

## Summary of meeting outcomes

### NSW Dairy Industry Consultative Committee convening as NSW Dairy Food Safety Consultative Committee

10 May 2016

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The NSW Dairy Food Safety Consultative Committee held a meeting in Sydney on Tuesday 10 May 2016. Specific issues considered by the Committee at its meeting are detailed below.

#### Industry updates

Members provided updates on key and emerging issues from their industry sectors. Issues discussed included the big effect on the dairy industry from the recent dry season. Members also raised concerns on the changes to Country of Origin Labelling (CoOL) laws for food which will see the new standard commence on 1 July 2016 with a two year period for compliance to 1 July 2018. Members sought further clarification on the requirements, especially in regard to labelling of food containing ingredients which may be sourced from overseas, such as cultures and rennet.

Members were advised that the ACCC are currently conducting community awareness programs and will be launching national style guides and publishing further information on their website to assist businesses in the next couple of months. Further queries concerning compliance with the new Country of Origin Labelling standard can be directed to the ACCC at:

1300 302 502 or <http://www.accc.gov.au/contact-us/contact-the-accc/general-enquiry-form>

#### Food safety program compliance report (July to December 2015)

The Committee noted the food safety compliance report for the dairy industry sector during the period 1 July 2015 to 31 December 2015. During this period there had been 403 acceptable rated audits with 85% A rated, 13% B rated and 2% C rated; 30 failed audits (6.9% failure rate); and 158 inspections with a compliance rate of 83%. The dairy sector has continued to maintain a very high compliance rate over the last 2-3 years.

It was also noted that during the period 213 audits were conducted under the Third Party Audit (TPA) program with a high level compliance rate of 98%.

Audit data analysis presented showed that the top three audit items that had higher observed levels of critical issues during the reporting period were within process control (failure to complete monitoring records), food safety program and analytical testing. The Food Authority will be implementing targeted strategies to address these areas and also to assist new licensees in the sector in their understanding of their requirements before they become operational.

There were no prosecutions in the dairy sector since the last meeting and overall the compliance rate for the dairy sector is very good with a positive result for the period.

#### Williamstown RAAF site PFOS contamination incident update

A paper was tabled for information on the contamination incident at the Williamstown RAAF base due to the previous use of fire fighting foam containing the chemicals Perfluorooctane sulfonate (PFOS) and Perfluorooctanoic acid (PFOA). Whilst it was noted that there has been no impact from this incident on the dairy industry, members were advised that this will be a growing issue for Australia as well as internationally due to possible implications from

the use of these fire retardants in locations where there has been a fire fighting training base or airport. These issues will be addressed in a Human Health Risk Assessment being conducted by the Department of Defence.

Members were advised that the NSW government has established an Expert Panel to assist with providing advice on handling this issue and to conduct an extensive sampling program of commercial seafood and other food sources from around the area. Further information on this incident can be found on the NSW EPA website.

### **Recall programs for very small businesses**

Members noted a paper regarding work by the Food Authority to develop a simplified generic template to assist small businesses such as wholesalers and manufacturers to have a food recall program in place in the event they need to do a food recall or food trade withdrawal. A copy of a two-page generic template developed to enable businesses to recall product effectively was attached for information. This template is available to businesses through the Food Authority's web site.

It was noted that all trials using the template so far have worked well and over time this will be rolled out to other food safety schemes. This template has also been shared with other jurisdictions.

### **Transport of milk to cafés and restaurants**

A paper was tabled in response to a question raised by the NSW Farmers' Association's Dairy Industry Committee on regulations pertaining to the transport of milk to restaurants and cafés. The definitions under the *Food Regulation 2015* for a dairy transport business and vehicle vendor were noted. In summary it was advised that if a business is collecting and transporting dairy products from a dairy production business to a dairy processing business; transporting milk or dairy products between dairy processing businesses, or delivering milk by vehicle and selling them for further use, then a licence is required for their transport vehicle. This does not apply to a retail business such as a café or restaurant buying milk for their business from a retail supermarket; however under the Food Standards Code when transporting milk or dairy products they are obliged to protect it from contamination, keep it under temperature control and ensure when it is intended to be transported frozen that it remains frozen during transportation. These requirements are enforced by local councils under the Food Regulation Partnership.

### **Investigations into raw milk sold as 'bath' milk**

A paper was tabled for information to update members on an operation the Food Authority commenced in 2015 to survey markets and health food stores to ascertain whether raw milk sold as 'bath milk' has been sourced from dairy operations in NSW. The sale of this product for human consumption is illegal in Australia. To date no bath milk from NSW suppliers has been identified, however products were observed for sale from one operator in Queensland, Cleopatra's Bath Milk.

Following this survey, in October 2015 Biosecurity & Food Safety Compliance officers commenced targeted inspections of shops selling 'bath milk' and product seizures were conducted. Since this operation, retailers have voluntarily ceased the sale of these products.

### **AFGC work on audit duplication update**

Following concerns raised at the previous meeting on duplication of the audit process, members were updated on the Food Authority's involvement in a working group led by the Australian Food and Grocery Council (AFGC) which is looking at audit duplication, primarily from a commercial perspective. This group contains representatives from the dairy processing sector. From a government perspective there is not such a concern on audit

duplication as systems are in place to share data with the Commonwealth. There are a large number of private (proprietary and commercial) standards and companies being audited against similar but different private standards, multiple times over short time periods representing a significant cost and resource burden on companies with little sharing of audit outcomes. The AFGC are looking at developing a pilot project focused on reducing duplication in proprietary and commercial audits, and is seeking funding for the project. This has been a long-standing issue and the Food Authority will keep people informed of this work.

### **Handling and assessment of imported raw milk cheeses under Food Standards Code**

Yvette Dethridge and Miles Dixon from the Commonwealth Department of Agriculture & Water Resources attended the meeting to provide an outline on the policy the Department has in place for the handling and assessment of imported raw milk cheese. A paper was also tabled for information and was noted and there was extensive discussion on this issue. Industry members expressed concerns that countries wanting to export raw milk cheese should be subject to the same processes of validation in their equivalence assessment that are required for raw milk cheeses manufactured in Australia so that there is a level playing field for all, and to ensure that food safety for consumers is not compromised. The concerns were noted and members were reassured that the Department is committed to a consistent and level playing field in delivering its requirements.

Lisa Szabo, CEO of the NSW Food Authority, thanked Ms Dethridge and Mr Miles for their contribution.

### **Independent certification mechanism for proposals for manufacture of Australian raw milk cheeses update**

An update was tabled on project work by Dr Tom Ross of the University of Tasmania who was commissioned by FSANZ, Dairy Food Safety Victoria and the NSW Food Authority to develop an App for use as an independent certification mechanism for proposals to manufacture raw milk cheeses. It was advised that due to time pressures, this project is behind schedule and once developed, will need to be programmed by an independent software house which could take up to three months. Members will be kept updated on this issue.

### **Biosecurity Regulation**

Members were updated on a reform currently underway by NSW DPI of its biosecurity legislation. The Biosecurity Act was enacted last year and work is now commencing to modernise its Regulations, some of which date back to 1924. Discussion papers have been released on a range of issues and initial consultations with the farming sector will be conducted through the Local Land Services Advisory Committees as well as through the Department's consultative committees. It was noted that as far as the dairy industry is concerned, there will not be much change in terms of control of animals but there will be some changes on biosecurity requirements in plants. The new Regulations will give more flexibility and will be aligned to industry programs that are already in place. The Draft Regulation for consultation is expected by the last quarter of this year and it is hoped to have the new Regulation in effect by early 2017. Committee members will be kept updated on progress.

**Communications update**

Members received an update on work the Food Authority's communications team has been doing since the last meeting in relation to the dairy industry sector, including Fact Sheets and guidance documents, social media posts to consumers and a refreshing of the Food Authority web-site. Members were invited to provide feedback on the new website.

***Amendment to NSW Dairy Food Safety Consultative Committee Charter and Procedural Guidelines***

An amendment to the *NSW Dairy Food Safety Consultative Committee Charter and Procedural Guidelines* was tabled for information and was noted. This amendment is to provide greater clarity to members on criteria for proposing alternate delegates to attend meetings as proxies.

The next meeting of the NSW Dairy Food Safety Consultative Committee will be held on 20 September 2016.