

## Seamons, Colleen

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**Sent:** Monday, 15 September 2008 1:19 PM  
**To:** submissions  
**Cc:** aledandt@tpg.com.au  
**Subject:** Proposal P1007 - Raw Milk Products - Capparais

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### SUBMISSION ON PROPOSAL P1007

This is a submission from Capparais cheesemakers in response to the Discussion Paper on Proposal P1007.

### BACKGROUND

We are a farm based family producer of goat milk and blended cheeses at 1333 Bowman River Road, Gloucester, NSW 2422.

We have been producing for 6 years. We produce in excess of 3000 kg of soft cheese per annum. We sell to produce markets in Sydney, Newcastle and Canberra, to premium restaurants and delis and at the farm gate.

We have an A rated dairy and cheese manufacturing facility on the farm with our own herd of 150 goats. We have won 27 national and international awards for our cheese, including five Gold awards at the Royal Easter Show.

Although we are qualified to sell raw goats milk we do not do so given the limitations on our transport capacity.

There is more information on us at [www.capparais.com.au](http://www.capparais.com.au)

### OUR GENERAL VIEW

We are strongly in favour of allowing the production of cheese from raw milk. A long acquaintance (including recent visits to cheesemakers) with France and Italy have convinced us that such a policy is practicable and very widely acceptable to consumers in those and presumably other European countries.

### RATIONALE

In general, we believe that outright prohibitions of business activity should only be used where there is strong justification. In other words, the onus in this review should be on the Government to demonstrate the necessity for a continued ban rather than potential producers having to justify its removal.

The original ban would have been a historical response to the prevailing transport and storage limitations in a country with long transport lines and high summer temperatures as well as disease problems which have since been resolved. Modern transport and storage facilities make these problems of management rather than insuperable obstacles.

We will not detail the advantages for the final product delivered to the consumer. There is debate about the superiority or otherwise of the taste of cheese made from raw milk. We would only note from our own experience overseas and the comments of those producers that there can be a distinctive and positive difference in flavour. Of course, foreign producers are bemused (and amused) at the Australian prohibition of a practice that has been traditional overseas for centuries. Moreover, it is apparent that EU producers, whatever the stringency of the regulation, are not supervised in practice in anything like the detail that we are.

In the case of goats milk there is already provision for its sale unpasteurised. So far as we are aware there has been no incident of health problems arising from this. The exemption does not extend to goat cheese which is something of a mystery.

There is also a clear inequity in that there are limited exemptions for imported

cheeses made from unpasteurised milk, which are not extended to locally produced cheeses. It is the sign of very poor regulation that discriminates against local unsubsidised producers in favour of already heavily-subsidised foreign product.

#### FUTURE REGULATION

If it is agreed that there should be an easing of the prohibitions in this area we accept there will have to be some regulation to ensure food safety.

Given the history of food regulation in NSW and the current maze of expensive and duplicating rules we hope that this review will make a break towards a flexible system that does not apply a "one size fits all" solution. One size means regulatory burdens proportionately far greater for smaller producers. Our fear is that a bureaucratic approach to reform will produce a set of regulations much like the current regime but with an additional layer on top.

If that were to be the case then it would be effectively an extension of the prohibition for all but the large producers and importers. To put it more clearly, we already have a detailed and costly regime of regular audit of operations, testing of cheese, milk and water, reporting of very conceivable stage of operations and transport, random Department of Health inspections and other requirements, all of which we have to satisfy before we start to farm, milk, make cheese and market and sell it. In this regard, we note the heavy preponderance of representatives of officials and large producers on the advisory bodies to this review.

We believe that over-regulation is a serious drag on the Australian economy and we are writing to our NSW state government about the adverse effect on business start up and enterprise generally in our state. When we see the mantra "risk assessment" pronounced, we see a tendency for risk averse officials to try to remove all risk to the limits of scientific instrumentation.

We think that a light handed approach to regulation is indicated in this proposed area with a special recognition of the limited capacity of smaller operators to bear new compliance costs. For example, it should be sufficient for the new categories of cheese that may be produced from raw milk to be subject to a similar testing requirement as that for existing products and not be subject to a battery of new and more frequent tests. Indeed, there is a case for less frequent testing under the existing regime where there is a proven record of compliance.

AJ and JA Hoggett

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