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| **Question**  Feedback on Discussion Paper  Sale of Raw Milk to consumers   1. Do you agree with the way that the problem with the current situation has been described? If not, why not? |
| **Comment** |
| The New Zealand Institute of Environmental Health generally agrees with the way the current problem has been described. In addition, we would add:   * There is a current lack of knowledge to consumers i.e. lack of labelling * It is not reasonable to expect to remove all risk; the Issue is the reduction of risk and fully informed choice. * Lack of guidance for avoiding risk * Food Act was not an effective tool * Because of regulatory regime, sales are beneath the radar meaning that guidance cannot effectively be delivered |
| **Question**   1. Have all of the objectives been identified? If not, what other objectives should MPI use to assess policy options? |
| **Comment** |
| We believe that the objectives should be firmed up to state clearly that   * Purpose is to maintain existing access to milk**, but** not the increase in sales per se * Any increase in consumption of raw milk will increase the risks. * The policy objective should be to remove the barriers that accentuate the risks * Develop law that is unambiguous, clearly sets out the obligations of buyer and sellers of milk. The law needs to close any current loopholes Ensure that the legislation is unambiguous and can be enforced. * Expand dot point 3 to ensure that consumers receive accurate, easy to understand information on the health risks of consuming raw milk to include a requirement to have health warnings for the young, the elderly, pregnant women and the immune compromised (YOPIS). |
| **Question**   1. Do you have any evidence about the number of farmers supplying raw milk to consumers or the volume of raw milk supplied. |
| No lists are kept by the TA’s around farmers selling raw milk.  The only information TA’s may have is from enquiries they receive and some have reported informally keeping information on these. Some TAs report that vending machines for raw milk are increasingly popular, and potentially allow greater volumes to be supplied as they are easy and impersonal ways of buying milk. Vending machines are higher profile and usually end up being promoted in the local press. Many other smaller supply situations probably occur that TAs are not aware of. |
| **Question**  **13.** Were you aware that research has shown that outbreaks of illness associated with drinking raw milk have increased in the past few years? |
| **Comment** |
| Yes. Our members report an increase in disease incidence in enteric illness such as Campylobacteriosis and E Coli that appear associated with untreated milk consumption. Confirmation would need to be obtained from Public Health Units and ESR. |
| **Question**  14. Do you agree with the representation of foodborne illnesses associated with drinking raw milk provided above? If not, please provide evidence to support your views. |
| **Comment** |
| Listeria has not been included, was there a reason for this? Listeria is also a pathogenic bacteria associated with RTE foods such as raw milk. |
| **Question**  15. Overall, do you agree with the way that the current situation has been described? If not, how would you describe it? What other factors should be considered? |
| **Comment**.  Yes. We also suspect that the incidence of illness is likely to be under reported as sales are under the radar which may increase the rate of under reporting i.e. reluctance of infected people providing correct information about their food history. |
| **Question**  **16.** Were you aware of the health risks described in this section? |
| **Comment** |
| Yes |
| **Question**  **17.** Do you have any further evidence on the risks associated with drinking raw milk? |
| **Comment** |
| No |
| **Question**  **18.** Do you have any further evidence on the effects pasteurisation has on the beneficial properties of raw milk? |
| **Comment** |
| No |
| **Question**  **19.** Do you agree with the approach MPI has taken in rejecting non-viable options for the sale of raw milk to consumers? If not, why not? |
| **Comment** |
| Yes  Selling through supermarkets/farmers markets would greatly increase availability/exposure and therefore increase the risk of illness.  Prohibition is not an option, it is unenforceable and will likely drive sales underground. |
| **Question**  **20.** What evidence or rationale can you provide to support the notion that outbreaks of illness associated with drinking raw milk would reduce under the rejected options? |
| **Comment** |
| None |
| **Question**  **21.** Do you agree with the advantages, disadvantages and costs that MPI has described under each option? If not, why not? Can you support your position with evidence? |
| **Comment** |
| Yes |

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| **Question**  **22.** Do you support any of the proposed options? If yes, which options do you support? |
| **Comment** |
| We would support Option 3 – Sales from the farm plus home deliveries. The risks have been properly identified in the paper and we agree they would need to be accounted for. |
| **Question**  **23.** If you do not support any of the proposed options, please explain why not. What alternative approach do you support? What evidence or rationale can you provide to support the notion that outbreaks of illness associated with raw milk would reduce under your approach? |
| **Comment** |
| N/A |
| **Question**  **24.** Is there any other evidence MPI should examine to inform further analysis? |
| **Comment** |
| Not that we are aware of |
| **Question**  **25.** As a minimum, should dairy farmers who are producing raw drinking milk be expected to meet the same standards as dairy farmers producing milk for pasteurised dairy products? If not, why not? |
| **Comment** |
| Yes absolutely. The same standards should be met as an absolute minimum. |
| **Question**  **26.** Is five years a long enough period of time to require a herd to be tuberculosis-free? |
| **Comment** |
| This is a questions for Veterinary experts |

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| **Question**  **27.** Should raw drinking milk only be supplied from tuberculosis-free regions? |
| **Comment** |
| No this would be too hard for farmers to achieve and not in proportion with risk. We feel it more appropriate to state that raw milk should only be supplied from Tuberculosis freefarms. |
| **Question**  **28.** Is it sufficient to only provide guidance to small producers rather than setting requirements? |
| **Comment** |
| The risks are the same and defining ‘small’ may provide a further loophole that will be exploited. The danger is that over-regulation will increase the driving of these type of producers further underground. When enforcing the requirements MPI should also consider the scope of the distribution of the raw milk. |
| **Question**  **30.** Do you agree that raw drinking milk should be of a higher quality standard, based on hygiene indicators, than raw milk intended for pasteurised dairy products? |
| **Comment** |
| Yes – the CCP has been removed, so product must of necessity, be of a higher quality. |
| **Question**  **31.** Do you agree that raw drinking milk should meet the same food safety standards as all other dairy products? If not, why not? |
| **Comment** |
| Yes |

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| **Question**  **32.** Should MPI monitor the safety of raw drinking milk periodically as proposed? |
| **Comment** |
| Yes definitely |
| **Question**  **33.** Do you agree with the frequency of testing for hygiene indicators and pathogens as outlined in Appendix 4 of this document? |
| **Comment** |
| No. The suggested testing regime seems excessive. The cost of testing at this frequency may drive small operators underground. |
| **Question**  **34.** Should there be recognition for good performance? If so, then how should it be demonstrated? |
| **Comment** |
| Yes. This could take the form of a reduction in testing and inspection regime. |
| **Question**  **35.** Are the proposed suspension periods sufficient to encourage dairy farmers to ensure their milk consistently meets food safety standards? |
| **Comment** |
| N/A |
| **Question**  **36.** Do you have any specific comments on the additional proposed measures, above? |
| **Comment** |
| Yes. The record keeping requirement suggested in 11.2.1.vii requiring farmers to keep names & contact details of consumers and when & how much milk collected, and keep it for 4 years, seems very onerous & is unworkable for the popular vending machine sales.  No other food sales to consumers require this type of information to be given to the retailer. A product recall can still be carried out by normal methods. Requiring this information would be extremely unpopular with consumers and unenforceable for vending machine sales. |

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| **Question**  **37.** Do you agree with each of the proposed mandatory requirements listed above? If not, why not |
| **Comment** |
| Yes – generally and subject to the issues we have raised in these comments. |
| **Question**  **38.** Should there be specific information on the main pathogens that could be present in raw milk? |
| **Comment** |
| Yes. In addition we would like to see specific health warnings for YOPI’s |
| **Question**  **39.** Is any other labelling information required? |
| **Comment** |
| * Labelling should be as required by the Food Standards Code * Written labels that provides traceability e.g. Batch number on milk that is packaged by the farmer should be mandatory |
| **Question**  **40.** Should the exact words be prescribed? |
| **Comment** |
| Yes. We feel that Nationally consistent standards are important. |
| **Question**  **41.** Should there be specific legibility requirements (for example, prescribe font type and font size)? |
| **Comment** |
| Yes - The Food Standards Code requirements **must** apply |

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| **Question**  **42.** Do you agree with the proposed ways that dairy farmers must provide the mandatory information to consumers? |
| **Comment** |
| No. We feel that the information getting to customers is critical to enable them to make an informed choice. Therefore we would like to see more prescriptive statement here about where the information is provided:   * Information must be attached to the vending machine, vat at the point of delivery i.e. the tap * or directly to each container/bottle if it is packaged by the farmer.   The concern is that if the information is only given on a pamphlet it may get lost. This is a high risk product and therefore more controls around providing information are required. |
| **Question**  **43.** Are there any other requirements in relation to labelling that MPI should consider? |
| **Comment** |
| The same warning information should be given on any online/internet/pre-printed order forms for home delivery, so that prior to ordering the consumer has to positively indicate that they have read the warning. Otherwise they would only get the info when it was delivered which is too late to influence a choice on whether to buy it or not. |
| **Question**  **44.** Do you have any comment to make on the proposed implementation of any changes to raw milk sales to consumers? |
| **Comment** |
| Yes. We feel it is important to develop legislation that is unambiguous. The current policy does not cover issues such as:   * “Cow Clubs” - these ‘cooperatives’ are fairly common and may wish to circumvent the law, particularly if compliance costs are high. * On-farm Vending Machine sales – these are on the increase. The document does not clearly identify the rules around these on site sales. * Packaging – there is no discussion around packaging for the Raw Milk in the document i.e. consumer supplied, reused packaging   The interaction of the RMP and RCS needs consideration for farmers who also harvest and sell milk for pasteurization e.g. on contract to Fonterra, but provide some raw milk to consumers. Clarity would be needed on the requirements, as the milk is coming from the same cows and same milking sheds.  NB Our members also report that there is currently an RMP in place (we are unsure if it is registered or being developed) in the Taranaki region which specifically covers the farm for producing & selling from a vending machine raw milk. |

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| **Question**  **45.** Do you consider any particular stakeholder group would represent your interests in the future implementation of raw milk policy? |
| **Comment** |
| Yes. New Zealand Institute of Environmental Health ([info@nzieh.org.nz](mailto:info@nzieh.org.nz)) |