**DOCUMENTS PROVIDED**

* Overview and Structure of Presentation
* Main Campaign Points
* Response to FSAI Documents
* Information from Professor Francis Butler

*The Campaign for Raw Milk was formed by a number of bodies and businesses including Slow Food Ireland, Irish Cattle and Sheep Farmers Association, Cais – The Irish Farmhouse Cheese Makers Association, Eurotoques, Cork Free Choice Consumer Group, Irish Food Writer’s Guild as well as retailers of raw milk A. Cavistons and Sheridans Cheesemongers and farmers and producers Tiernan Family Farm and Kelly’s Organic.*

*Since its formation in July 2011 the campaign has received the support of many more businesses, farmers, consumers, organisations, food writers and chefs.*

**Representing the CRMI:**

Elisabeth Ryan, Campaign Co-ordinator

Kevin Sheridan, Director Sheridans Cheesemongers

David Tiernan, Dairy Farmer, Cheese Maker and Raw Milk producer

Darina Allen, Slow Food Ireland

**Independent Scientific Representative**

Professor Francis Butler Head of School of Bio systems Engineering UCD

We would like to open by thanking the chairman and members of the committee for allowing us the opportunity to present our views on the issues surrounding the proposed ban of the sale of raw milk for direct human consumption.

If it is an acceptable format to the committee, I (Elisabeth Ryan) will introduce you to the attendees and provide a brief outline of our campaign.

Kevin Sheridan will then speak to you about the main concerns we have in relation to the proposed ban on the sale of raw liquid milk.

Darina Allen would also like to address you briefly prior to the question period to speak about the wider societal implications raised by this proposed ban.

Professor Francis Butler will be available to answer questions on the occurrence of pathogens in raw milk and risk assessment in foods as well as any other questions of a specifically scientific nature which may arise.

David Tiernan Farmer and Producer of raw milk is in attendance to answer any specific questions concerning his experience as a dairy farmer producing raw milk for sale.

We would welcome questions on any aspects of the issue.

We intend to demonstrate that the recommendation to the government that the sale of raw milk be banned is an entirely disproportionate response to the risks associated and that the wider societal issues surrounding the ban of a natural foodstuff raise serious questions about the direction of a policy towards sterilisation of our food at the expense of our heritage and freedom of choice. We have major concerns in relation to the ban and the precedence which it sets.

We recognise that there are potential risks theoretically associated with the consumption of raw milk, we would also however point out that there are risks associated with the consumption of all food, as well as inherently in almost everything we do.

We desire that a system of regulations designed to minimise the risks associated with the sale of raw milk are devised and implemented. It is our suggestion that a reasonable compromise to this end is that a pilot study be established in order to assess the true risk associated with the sale of raw milk by farmers operating to a high code of practise.

This issue appears to centre on the potential damage to Ireland’s food safety reputation, a point which we would dispute.

**MAIN SUBSTANCE OF POINTS**

The CRMI are calling for the government to cease their current plans for a draconian, outright ban.

We believe that everyone has a **right to choose** to drink one of Ireland’s premium products which has a rightfully esteemed place in our food heritage. Informed consumers should have the right to decide for themselves what they eat and drink.  
  
The **normal procedure for food production is to introduce regulations** to minimise any potential risks to public health, not to issue bans.

In 2008 a public consultation was undertaken regarding the sale of raw goat’s and sheep’s milk and 17 submissions were received. Sheep's and goat's milk however accounts for just 1.56% of total milk output in Ireland. We cannot understand why **the government has not had a public consultation in relation to cow's milk**. Why also have requests made under FOI been denied?

Given the **growing consumer demand for raw milk**, we believe that it is inevitable that sales of raw milk on some level will continue despite any ban. A complete lack of regulation poses a far greater danger to public health than would an educated system of regulations designed by the government in association with relevant stakeholders from the farming and food communities. It is our belief that the government should be working with rather than against small farmers and that their aim should be to help farmers produce raw milk safely.

**Raw milk production is a very real and viable business model for small farmers**; servicing their local communities, who could modify existing facilities in order to bottle onsite with only a relatively modest investment and would be happy to operate under fair regulations.  
Currently farmers selling their raw milk to Co-ops get around 35c per litre. These farmers could sell their raw milk direct to the public at a retail price of approximately €1.50 - €2.00 per litre. The average price of a litre of pasteurised, homogenised, commercially-processed milk in supermarkets ranges from €1.20 - €1.60.

**Risks are inherent in all foods consumed**; as was demonstrated by the recent outbreak in Germany. Other food, are not simply banned. Countries, similarly reliant on exports such as New Zealand allow the regulated sale of raw milk as do many of our EU neighbours.

We would welcome and encourage specific regulations surrounding the production and sale of raw milk in order to minimise and manage potential risks. As with any other food, **proper regulations are always necessary and correct.** In fact, it is by no means desirable that every dairy farm in Ireland be permitted to sell raw milk.

However, by banning raw milk we are sending the message to the world that we don’t trust our regulators, we don’t trust our farmers and we don’t trust our milk.

**International Reputation of Irish Dairy**

International reputation seems to be the core issue of concern.

We want to ensure as does the government that the Irish dairy industry continues to flourish.

The department of agriculture believe that by allowing the sale of raw milk in Ireland we are risking serious damage to our international reputation as a producer of ‘safe’ dairy foods. We believe that this risk is massively overstated. There is no evidence that a reported illness in Ireland due to the consumption of raw milk would have any impact on the sale of pasteurised dairy products. According to the FSAI there have been two cases of illness in Ireland due to consumption of raw milk over the past number of years; neither of these cases caused any harm to Ireland dairy sales or reputation. Furthermore, if this ban is implemented the consumption of raw milk in Ireland will decrease by only a very small percentage and so any risk of an illness due to the consumption of raw milk will decrease by only the smallest margin as farmers and their families will continue to drink their own milk. In turn the risk to our international reputation will remain. It could be argued that by depriving the public of a source of regulated raw milk we will increase the consumption from unregulated sources and so increase the risk of illness and in turn the potential of damage to our international reputation.

In the modern age of fast communication and social media there is always a risk of misinformation spreading rapidly, this is the case for any of our food stuffs or other industries; we cannot allow the fear of potential rumour and sensationalism to influence the decisions we make around the rights of our citizens to consume the foods of their choice.

**A Way Forward...**

One possibility would be to introduce a pilot programme, which would allow for the limited sale of raw milk under controlled conditions by a small number of dairy farmers. Exact stipulations could be agreed to by all parties.

Proposal for an alternative to an outright ban on the sale of raw milk

* A working group is set up comprising of representatives of the Department of Health, the Department of Agriculture and the FSAI along with industry representatives.
* The group is given a fixed period of time to agree: regulations, a code of best practise and labelling requirements which would minimise the public health risks from the sale of raw milk but would also allow for consumer choice.
* During this period only licensed dairies that are approved by DAFF to process milk for sale would be allowed to sell liquid raw milk.
* Interim labelling requirements would be introduced immediately.
* At the end of this period the Minister for Agriculture and Minister for Health would be in a better position to make an informed decision based on the alternative option of regulated sales versus an outright ban.

**RESPONSE TO FSAI SUBMISSION**

The following is a direct response to the presentation made by the Food Safety Authority of Ireland to this the select committee on Communications, Natural Resources and Agriculture.

Please note that lest this opportunity for us to respond be seen as an advantage - all views of the campaign have previously been communicated to the FSAI as well as being available on our website.

**Regulation of the sale of Unpasteurised Milk**

Timeline from the point of view of the wider public in relation to the ban

A consultation was held in 2008 relating to 1.5% of liquid milk i.e. goat’s and sheep’s milk.

The 2006 EU Regulations which allowed for sale of raw milk unfortunately escaped the notice of the food and farming community until 2010. After the story was investigated by journalist Ella McSweeney we realised that sales were legal. Concurrent to this we were advised by the FSAI of the intention that the sale would be banned once again.

Sales of raw milk from a small number of producers followed and the campaign was formed earlier this year.

Maintenance of the Status Quo

Many developments in herd management, hygiene and testing mean that previous laws entirely prohibiting the sale of raw milk however long established are no longer necessary.

In 2006 with the introduction of new European regulations on food hygiene, both Directive 92/46/EEC and S.I. No 9 of 1996 became redundant. As a result the statutory basis for prohibiting the sale of raw milk ceased.

It is the opinion of many that current European hygiene regulations (Regulation 853/2004/EC) are already specific enough to effectively regulate the sale of raw milk in Ireland – laying down as they do specific criteria for farmers engaged in the production of raw milk and raw milk products for direct human consumption.

The FSAI presentation advised this committee that what is currently proposed by the Minister for Agriculture, Fisheries and Food is in reality a return to the status quo from 1996 – however developments in the last fifteen years have resulted in increased consumer demand for raw milk as well as changes in our understanding of herd management and increased hygiene.

It is well accepted in Ireland at the moment that we need to apply new thinking to all sorts of different policies. The historical situation with the legality of raw milk should have no real impact on the decision we face now in 2011 as to whether we should implement a ban on its sale.

**Advice from the Food Safety Authority of Ireland**

It is our belief that subsequent to the 2006 hygiene regulations the FSAI sought to gather scientific data in order to support their conclusion that raw milk should be banned and that ‘the status quo’ be maintained. We however feel that the starting point should have been a blank slate with a specific study carried out to assess true risk.

We believe that the system which underlies the recommendation for a ban needs to be questioned and unfortunately that this also raises questions about all of the methods which the FSAI use to determine food policy in general.

We also believe that a full public consultation on the matter ought to have been carried out.

Zoonotic Tuberculosis and Food Safety, 2008

In addition to an excerpt provided by the FSAI, the first conclusion drawn at the end of that document is that:

*“Current information shows that human Zoonotic tuberculosis is uncommon in Ireland.”*

In relation to meat the same report says:

*“The risk, if any, from the consumption of meat sold as meat for human consumption following official controls conducted by the competent authority in abattoirs in Ireland is* ***very low****.”*

In a report to the UK Food Standards Agency by the Advisory Committee on the Microbiological Safety of Food compiled this year they concluded that the risk of transmission of TB through raw milk is *“****very low****”*

The UK have approximately 20 times the national incidence of TB as does Ireland and operates half the amount of herd tests.

In relation to milk the FSAI say that low risk is still unacceptable risk, in their own document they state the risk from meat also as “very low”. Why is a very low risk acceptable for meat but not for milk?

The Prevention of Verocytotoxigenic *Escherichia coli* (VTEC) Infection, 2010:

In this report it is stated on page 7 *“Dairy farmers can minimise the risk associated with the consumption of raw milk and dairy products made with raw milk by practicing high hygienic standards during milking.”*

Table 1.4 Foods **implicated** or **suspected** of being associated with national and/or international

VTEC outbreaks (PAGE 16)

|  |  |  |  |
| --- | --- | --- | --- |
| Minced meat | Raw milk | Seed sprouts (radish, alfalfa,cress) | Drinking water (public supplies & private wells) |
| Beef-burgers | Pasteurised milk | Salad | Mayonnaise |
| Fermented meats, e.g. dry salami and pepperoni | Cheese (both from raw and pasteurised milk | Unpasteurised apple juice |  |
| Blade-tenderised beef | Yoghurt | Lettuce |  |
| Cooked meats | Unpasteurised cream | Spinach |  |
|  |  | Potatoes |  |

Raw Milk is listed again later as a “potential source” of VTEC

The report describes later that “Contamination can occur either during milking or post pasteurisation due to poor hygiene practices” and describes how “*E. coli* O157:H7 can survive during the ripening and extended storage of some cheeses (Maher *et al*., 2001; Schlesser *et al*., 2006). Therefore, raw milk destined for cheese manufacture may constitute a potential source of infection, especially with respect to soft and semi-soft cheeses.”

“VTEC isolates have been identified from bovine and caprine herds, supplying milk to the farmhouse cheese sector in Ireland (Murphy *et al*., 2007). Although, all products tested from these holdings were VTEC negative, it is possible that VTEC may be present periodically.”

The above findings in our opinion do not support the conclusions drawn that “The practice of consuming raw milk and milk products poses an unacceptable risk to health”

Recommendations for a Practical Control Programme for Campylobacter in the

Poultry Production and Slaughter Chain

Though slightly off topic. It is worth referring to this document for two reasons

First for the alarming statistics that 83% of commercial chickens presented for slaughter tested positive for Campylobacter and that at the end of the slaughter process 98% carcasses were positive. In addition 13% of external labels tested positive.

This document is relevant to us here for the following viewpoint which is applied to chickens, it is our belief that a similar mindset towards introducing regulations for raw milk should be applied. *“Thinning or partial depopulation is a process whereby a portion of a flock is removed for slaughter approximately one week before the remainder of the flock. This practice increases the risk of infection with Campylobacter spp. The answers to the risk management questions*

*addressed in this report are made on the basis that thinning of flocks is current industry practice and that there is no immediate likelihood that it will be eliminated.”*

That the FSAI will not recommend the consumption of raw milk is undeniable – however the FSAI also does not recommend partial de-population of the flocks in the production of chicken either, yet they can still recommend guidelines surrounding this in order to reduce risks.

Transmission of TB

England and Wales with a greatly higher herd incidence of TB allow the regulated sales of raw milk.

Pasteurisation alone in not responsible for breaking the link.

In Ireland, raw milk cheese producers herds are tested every 6 months and this then is considered acceptable for raw milk cheese. The same regime can be put in place for farmers intending to produce raw milk for sale.

The single case in the last decade which links consumption to raw milk occurred in 2005. This farm had a history of both TB indicators and confirmed cases in the herd in the years preceeding. This would have precluded this particular farm from selling raw milk under existing EU regulations.

*“While the Authority recognises that the standards of dairy hygiene and animal health have improved greatly in recent years, it is virtually impossible to produce raw milk under commercial production conditions that can be guaranteed pathogen free. “*

Why must raw milk have zero risk?

*“There is no food that is absolutely free of risk to the consumer. Furthermore, there is no way to eliminate all foodborne illnesses from the consuming public. To set standards based on totally eliminating foodborne illness, or based on a principle of zero tolerance is unsupported by scientific principles in general and public health science in specific.”* DR. TED BEALS BSC. MSC. MD

Risks in raw milk intended for pasteurisation are best controlled by pasteurisation – a remarkably useful control measure indeed with undeniable effectiveness.

However for this very separate product which we are discussing – Raw Milk there do exist other control measures which can reduce risks.

Peer reviewed literature regarding health benefits associated with raw milk does exist as each year goes by we learn more and more about nutrition, for example fats are being viewed very differently now than just a couple of years ago

**What is pasteurisation?**

*“Looking back over recent history, pasteurisation of milk was one of the greatest public health achievements of the 20th century. Since it was introduced as the norm for marketing milk it saved thousands of lives in Ireland and prevented enormous levels of human suffering. In addition it saved the State millions of Euro in health care costs and protected the reputation of Irish Dairy Industry as producers of safe and quality products. “*

On his deathbed Louis Pasteur stated that “the Terrain is everything, the Germ is nothing.”

Yet his work; based on the theory that the human body is sterile and that introduced germs or microbes cause disease has persisted in modern medicine until relatively recently, whereas we are beginning now to gain an understanding that the ‘terrain’ or internal environment is the most important factor to human disease.

The point here is a wider one about the direction in which the government’s policy towards food safety is taking the health of our nation – in an effort to protect us within a zero risk environment we may well be going down a path which instead damages our population. A nation of unexposed sterile beings utterly succeptable to all disease.

Why is the urban population less immune – could it be linked to our continued excessive food safety policies?

The FSAI now dismisses the idea of using recorded cases of illnesses – this scientific body instead prefers to rely on theoretical potential risks?

At the commencement of public debate relating to this campaign the FSAI referred in the media and during a public debate with us to four illnesses – since being asked to provide full details, this diminished first to 3, and then to 2, and now they would rather not refer to any?

Having reviewed the cases it turns out that if regulated farmers were producing the milk in the 2 documented cases they would have been prevented from selling, as herd health would not have met current criteria for the production of raw milk.

We estimate over 100’000 members of farming families consume raw milk, and this is from unregulated farms where the milk is destined for the most part for pasteurisation. If raw milk consumption were as risky as the FSAI would have us believe we would have a lot more than 2 cases of illnesses in the last decade.

This appears to be the first time since its inception that the FSAI’s scientific evidence behind a policy / recommendation has been brought in to question and we think that there are sufficient questions relating to the scientific data to suggest that much more information is required before taking such a severe step as to implement the ban of a natural foodstuff.

**What happens in other countries?**

The FSAI have quoted the position of the UK FSA. However recently the same body stated in response to a request to them by Dairy UK that policy be reviewed stated:

*“One of our scientific committees looked at the risks of drinking raw milk and after considering the conclusions, the agency did not feel changes to its policy were necessary. The current regulations strike a balance between protecting consumer safety and allowing consumer choice.”* Aug 2011

The following is an excerpt from the minutes of a meeting of the ACMSF in January 2011

*7.2 Data from the Health Protection Agency on outbreaks of Infectious Intestinal Disease (IID) due to raw milk and cream were summarised. Outbreaks of human illness due to raw drinking milk between 1992 and 2002 represented a small proportion of the total number of reported foodborne outbreaks during this period. No outbreaks of IID due to raw milk or cream had been reported in the last eight years*

Regardless of any labelling requirements the only other countries in Europe where raw milk is in fact illegal are Denmark, Spain and Scotland.

The FSAI stated that “In the United States the sale of raw milk is banned in about 50% of the States.”

In fact, Sales of raw milk are specifically banned in 14 states in the US, 29 States allow sales in some form and 7 states have no specific regulations.

It should be notes that while the body FSANZ is reviewing regulations New Zealand has chosen to apply different regulations specific to itself than are under review by FSANZ in relation to raw milk and raw milk products, they have chosen to take a different path which allows for the sale of raw milk and raw milk cheeses whilst Australia appears determined to maintain prohibition on all except hard cooked cheese made with raw milk.

**Conclusion**

The advice of the FSAI cannot of course be ignored or dismissed out of hand. However it must be balanced properly with wider societal issues such as consumer choice. Many other countries are of the same opinion and successfully continue to strike this same balance.

Pasteurisation is undeniably the most widely used and most effective control measure to allow the general public access to milk and dairy produce. For those who knowingly wish to consume raw milk however, other control measures are available.

**Excerpt from a Delphi Study Investigation into the Utility of Applying HACCP Principles at Farm Level to Minimize the Risk of Pathogenic Bacteria in Farm Milk**

**Introduction / Explanatory Notes from CRMI**

Below is a short document which is a single page excerpt from the Delphi study that Professor Butler presented at the O’Donovan Rossa Food Safety School in Clonakilty recently.

*“This table is one of the slides I presented and is probably the most relevant in the current debate. It ranks the opinions of 27 respondents drawn from Teagasc, FSAI, the Universities and DAFF who were asked a series of structured questions relating to the potential application of HACCP in dairy farms. The ranking shown on the attached document is essentially a summation of the scores that the individual respondent gave to each of the pathogens. It reflects that these are the pathogens of concern in raw milk but does not address the magnitude of the risk.”* Professor Francis Butler

This document then provides a brief background to scientific opinion regarding the level of pathogens in bulk tank raw milk and provides a basis for the Joint Oireachtas Committee to question Professor Butler on his opinions of the true risk to public health of raw milk based on his studies.

It should be noted that this study refers to bulk tank milk and that Professor Butler may also have relevant opinions about differing potential levels of pathogens where risk reduction measures may have been put in place as is suggested for the producers of raw milk for direct human consumption.

**Professor Francis Butler Head of Biosystems School of Engineering, UCD**

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**Excerpt from a Delphi Study Investigation into the Utility of Applying HACCP Principles at Farm Level to Minimize the Risk of Pathogenic Bacteria in Farm Milk**

**Pat Doyle, Francis Butler**

**UCD School of Biosystems Engineering**

Question 6. Risk rank the pathogens below from 1 to 5 in order of importance, which in your view are a food safety risk in raw bulk tank milk.

|  |  |
| --- | --- |
| Pathogen | Ranking |
| Pathogenic *E. coli* | 92 |
| *Listeria monocytogenes* | 81 |
| *Salmonella* spp | 53 |
| *Camplyobacter jejuni* | 31 |
| *Staphloccus aureus* | 30 |
| *Mycobacterium paratuberculosis* | 24 |
| *Mycobacterium bovis* | 19 |
| *Brucella abortus* | 17 |
| *Mycobacterium tuberculosis* | 14 |
|  |  |