Microbiological Risk Assessment of Raw Milk Cheese” which identifies that raw milk is a source of this pathogen. For products made from raw milk there will need to be assurance that both the level of *S. aureus* in incoming milk is low (as per the pathogen monitoring programme for bulk milk) and that subsequent process control is such that the bacteria are not allowed to proliferate. This is consistent with the testing for the bacteria that should be undertaken at the time during processing when it would be expected that the number of staphylococci to be highest, as it is recommended in SD1.
2. In section 3 Validation Requirements the equation provided is not expressed in its traditional form which could be confusing for readers. It would be more understandable if it was expressed as $\Sigma \text{ Increase} - \Sigma \text{ Reduction} \leq 0$.
3. In Section 3 Acidification is mentioned under “Reduction” however it is very unusual to achieve reduction of pathogens during the acidification stage. This control measure reduces or stops growth.
4. In Section 5 Validating Control Measures the footnote comment on the limitations of using published challenge studies is important and it is suggested that to include this comment in the main text to attract more attention to this point.
5. In Section 5 Validating Control Measures it is noted that the focus is on predictive models for *Listeria monocytogenes*. However other pathogens are listed in the Hazard Identification. It would be helpful to either provide references to other models that could be or should not be used. SD3 – Scientific information for the assessment of raw milk products analysis selected the Augustin model as the only suitable model for the validation process. Consequently, mentioning the Dalgaard model in the validation guidance is unhelpful and could be confusing.
6. Our impression is that SD2 guide encourages the cheesemakers to carry out challenge studies to validate their processes. Although we agree that this approach can be considered as a gold standard, we doubt the practicality of it for small artisan cheesemakers.

SD3 – Scientific information for the assessment of raw milk products – Cheeses

MPI has no comments to make on this document.

Yours sincerely

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Manager Food Science and Risk Assessment