

‘All truth passes through three stages.
First, it is ridiculed.
Second, it is violently opposed.
Third, it is accepted as self-evident.’
— Arthur Schopenhauer

My submission to the proposal regarding processing requirements for raw milk products is made both as a consumer and as someone working in the dairy industry.

I consume raw cow's milk and raw milk cheese on a fairly regular basis, purchased at farmers markets, health food shops and specialist food shops. I believe that it should be my right as a consumer to choose the foods that I wish to consume, and that raw milk and raw milk cheese has been unfairly targeted and legislated against in comparison to other food products.

I choose to consume raw milk and its associated products for two main reasons. Firstly I find that there is a palpable difference in the organoleptic qualities of the product. Raw milk has a rich, full flavor and texture quite different to pasteurised milk. The vast majority of commercially available milk is also homogenized which has a further detrimental effect on its taste and consistency.

Secondly, I believe that small, independent producers, who manage their own, often closed herds, should in many cases be able to produce safe, clean, raw milk. I believe that by choosing their products I am helping support a small and fragile industry. In many instances these producers are also managing their farms in an environmentally responsible way, often choosing organic and biodynamic modes of production. Pasteurisation is incredibly energy intensive, significantly increasing the already high carbon footprint of dairy farmers and cheesemakers, not to mention costs.

There is also an increasing body of mainly anecdotal evidence that there are health benefits from drinking fresh raw milk.

There is no doubt that pasteurisation was an extremely effective public health measure when it was first introduced. The main problem at the time was tuberculosis, which is now virtually eradicated. Raw milk produced in large volumes and in unsanitary conditions has the potential to harbour pathogens. However, with the advance of knowledge in all areas of farm practice, including feed and hygiene, there is no reason why given certain conditions farmers cannot produce safe, healthy raw milk. Category 3 products can be produced consistently safely as is shown in Europe, where a sensible, best practise, HACCP based approach is taken, including appropriate labelling.

There is plenty of evidence of post-pasteurisation contamination being responsible for many incidents related to pasteurised products. Accepting pasteurisation as the single critical control point in dairy food safety is simply unacceptable and ignores other vital steps in the production of safe, healthy milk. Mandatory pasteurisation discourages best practise on-farm, and implies that milk is inherently dangerous. Milk is clean, safe and nutritious. It is how we handle, transport and process it that needs to be continually under the microscope.

There are a myriad of products in the marketplace that are either 'bad' or dangerous for consumers, yet are legal and accessible. Many of these products are directly responsible for the rise in chronic

illnesses in Australia such as type-2 diabetes and obesity, which have enormous social and economic effects. The environmentally unsustainable industrial food system should be held more accountable for their actions in this regard.

To address the objectives of FSANZ in section 18 of the Act I have listed them below:

- (1) The objectives (in descending priority order) of the Authority in developing or reviewing food regulatory measures and variations of food regulatory measures are:
 - (a) the protection of public health and safety; and
 - (b) the provision of adequate information relating to food to enable consumers to make informed choices;** and
 - (c) the prevention of misleading or deceptive conduct.
- (2) In developing or reviewing food regulatory measures and variations of food regulatory measures, the Authority must also have regard to the following:
 - (a) the need for standards to be based on risk analysis using the best available scientific evidence;
 - (b) the promotion of consistency between domestic and international food standards;**
 - (c) the desirability of an efficient and internationally competitive food industry;**
 - (d) the promotion of fair trading in food;**
 - (e) any written policy guidelines formulated by the Council for the purposes of this paragraph and notified to the Authority.

I would question whether FSANZ is achieving the measures highlighted, particularly 2.b,c and d. Our domestic food standards for cheese are inconsistent with international standards. Having mandatory pasteurisation (except hard, cooked curd cheeses) creates an uncompetitive, uncreative artisanal cheesemaking industry, resulting in unfair trading. Roquefort is an example of a case where we can import a raw milk cheese but Australian producers cannot try and emulate it. This suggests politics and economics as more powerful than the supposed science.

Below I list six further economic and legal reasons as to why Australians should be able to consume raw milk and raw milk cheese that has been produced under strict guidelines in a clean and safe environment:

1. Australian artisanal cheese makers should not be restricted to the production of Category 1 cheeses. Over the past two decades, international artisan cheese production has enjoyed a significant growth in demand due to a revolution in consumer interest. Many of these cheeses are made from raw milk and are recognised as having an infinitely superior flavour and authentic regional character when compared to similar cheeses made from pasteurised milk.
2. The purpose of the Australian Food Standards is to guarantee safe cheese – however the assumptions made in these proposals exaggerate the risks. There is no reason why ANY cheese made from raw milk should represent a greater degree of risk than those produced from pasteurised milk provided recognised international HACCP guidelines are adopted in Australia.

3. The proposals do not recognise the changes adopted by the New Zealand Food Safety Authority which recognise EU standards on raw milk cheese, and allow the production and sale of raw milk cheese in New Zealand.

4. The proposals do not encourage world best practice in cheese or milk production and fail to take into account the difference between the quality of 'open' market milk and the controls on milk quality on the farm for raw milk cheese.

5. The proposals are anticompetitive and represent a breach of Australia's commitment to WTO:

a. WTO Article 5.1 requires members to "ensure that their sanitary or phytosanitary measures are based on an assessment, as appropriate to the circumstance, of the risks to human, animal or plant life or health, taking into account risk assessment techniques developed by the relevant international organizations".

b. Article 5.2 states in the assessment of risks "Members shall take into account available scientific evidence".

c. Article 5.4 states "Members should, when determining the appropriate level of sanitary or phytosanitary protection, take into account the objective of minimizing trade effects".

6. The proposals are overly prescriptive and do not meet the Council of Australian Government (COAG) guidelines on primary production and processing standards that stipulate an objective of minimal effective regulation.

I would also like to comment on the makeup of the Standards Development Committee. Clearly there is a bias toward industrial producers. Not one member in the industry panel is from a farmhouse or artisanal producer. Industrial producers of this size will have no interest in producing raw milk products, and it is within their interests to maintain the status quo. There is one consumer, from the Country Womens Association – how is this representative of your stakeholders?

In summary I believe that there are moral, economic, environmental and scientific reasons why the safe production of raw milk could and should be legalized in Australia. The reason why mandatory pasteurisation exists in Australia is economic and social reflecting the prevailing mode of production. Humans have utilized the milk of other mammals for many thousands of years, and this tradition should be respected. Small organic producers can and should demand a premium for safe, quality, raw milk and raw milk cheese. Consumers can and should enjoy the fuller flavor and potential health benefits that raw milk provides. Science and technology can and should provide the clean, safe environment for fresh raw milk to be produced.

Sincerely,

Laurie Gutteridge