Long-awaited changes to Australia’s rules and guidelines on the production and sale of raw milk cheese have recently been released.

On 16 December 2014, Australia’s national food standards body, FSANZ (Food Standards Australia New Zealand), released its Approval Report on Proposal P1022, completing a 2 year plus consultation process on changes to the Food Standards Code (Code) to govern the production and sale of raw milk cheeses in Australia. These changes are yet to be approved by the Ministerial Forum on Food Regulation and gazetted into law, but this is likely to happen in late February 2015.

The changes only affect the production of raw milk cheeses, not other dairy products such as drinking milk, butter or yogurt.

Members of the ASCA Committee have prepared the following document to summarise the changes for members. There will be more information available over the coming months.

KEY POINTS:

- New types of cheese made from raw milk will be able to be made and sold in Australia, but only under very strict conditions.
- The new Standards will be gazetted into law at the end of February, following approval by the Ministerial Forum on Food Regulation.
- Until now, only cooked curd cheeses have been allowed, and there are only a few examples of this type of raw milk cheese currently being produced in Australia.
- The new Standards will allow Australian producers to make some styles of semi-hard cheeses, such as cheddars and some blues, although soft cheeses will not be permitted.
- The exact styles of cheese are not specified in the Standards. Instead, cheesemakers will need to demonstrate that a combination of factors such as starter culture activity, pH reduction, salt concentration & moisture content, storage time and storage temperature, result in cheeses that are safe to eat.
- The new regime is likely to be best suited to smaller farmhouse cheesemakers who have good control over the health of their animals and the quality of their milk, as well as the skills and experience to make cheese using raw milk.
- The changes are very conservative and it will not be easy for any cheesemaker to make raw milk cheese under the new Standards.
- The rules and guidelines require detailed testing, control and recording of every stage of the process, from the dairy animals to the final product. And the relevant State dairy regulator must be satisfied that the milk is produced without pathogens, as well as resulting in a cheese which will not support the growth of pathogens.
- All of this must be documented in a detailed food safety plan approved by the relevant dairy regulator, and be subject to regular monitoring and audit processes, as well as final product testing for microbiological limits.
What types of raw milk cheeses will be able to be made and by what type of cheesemakers?

The changes will enable Australian cheesemakers to make some styles of cheese (possibly some blue, cheddar, semi-hard and other uncooked and cooked pressed curd cheeses) from raw milk, under very strict conditions. The changes are not, however, expected to allow Australian cheesemakers to make fresh or soft bloomy rind style cheeses from raw milk.

The changes introduce a new category of raw milk cheeses into the Code. Interestingly, the provisions in the Code that apply to the few existing raw milk cheeses made in Australia under the current standards (defined as cooked curd cheeses as a result of FSANZ’s previous Proposal P1007, which was approved in May 2012) will remain in place and cheeses made in that way will not be classified as raw milk cheeses under the new provisions.
The new regime is likely to be best suited to smaller farmhouse cheesemakers who have good control over the health of their animals and the quality of their milk, as well as the skill and expertise to make cheese using raw milk. Many of Australia’s existing farmhouse cheesemakers are ASCA members.

An important next step for cheesemakers wanting to make raw milk cheese under the new rules will be to work closely with their State-based dairy regulator on a new and detailed food safety plan. ASCA has had initial discussions with the Victorian regulator, Dairy Food Safety Victoria (DFSV), about how the new rules will be applied in practice, and hopes to engage with the regulators generally in the early stages of this process.

What are the requirements that will apply to raw milk cheeses made under the new standards?

Cheesemakers who want to make raw milk cheese under the new standards must show that they can meet detailed requirements for animal health, animal identification and tracing, feed & water, health & hygiene, milk practices, milk cooling & storage, and milk transport & handling, as well as additional processing requirements. These must all be covered in a detailed food safety plan.

They will need to show that the intrinsic characteristics of the raw milk cheese does not support the growth of pathogens, and that there is no net increase in pathogen levels during processing. Cheesemakers will need to provide evidence of rapid acidification of the raw milk by lactic acid-producing starter cultures, and an appropriate combination of pH and salt-in-moisture content of the cheeses during maturation and ripening.

The cheesemaker will need to provide evidence, such as predictive modeling and possibly challenge testing and production trials, to demonstrate that they can meet the required parameters for each raw milk cheese they want to make. This must include details of starter culture activity, pH reduction, salt concentration & moisture content, storage time and storage temperature, for every cheese.

The final product must go through sampling and testing processes to check that, in addition to the pathogen Listeria Monocytogenes (which must not be present in any cheese or other ready-to-eat food), other key pathogens such as Salmonella and Staphylococalenterotoxins are similarly not present. And, as for all cheese, raw milk cheese must comply with the stated limits on E. coli.

Other key restrictions in the new raw milk cheese standards in the Code include the following:

- Animals whose milk is used to make raw milk cheese must not only be healthy but must not be fed silage (unless a satisfactory “documented alternative” is permitted by the regulator).
- Milk for raw milk cheese must, within 2 hours of milking, either:
  - be used to make cheese, or
  - cooled to no more than 6°C and then stored at no more than 5°C.
- In any case, the milk must be used within 24 hours of milking. It must also be kept separately from milk used for pasteurised milk products.

Importantly, the new standards include very specific and stringent requirements for the dairy producing the raw milk as well as for the cheesemaker receiving and processing the raw milk.

These tough animal health, milk production, transport and cheesemaking parameters mean that many Australian cheesemakers will find it difficult, if not impossible, to make raw milk cheese as prescribed. The rules are more suited to smaller farmhouse cheesemakers, as they are more likely than larger industrial cheesemakers to have good control over the health of their herd and milk quality.

But it will also be necessary for cheesemakers to demonstrate to their dairy regulators that they have the skills, experience, equipment, practices and controls to manage the requirements effectively. And, particularly in the early stages, the regulators will be monitoring and auditing the relevant licensees much more closely and frequently than occurs with most makers of pasteurised milk cheese. As the experience in New Zealand has shown (raw milk cheesemaking has been permitted there for several years, but very little raw milk cheese has been approved for production), these hurdles are likely to be very tough and expensive to meet.

Who proposed the changes?

FSANZ proposed these changes. The Australian Government has been under pressure to allow the importation and sale of a wider variety of raw milk cheeses made overseas. The apparent freeing up of rules regarding the production and sale of raw milk cheese in Australia responds, therefore, to WTO (World Trade Organisation) and other trade requirements, since the existing restrictions on the manufacture and importation of raw milk cheese are seen as a trade barrier. There may have also been independent lobbying by some cheesemakers, cheese importers and distributors to relax the guidelines for their own benefit, but we are not privy to who did so.

Details of the FSANZ process, including the Approval Report and Supporting Documents, are available on the FSANZ website at http://www.foodstandards.gov.au/code/proposals/Pages/proposalp1022primary5627.aspx

What did ASCA do?

ASCA responded to the proposed changes with carefully considered submissions, having regard to the best interest of its members, but did not lobby for them. It is understood that many members support the changes, or are indifferent to them. It is also understood that some members do not support the changes.

Given that FSANZ had decided to review the standards and would likely implement some changes, it was important that ASCA worked to ensure that the changes were backed by the best cheesemaking science and practice, and were fair and equitable to members.

ASCA made detailed submissions to FSANZ at both the First Call and Second Call for Submissions on the proposed changes.
We engaged the services of Professor Catherine Donnelly from the University of Vermont in the USA to help prepare our submissions. Prof. Donnelly is a world-recognised expert in the microbiology of cheesemaking and has extensive experience in the raw milk cheese production area. This was particularly important as many of the proposed changes were founded on complex microbiology, especially the proposed new pathology testing regime.

It was encouraging that many of the suggestions we proposed were adopted by FSANZ.

In response to the release of FSANZ’s Approval Report on 16 December 2014, ASCA issued a media release, which is available on our website.

We also met recently with senior officers of the Victorian dairy regulator, DFSV, to discuss how the regulators intend to proceed in applying the new standards to those cheesemakers wanting to make raw milk cheese. DFSV heads a national meeting of the various Australian dairy regulators which, together with FSANZ, is working on the regulatory framework for the new standards. A focus of the meeting will be to agree on what types of cheese/specific parameters can be identified and put into a list of “probably OK to approve fairly readily” and what are the grey areas under which the licensee would have to do a lot of work with predictive tests, challenge studies and trial production runs before they would be allowed to proceed.

As with all its work, the ASCA Committee strives to act in the best interested of all its members, and this is just one project among many that we have contributed to over the past year. ASCA will continue to support all of its cheesemaker members to strive towards making and selling better artisan cheese, whether they choose to make it from raw milk or pasteurised milk.

**What happens next?**

It is unlikely that the changes will affect the status quo significantly in the short term. As explained earlier, much work is required on the part of cheesemakers wishing to make raw milk cheese to put in place detailed food safety plans that address every part of the animal health, milk production, transport and cheese production processes addressed by the new standards. This is expected to take some time and considerable effort. It may also be necessary for such cheesemakers to purchase and install new equipment, as well as implementing new milking and cheesemaking practices.

The next job for ASCA is to continue to work with the dairy regulators on the detail of the requirements, and summarise a path forward for those members who wish to pursue the production of raw milk cheeses. This is likely to take several months.

We will also be monitoring how the State dairy regulators implement the changes over the coming months, and will keep our members informed.

**What does this mean for imported raw milk cheese?**

The number and variety of imported raw milk cheeses entering Australia is expected to increase as a result of these changes. This is because, as mentioned earlier, the Australian Government considers it should permit such greater level of imports in order to comply with WTO requirements.

We await with interest to see how the new raw milk cheese standards affect the way in which imported raw milk cheese is checked. The rules applicable to the safety and standard of imported raw milk cheese, as with other imported foods, are applied by the Commonwealth Department of
Agriculture under the Imported Food Inspection Scheme, which in turn requires compliance with the standards set by the Code. Even though the new raw milk cheese standards apply on their face to domestic raw milk cheese production, the importation of foods rules require imported raw milk cheese to comply with those same standards.

During the review process, FSANZ stated that evidence would need to be provided to demonstrate that imported raw milk cheeses have been “produced under conditions at least equivalent to domestic requirements”, but it was not clear how this would be achieved.

In the documents released by FSANZ, it says that it will “provide draft assessment advice to the Department of Agriculture by December 2014 on whether imported raw milk cheeses present a medium or high risk to public health. The Department of Agriculture will use this assessment to inform their risk management approach under the Imported Food Inspection Scheme.”

ASCA will follow up on the decisions made by the Department of Agriculture in this regard, and report back to members in the near future.