

PROPOSAL P1007

**Primary production and processing requirements for raw milk products
(Australia only)**

The European Commission (the Commission), in its role as representing the European Union in matters pertaining to trade policy, welcomes the opportunity to comment on the discussion paper issued by Food Standards Australia New Zealand (FSANZ) on Proposal P1007 relating to Primary Production and Processing Requirements for raw milk products (Australia only). As a major producer and exporter of raw milk products, notably raw milk cheeses, the European Union has considerable interest in the outcome of this process.

Currently there is some limited access for EU raw milk cheese, namely for extra hard grating cheeses and Roquefort cheese, but there has been a long standing and growing interest by both European producers and local distributors in supplying a number of other raw milk cheeses, in addition to the formal pending applications for Keen Farm Cheddar and Montgomery Cheddar (A530). Therefore, the implementation of a consistent set of proportionate and achievable risk based conditions to avoid microbiological contamination through the development of primary production and processing requirements for raw milk products could provide a more timely and transparent process, than the current approach based on case-by-case applications.

The Commission recognises and agrees with the overriding need to maintain public health and safety and to regulate raw milk products to ensure that the risks of food borne illnesses are reduced to an acceptable level. The Commission notes with satisfaction that FSANZ must have regard to 'the promotion of consistency between domestic and international food standards' and 'Australia's rights and obligation under the World Trade Organisation'.

In this respect the Commission expects that this process will be used to review Australia's microbiological standards for raw milk products so as to bring them in line with best international practice in countries with a more developed market for raw milk products and with Codex Alimentarius standards.

The Australian Food Standards Code (standard 1.6.1) has a 10 cfu /g tolerance for *E. coli* in cheese, while at international level (Codex Alimentarius / HACCP / US FDA / EU) the tolerance is much higher at 100 cfu /g. The problem is compounded by the fact that the current Australian limit for *E. coli* does not serve a food safety objective, since it does not target pathogenic *E. coli*. As this very low limit targets only generic *E. coli*, the EU considers the current Australian food safety criteria for *E-coli* as disproportionate for meeting the intended food safety objective.

Similarly, the microbiological requirement for *Listeria monocytogenes* in Australia of 'total absence in 25g' needs to be scientifically justified. *Listeria monocytogenes* standards are indeed currently under discussion in the Codex Alimentarius and as part of this process the Commission asked the European Food Safety Authority for an opinion on Listeria, which was adopted on 6 December 2007. In the opinion it is stated that "risk assessments published since the SCVPH opinion concluded that compliance of ready-to-eat foods to limits of 'below 100

cfu/g' or 'absence in 25 g' at consumption would both lead to very low numbers of listeriosis cases." The Commission is therefore confident that Australia could achieve the same level of protection for public health and food safety by applying the EU limit of 'below 100 cfu/g'.

The Commission recognises that certain demographics are at higher risks than the general population (i.e. pregnant women, children, the elderly). It is of the opinion though that reducing the risks to an acceptable level for such groups can be achieved by means other than over stringent microbiological limits, such as through labelling and appropriate information campaigns.

The Commission notes the desire by FSANZ to replace current references to the legislation of other countries, notably the French Ministerial Orders for Roquefort cheese, with specific control measures. Given that these are very rigorous requirements, the Commission trusts that the outcome of this process will result in measures which are both in line with international risk management / health protection standards; and, given the comments above, lead to new requirements that are less stringent than the current control measures.

Finally, the Commission notes that as part of the information gathering process, FSANZ is seeking Australian epidemiological data on the extent and cases of human disease associated with the consumption of raw milk products. In view of the necessary paucity of such data in Australia, where the sale of most raw milk products is prohibited, the Commission encourages FSANZ to also consider international epidemiological data relating to both raw and pasteurised milk and is willing to assist FSANZ in this regard and more generally cooperate in providing information on the EU's experience with regulating raw milk cheese products.