

Dairy Food Safety Victoria
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15th February, 2010

Standards Management Officer
Food Standards Australia New Zealand
PO Box 7186
Canberra BC ACT 2610

Dear Sir/Madam,

**SUBMISSION ON PROPOSAL 1007:
PRIMARY PRODUCTION & PROCESSING REQUIREMENTS FOR RAW MILK
PRODUCTS (AUSTRALIA ONLY)
FIRST ASSESSMENT REPORT**

Thank you for the opportunity to comment on this First Assessment Report.

Please find here the comments from the Board of Dairy Food Safety Victoria on the above assessment that was released for public consultation.

Responsibilities of DFSV

DFSV is the only authority within the State of Victoria that has the duty and responsibility for ensuring that dairy products manufactured within the State are safe for human consumption. The magnitude of this accountability to protect both public health, maintain consumer confidence and preserve industry's reputation is abundantly clear to all DFSV Board members.

The Board recognises the need to address this issue because of continuing calls from some sections of the community to have access to raw milk products. It has therefore supported a full investigation of the circumstances under which raw milk products might be made available to Australian consumers without increasing the risk of food-borne illness. In developing the primary production and processing requirements for raw milk products, the Board is in agreement with the category framework approach being recommended. However, it is recognised that this framework will introduce other difficulties that need to be adequately addressed so as to maintain food safety for all consumers.

In addition, the Board remains fully supportive of a national approach to food standards and consistent implementation as evidenced by our support of the national Primary Production and Processing Standard (PPPS) for Dairy and the early adoption of that standard in Victoria. It is the desire of industry that one standard be developed for milk and milk products that covers heat treated products through to

raw milk products and then to products made using alternative technologies. In making such a request it is recognised that different scopes and management requirements to match the varying risk profiles will be needed.

The Victorian dairy industry produces 64% of the nation's milk and is responsible for more than 80% of Australia's dairy exports worth more than \$2 billion per annum. With this in mind, the Board remains committed to ensuring that any changes to dairy standards will not increase the risk to public health and consequently, the risk to the reputation of the dairy industry. Should such a major incident occur, the ramifications nationally and internationally from a trade and economic perspective would be enormous.

Comment on the FSANZ Assessment

The Board remains fully supportive of outcomes-based standards that are supported by guidance material. However, whilst outcomes-based standards allow innovation, it requires the industry to demonstrate to regulators that it meets the standard's requirements. The Board believes that in this instance, outcomes-based standards may not be appropriate for raw milk and raw milk products, and that greater prescription will be needed to effectively manage the additional risks and protect public health.

The DFSV Board recognises and agrees that:

- In this assessment, the outcome (safe food) is reliant on the effect that the raw milk product will have on any pathogens that may be present.
- Raw milk products that can be demonstrated to belong to categories 1 and 2 could be available to the consumer.
- The systems that need to be put in place to effectively manage the risk for category 1 and category 2 products will have inherent differences.
- There is an expectation that contention will occur in products that are at the boundary between categories 2 and 3. As such, the system will rely on science-based adjudication that will need to be assessed at a national level.
- A more comprehensive food safety system for on-farm production of milk destined for raw milk products is expected to require training and competency in food safety for producers, veterinarians and farm specialists.

Regulatory impact

It is anticipated that the majority of manufacturers wishing to make raw milk products will be small businesses.

It will be critical that these businesses be required to have the knowledge of:

- what specific conditions are needed,
- how to maintain these within their processing environment and
- what monitoring will be needed (which may include additional requirements for end point testing).

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The same principles will apply on farm where specific monitoring will be required, including animal health, once the "safety net" of pasteurisation has been removed.

It is clear to the Board that if category 1 and 2 raw milk products are to be allowed under the Food Standards Code, separate regulatory management systems, which may involve more intensive supervision, will be required. The Board also believes that additional skills and capability will be needed to effectively regulate the sector.

This will impose additional costs. Under the Victorian Government model, delivery of dairy food regulation is fully funded by industry. The Board will need to consider, in consultation with industry, how this added financial burden will be met. It may be that the full costs will be borne by those manufacturers wishing to produce raw milk products. Therefore FSANZ will need to consider the impacts as they affect the relatively small number of processors and farms, rather than solely considering the impact over the dairy industry (and dairy product prices to consumers) as a whole.

We appreciate the opportunity to contribute to this proposal and offer the support and expertise of DFSV in the on-going process.

Yours sincerely,

Shirley Harlock
Chair
Dairy Food Safety Victoria