

Raw cows' drinking milk

Guidance for food business owners on getting approval, registering, selling, sampling and testing raw cows' drinking milk - including information on tuberculosis and raw cows' drinking milk.

This guidance will help you to understand raw cows drinking milk (RCDM) sales from primary production to the consumer. It should be read in conjunction with the Food Hygiene Regulations 2006 for Wales and 2013 for England.

For the purpose of this guide, you are classed as the Occupier of the holding from where the milk-producing cows are kept.

Approval and registration

To apply to sell raw drinking milk, you will need to submit a completed application form to the [Registrations and Approvals Team](#).

England and Wales

[Application for registration of milk production holding](#) (265 KB)

Registration process

When our Approvals and Registrations Team receive your application, the following will happen:

- one of our Dairy Hygiene Inspectors will visit the holding and carry out an inspection - if conditions on the holding are acceptable, then a sample of raw milk will be taken and analysed under food hygiene legislation
- once the sample has been analysed with a satisfactory outcome we will inform you and the local authority

RCDM sales can commence once these steps have been carried out.

Registering with local authorities

We will inform the local authorities about the proposed RCDM operation, however you should also contact your local authority as they may wish to see the filling and bottling process.

Further processing

If you are already approved as a raw milk production holding and you sell the milk for further processing to a first purchaser then you will need to apply for a separate registration to sell raw cows' drinking milk.

Milk sampling and testing

You will have to test the raw milk. Our Dairy Hygiene Inspector will need to see raw milk sampling results under food hygiene legislation.

You must initiate the procedure to ensure that the raw cows' milk meets the following criteria:

- plate count at 30°C (per ml) ? 100 000 - rolling geometric average over a two-month period, with at least two samples per month
- somatic cell count (per ml) ? 400 000 - rolling geometric average over a three-month period, with at least one sample per month, unless the competent authority specifies another methodology to take account of seasonal variations in production levels

Testing milk

You have a duty of care to ensure the food you sell is safe.

It is advisable that you test for the following:

- indicator bacteria - generic E. coli, Listeria spp, Aerobic colony counts, Coliforms
- pathogenic bacteria - salmonella, STE, campylobacter, Coagulase positive staphylococci, Listeria monocytogenes

It is also advised that shelf life testing is carried out for Listeria monocytogenes - this testing forms part of your Food Safety Management System.

Testing for antibiotics

You do not have to test each batch of milk but you are responsible - under the food hygiene regulations - to have the following conditions:

- raw milk must come from animals where no unauthorised substances or products have been administered
- the animals have not undergone illegal treatment

Where authorised products or substances have been administered, this must be documented.

Testing for pathogens

The regulations on microbiological criteria for foodstuffs require those manufacturing ready-to-eat foods, that pose a Listeria monocytogenes risk for public health, to sample processing areas and equipment as part of their sampling scheme.

There are other common pathogens associated with raw milk and it is good practice for you to sample for their presence to ensure the food they sell is safe.

Sampling laboratories

You can use any laboratory for sampling provided you have confidence in the results of any testing carried out by that laboratory. Laboratories carrying out testing for food businesses but do not necessarily have to be accredited.

Official controls

We will inspect your premises every six months to ensure a satisfactory standard of hygiene is maintained. Our dairy hygiene inspectors will also collect and test raw cows' milk samples to make sure the milk meets food safety standards. The samples will be taken at the point of registration and then four times a year.

Charges for official controls

Who is charged

Any registered production holding selling raw cows' milk directly to the public is charged for the samples taken to confirm that they meet the criteria laid out in domestic regulations .

The reason for charging

We are required to charge for collection and analysis of raw milk samples by EU law. This requirement is set out in Schedule 6 of:

- [The Food Safety and Hygiene \(England\) Regulations 2013](#)
- [The Food Safety and Hygiene \(Wales\) Regulations 2006](#)
- [The Food Hygiene Regulations \(Northern Ireland\) 2006](#)

We are also required to charge for services we provide to businesses by [HM Treasury](#) and [Department of Finance](#).

How charges are carried out

We charge a fee of £63 for any routine or follow-up sampling. Analysis and examination of raw milk are made in line with domestic regulations.

Delivering raw cows' drinking milk

You can deliver the raw cows' drinking milk in a domestic vehicle provided you adhere to the following stipulations:

- you will be classed as a 'distributor' because the sale has not taken place at the farm gate
- you must run this area of the business as a separate entity - as a Limited Company
- the intended vehicle must be registered as a milk float with your local authority as it will be classed as a 'shop premises'

You can use a third party to deliver the raw cows' drinking milk on a milk float which also delivers pasteurised milk and dairy products. The third party must be registered as a distributor with the local authority.

If you sell the raw cows' drinking milk to the distributor, they can sell the raw cows' drinking milk to their customers on the milk delivery round. The sale should be made at the production holding where the cows are kept. The sale must be between the food business owner and the consumer - not via a third party or from a retail outlet.

The following conditions are prohibited:

- sales from a building offsite in the same County Parish Holding (CPH) number as the farm
- sales from a space rented in a retail shop to sell the raw cows' drinking milk
- orders made online or by phone if the raw cows' drinking milk is collected at a private house or outlet that does not belong to you. The milk must be delivered directly to the consumer's doorstep or place of work where the consumer must take ownership of the RCDM

If an online order is made and delivered by courier to a private house or place of work then the consumer must take receipt of the raw cows' drinking milk at delivery. This might be difficult if

delivering to an office and should be avoided if possible.

Refrigeration during transport

It is advisable to have a cooling system, such as a good quality cool box with temperature probe or a thermostat to record the temperature in transit.

Selling at a farmers' market

Not all farmers' markets are registered to sell raw cows' drinking milk - you will need to check with your local authority.

You can sell raw cows' drinking milk at a farmers' market, but the following conditions apply:

- the intended market is registered with the local authority as a farmer's market as this can be seen as an extension of the farm gate
- you will have to apply to the local authority or make your intentions known of the proposed sales prior to market dates
- you must be present during the sale

If the local authority allows you to sell at a farmers' market, you cannot employ someone who has no contact with the farm to sell the raw cows drinking milk.

The principal producer, representative involved in the production process or member of the family must attend the stall.

After applying to the local authority to sell raw cows' drinking milk at the intended farmer's market, the local authority may state that the stall holders must be 'local' to the intended market.

'Local' or 'localised' are defined as 'sales within the establishment's own county plus the greater of either the neighbouring county or counties or 30 miles/50km from the supplying establishment's county boundary'.

Selling raw cows' drinking milk in other locations

You cannot sell or give away free samples of raw cows' drinking milk at the following events:

- town markets
- village fetes
- school fetes
- pop concerts
- horse events
- car boot sales
- agricultural shows (one day or multiple days)
- layby on the side of a road

These locations are not considered as extensions of the farm. Free samples would still be classified as a sale.

If you run a bed and breakfast, campsite or farm shop cafe, then the raw cows' drinking milk doesn't have to be supplied in a sealed container. The raw cows' drinking milk can be served in a jug, but the health warning must be visible to the consumer at point of sale or consumption.

Containers for raw cows' drinking milk

If raw cows' drinking milk is distributed in containers, those containers must have a fastenings system which must not be broken when the consumer receives the product.

You should discourage consumers from bringing their own containers to collect raw cows' drinking milk. You don't have control over the cleansing, disinfection, storage and handling of containers prior to filling.

It is important for you and your customers to be aware of the risk posed from re-using containers. It is important to conduct thorough cleansing and disinfection.

RCDM is considered a high risk food that is capable of supporting the growth of various foodborne pathogens. This is why it's important to warn vulnerable groups of the risk associated with consumption.

Health warnings and use-by dates

Use-by dates

Your container should have use-by dates labelled on them. This does not apply to glass bottles that are intended for re-use.

The health warning and use-by dates need to be displayed if you are selling milk through a vending machine.

Health warnings

The health warning must be clear and easy to read, there is no minimum font size or specific font you must use for the label.

The health warning must state the following:

'This milk has not been heat treated and may contain organisms harmful to health'

The health warning must state the following:

'This milk has not been heat treated and may contain organisms harmful to health. The Food Standards Agency strongly advises that it should not be consumed by children, pregnant woman, older people or those who are unwell or have a chronic illness'

Tuberculosis

The holding or farm where the raw cows' drinking milk is produced needs to have a tuberculosis-free (TB-free) status at all times.

If the TB-free status is lost or removed - then sales of raw cows drinking milk must stop. Once the TB-free status has been lost or removed from the holding - the RCDM registration with us is removed and all milk must be heat treated.

The [Animal and Plant Health Agency](#) (APHA) is responsible for annual TB testing. If you lose your TB-free status, APHA will notify the FSA and you, the food business owner. The confirmation letter from APHA clearly states that all raw milk must be heat treated and not to be consumed in it's raw state.

If you are in a TB exclusion zone - which carries out TB testing every four years - you will still

have to carry out annual TB testing. APHA are responsible for this and will advise you accordingly.

If your annual TB test date has expired, all sales must stop - sales will only be allowed to resume when the TB-free status has been confirmed. If it is clearly an expiry issue and there is a short time frame then the holding may not lose its RCDM registration and you will not be required to re-register - however we will look at these circumstances on a case by case basis and be guided by APHA.

If the TB test detects a possible infected animal which has no contact with the milking herd, APHA will carry out a risk assessment and will advise you, the local authorities and the FSA.

Re-registering when returning to TB-free status

If you return to a TB-free status after being under TB restrictions, you will need to re-register with us before starting to sell raw cows' drinking milk again. This applies even if you have received confirmation from APHA confirming clear tests.

You can re-apply to our Registration and Approvals team. Sales cannot start until the full registration, inspection and sampling process is complete and confirmed in writing by us.

Suspected or confirmed illness

If there is a suspected illness linked to your holding then all RCDM sales must stop and you should carry out a product recall and withdraw produce.

You must carry out an investigation as to why the incident occurred. You should carry out a pathogen sampling program and seek help from dairy specialist. You must stay in contact with our [Dairy Operations Team](#) at all times. You should seek professional help from the dairy sector as we do not provide a consultation service.

Our sampling investigation

Our Dairy Hygiene Inspector will carry out a full investigation and collect samples for pathogen analysis.

All our samples, inspection and investigation reports will be provided to our Incidents Team for analysis.

If at any time in our investigation or during the sampling procedure, there is an unsatisfactory sample detected, we will stop the sampling protocol and expect you to continue with your investigations. You will need to look at all aspects of cleaning, disinfection, maintenance and operational procedures.

Only when our Dairy Hygiene Inspector is confident that you have looked at all areas, and the hygiene inspector is satisfied with conditions on the holding, will our sampling protocol re-commence.

Find more information about [raw drinking milk and milk hygiene](#) in England and Wales. Read our guidance on [food incidents](#).