

24th September, 2008

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

Dear Sir/Madam,

**SUBMISSION ON PROPOSAL 1007:
DISCUSSION PAPER: PRIMARY PRODUCTION & PROCESSING
REQUIREMENTS FOR RAW MILK PRODUCTS**

Thank you for the opportunity to comment on this Proposal

Please find here a submission from the Board of Dairy Food Safety Victoria on the above proposal.

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. We therefore support a full investigation of the circumstances under which raw milk products might be made available to Australian consumers, but we believe that this must only occur without increasing the risk of food-borne illness. In developing the standard the Board strongly believes that it will be critical that decisions are made based on peer-reviewed scientific data and that management regimes are validated to ensure that they deliver a product that does not expose consumers to unnecessary food safety risks.

The Board is fully supportive of a national approach to food standards and consistent implementation as evidenced by our support for 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 the whole range from heat treated products to raw milk products 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 is concerned to ensure 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.

Leadership role of DFSV

Being aware of the scale of operations and key role that Victoria has in relation to Australia's dairy production and processing industry, DFSV has taken a leadership position in providing direction and systems that have been incorporated into national guidelines for the dairy PPPS. Raw milk products will provide a significant challenge because, unlike pasteurised product, Victoria, and indeed Australia, has no history of regulatory control systems for managing raw milk products.

The Victorian Dairy Food Safety System

Within Victoria, all dairy businesses must be licensed with DFSV, operate under the Dairy Act 2000, and meet conditions of their licence which includes compliance with the national dairy PPPS. Victoria currently requires all milk to be pasteurised.

Objectives of the FSANZ Proposal

The Board agrees that the current treatment of raw milk products in the Food Standards Code is unsustainable. The current arrangements are inequitable for Australian manufacturers and we do not support the continuation of individual State permissions for raw milk.

We recognise that some sections of the community wish to have access to raw milk products. However, this must not put others at risk. The Board wishes to emphasise that the objective must be about protection of public health and safety.

We understand the problem that FSANZ has at present of having to assess individual raw milk products in the absence of any overarching framework and support the idea of some kind of categorisation according to risk. Further clarity of how the proposed categories are to be used (for example to permit or not permit a product/process, or to determine control parameters) is sought. Who assesses which category a particular product/process falls within is also an important issue for the Board. We recognise the depth of feeling in some parts of the community and realise that there will be significant pressures to permit a wide range of raw milk products. Given this and the wide variation in process conditions, these assessments are likely to be resource intensive.

Outcomes-based versus prescription

In the past, the Board has been fully supportive of outcomes-based standards, supported by guidance material. The dairy industry invests in research and development and has demonstrated significant innovation in its processes and

products. Outcomes-based standards allow innovation but require industry to demonstrate to regulators that they meet the standard. This has also reinforced the responsibilities of industry itself in producing safe food.

However, our experience has shown that in the main, smaller dairy manufacturers benefit from specific guidance. It is anticipated that the majority of manufacturers wishing to make raw milk products will be small businesses. It will be critical that they 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. 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. For these reasons the Board believes that outcomes-based standards may not be appropriate and that greater prescription will be needed to effectively manage the additional risks and protect public health.

Regulatory impact

It is clear to the Board that if 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 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. These impacts will need to be considered by FSANZ 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