



IN DEFENCE OF AUSTRALIAN
RAW MILK CHEESE

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SUBMISSION IN RESPONSE TO

PROPOSAL P1007

PRIMARY PRODUCTION & PROCESSING REQUIREMENTS FOR RAW MILK

PRODUCTS (AUSTRALIA ONLY)

1st ASSESSMENT REPORT

Introduction

Slow Food is a not-for-profit, member-supported organisation founded in 1989 to counteract fast food and fast life, the disappearance of local food traditions and people's dwindling interest in the food they eat, where it comes from, how it tastes and how our food choices affect the rest of the world. Slow Food today has more than 100,000 members in 132 countries. Slow Food Australia Limited is one of nine Slow Food national associations.

Slow Food Australia supports the overriding need to ensure public health and food safety, however our contention is that proposal P1007 fails to deliver on the stated objectives of the report. This submission argues that FSANZ should adopt Option 4:

Option 4 – Amend the Code to allow for Category 1, 2 & 3 products in which “Standard 4.2.4 would be amended to allow the production and sale of all raw milk products, including raw drinking milk, provided they met production and processing requirements that could manage the safety of the product.”

Our contention is based on five points:

1. National Consistency
2. Uniform Risk Assessment
3. Anti-Discrimination
4. Outcome-driven Regulation
5. Unintended Consequences of Options 1, 2 & 3

1. National Consistency

- 1.1. Slow Food Australia does not support “Point 6.5 Additional amendments to the Code - 6.5.1 Removal of State/Territory exemption for pasteurisation requirements”.
- 1.2. One of the subsidiary objectives of this Proposal is to provide nationally applicable requirements rather than differing state-based provisions for raw milk products. Four

of the largest states (Queensland, New South Wales, South Australia and Western Australia) allow for the production and sale of raw goats milk in Australia.

- 1.3. As these four states contain the majority of Australia's population, it would be nationally consistent to allow the production of raw milk products in the remaining states and territories, and not remove the pasteurisation exemption from the majority.

2. Uniform Risk Assessment

- 2.1. The main purpose of proposal P1007 is to determine “an acceptable level of public health and safety for the Australian population.” There is a scarcity of verifiably accurate and incontestable data relating to human illness caused by raw milk and raw milk cheese due to pathogens contained within the products. This is because no hard data exists for Australia that can conclusively prove the contamination was inherent in the raw milk, or introduced after the hazard control point of pasteurisation.
- 2.2. The most accurate data on raw milk cheese disease outbreaks comes from the USA. Marler Clarke Attorneys at Law (USA), which analysed the following data, specialises in food-borne illness litigation and is involved in the national debate in the USA on risks associated with raw milk and products.
- 2.3. Marler Clarke used several sources, including: Centres for Disease Control and Prevention (CDC) food-borne disease outbreak surveillance tables; an online outbreak database published by the Centre for Science in the Public Interest; public health reports such as the Morbidity and Mortality Weekly; peer-reviewed manuscripts; and CDC Line List of dairy outbreaks from 1973-2005 produced in response to a Freedom of Information Act request to CDC by the Farm to Consumer Legal Defence Fund.
- 2.4. In summary, Marler Clarke found that between 1973 and 2005 there were 75 outbreaks of disease attributed to raw milk and raw milk cheeses, with no reported deaths or permanent disabilities. The outbreaks affected 1,689 people. It is estimated that 1% of the American population consumes raw milk and associated products, which equates to approximately 3,001,000 people.
- 2.5. From an epidemiological perspective 3 million people is a large enough sample from which to draw conclusions. Over this 23-year period in the USA 1689 people, or between 73 and 74 per annum, were affected. Importantly, these figures were for regulated, unregulated and black-market raw milk products.
- 2.6. When this figure is extrapolated for Australia's population, it indicates that fewer than five people per annum may suffer from illness related to raw milk or raw milk products.
- 2.7. The potential for illness of fewer than five Australians per annum could be reduced by applicable food labelling laws. Further reductions in risk could be achieved by the application of appropriate HACCP and QA programs.
- 2.8. There are many food products that are deemed safe by FSANZ but have a significantly greater food safety risk profile than raw milk and raw milk products. The

number of food poisonings per annum attributable to one species of shellfish alone exceeds the number attributable to milk and milk products of all types, pasteurised and raw.

- 2.9. From a food safety and risk mitigation point of view, it does not matter if the risk is pathogenic or allergenic. One allergenic food alone kills three to four Australians every year and yet is freely available for sale.
- 2.10. Raw milk and raw milk products warrant the same treatment, i.e. legal sale with mandatory appropriate labelling. As with other pathogenic foods, education would allow individual Australians to determine their own level of risk acceptability.
- 2.11. Thus, Slow Food Australia contends that the current ban on raw milk and associated products is the result of inconsistent assessment of risk across various food categories.

3. Anti-Discrimination

- 3.1. The proposed standard provides for an exemption for the French cheese Roquefort, whilst denying Australian cheese-makers the right to make similar cheeses from raw milk.
- 3.2. During the past two decades international artisan and farmhouse cheese production has enjoyed a significant growth in demand, in particular in the USA, due to consumer interest. Many of these cheeses are made from raw milk and are recognised as having an infinitely superior flavour and regional character when compared to similar cheeses made from pasteurised milk.
- 3.3. Unlike their overseas counterparts, Australian consumers have been denied a choice of cheeses made from raw milk purportedly on food safety and public health grounds.
- 3.4. If raw milk and associated products posed such high risk to public health and safety, logically the proposal would be for an outright ban on the production and consumption of all raw milk and raw milk products. However, under proposal P1007 it will still be legally permissible to import all types of raw milk cheeses for personal consumption.
- 3.5. Thus, Slow Food Australia contends that Proposal P1007 discriminates against local producers whilst favouring producers from other countries.

4. Outcome-driven Regulation

- 4.1. The assumption that pasteurisation as a single step will guarantee safety is not scientifically valid, is overly prescriptive, and is at odds with the statutory requirements for outcomes-based policy.
- 4.2. It is difficult to source reliable data to determine the risk of contamination in raw milk and raw milk products, due to the difficulty in identifying when contamination occurs.
- 4.3. Contamination occurs in both pasteurised and unpasteurised milk. In all milk-related disease outbreaks, contamination has been found to occur post pasteurisation. The

extent of contamination in pasteurised products is such that, when contamination occurs in raw milk cheeses and the actual point of contamination cannot be identified, the default position is to assume the contamination occurred post-pasteurisation.

- 4.4. Therefore, Slow Food Australia contends that the prevalence of contamination in pasteurised milk indicates that pasteurisation is an unsatisfactory proxy for desired outcomes.
- 4.5. The proposed prescriptive approach to raw milk products does not meet the Council of Australian Government (COAG) guidelines on primary production and processing standards. These stipulate an objective of minimal effective regulation.
- 4.6. The proposed prescriptive regulation prevents experimentation, artistry and innovation by our cheese-makers, and effectively prevents the development of Australian world-class cheeses. COAG guidelines recognise that outcome-driven approaches and regulations will deliver better results.
- 4.7. The internationally recognised single critical control point that ensures safety for all cheese varieties is starter culture activity, which creates a hostile environment to pathogens in the cheese. This principle is supported by scientific studies and accepted by all of the major cheese producing countries of the world, i.e. European Union (EU), USA, and Canada.

5. Unintended Consequences of Options 1, 2 & 3

- 5.1. The demand for raw milk and raw milk products has been steadily growing. Slow Food Australia contends that Options 1, 2 & 3 will push trade of raw milk and raw milk products further underground. Current strategies used to circumvent regulations include the supply of pet/bath milks and herd share options.
- 5.2. Slow Food Australia urges FSANZ to recognise and respond to the demand for raw milk products by developing internationally recognised benchmarks for food safety. Raw milk products may then be legally produced and sold under controlled conditions and monitored for compliance.

Summary

Slow Food Australia contends that Proposal P1007 should:

- adopt Option 4: allow for production of Category 1, 2 & 3 products;
- set standards that encourage Australian raw milk and raw milk cheese producers to develop QA and HACCP protocols to deliver the desired outcomes for Australia;
- adopt internationally recognised benchmarks for the production of raw milk products in Australia;
- remove restraints to domestic production of raw milk cheeses;

- facilitate consistent desired outcomes by supporting the development of affordable tests for pathogens in raw milk products against internationally accepted benchmark levels; and
- introduce food labelling for all products containing raw milk, combined with an education campaign, in order to minimise the potential for illness in potentially 'at risk' groups.

Submitted by Julie Shelton

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On behalf of Slow Food Australia Limited