##### 26th March 2018

**The Food Hygiene (Amendment) Regulations (Northern Ireland) 2017**

**SUMMARY REPORT OF STAKEHOLDERS RESPONSES**

The Food Hygiene (Amendment) Regulations (Northern Ireland) 2017

consultation was issued on 25th July 2017 and closed on 19th September 2017.

In January 2014, the FSA undertook a public consultation on an impact assessment on the review of the controls governing the sale and marketing of unpasteurised, or raw drinking milk (RDM) and raw cream in Northern Ireland, England and Wales.   
  
The consultation identified 4 options.

Option 1: Do nothing

Option 2: All milk to be pasteurised prior to sale

Option 3: Allow sales of RDM from all outlets

Option 4: Introduce measures to harmonise and clarify current controls.

The overall objective of the review was to ensure that existing controls in place are sufficient in managing the food safety risk associated with RDM and are proportionate and risk-based, taking into account the latest scientific evidence and information and views from producers, consumers and parties with an interest in this sector.

The FSA Board accepted the recommendations of the review and acknowledged that the level of risk associated with RDM consumption was acceptable when appropriate hygiene controls are applied, except for vulnerable groups. The Board indicated that risk communication to vulnerable groups should be improved, including that labelling in Northern Ireland and England should mirror that used in Wales.

1. The FSA is grateful to those stakeholders who responded and sets out in the table below responses in order of the issues considered.
2. The key proposals on which the consultation sought views were:  
     
   To amend the current labelling provisions for Northern Ireland and England to protect vulnerable consumers against risks associated with consumption of RDM and introduce consistent labelling requirements for all species.

* Currently RDM (except buffalo) is required to be labelled with the warning “This milk has not been heat-treated and may therefore contain organisms harmful to health”. It is proposed that in Northern Ireland and England enhanced labelling is introduced for RDM from all species which will include the following additional wording “the FSA strongly advises that it should not be consumed by children, pregnant women, older people and those who are unwell or have chronic illness”.

1. The Food Standards Agency’s considered responses to stakeholders’ comments are given in the last column of the table.

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| Respondent | Comment | Response |
| The FSA received three responses to this  consultation from private individuals. | All the respondents expressed the view that raw drinking milk is safe and that it has greater health benefits than pasteurised milk. | Noted |
| David McLaughlin | I would like to say at this stage that Culmore Organic Farm has a long association with raw milk supplies. My father supplied The Model Dairy in Ballymoney for thirty years, during the 1950s, 60s and 70s, with what was then known as Grade A milk. This milk was not only supplied to the wider community, but also to schools as part of the school milk program. During this time, there was a significantly lower level of ‘chronic illnesses’ e.g. heart disease, diabetes, cancers, obesity, allergies etc. With the advent of ‘safer foods’ using heat treatments and vastly increased processing methods – all regulated by the FSA – the incidence of chronic ill health has risen dramatically, as have the cases of deliberate food contamination, such as the recent horse meat in burgers.  Responses   * All our consumers are voluntary. We do not, and never have, advertised our raw milk. We are simply meeting a growing market demand. * Many of our customers fall into the categories that the FSA now intends to warn against the consumption of raw milk e.g. pregnant mothers, young people (many of whom had been diagnosed as lactose intolerant), retired people, top level athletes (especially rugby and Gaelic players). * None of our existing customers read the existing warning on our label. They are well-educated, well-informed individuals who have actively researched the most healthy food options, and have chosen raw milk. * Raw milk and many of its associated products e.g. raw milk kefir, raw milk cheese, raw milk butter, raw milk ice cream, are excellent probiotics. A recent documentary – Trust me, I’m a doctor – gave a strong scientific backing for the consumption of all of these raw milk products, and was highly critical of the designer probiotics such as Yakult yogurts, stating that most, if not all of the beneficial bacteria contained in these, were killed by the stomach acids, whereas the natural bacteria found in raw milk and its products were found right through the intestinal tract. * We have a very long list of customers who have had very significant health/lifestyle improvements since switching to raw milk. The health issues that responded positively to raw milk include irritable bowel syndrome, colitis, stomach ulcers, ‘supposed’ lactose intolerance, bloating, obesity, excessive flatulence. These are the chronic illness people that the FSA now wish to warn off drinking raw milk!! * We have a paediatric doctor who, as well as being a dedicated customer, is also giving many lactose intolerant children the option of using our milk, with excellent results. * In light of the above information, we at Culmore Organic Farm, backed by our customers, will be strongly opposing any change to the existing labelling, and would actually be keen to remove the existing warning, which many of our customers view as scaremongering. It would be extremely interesting for us as suppliers of raw drinking milk, to have sight of the evidence that the FSA is using to make the proposed changes to the labelling. | Noted |
| Derry City and Strabane District Council | DCSDC welcome the opportunity to comment on the proposed Food Hygiene (Amendment) Regulations (Northern Ireland) 2017.  DCSDC agrees with the proposed wording as detailed across all species and the manner in which it is to be displayed.  DCSDC welcomes the harmonising of the regulations across Northern Ireland, England and Wales.  DCSDC have no supporting evidence to provide of any cost implications that may arise from these proposals as indicated in the draft impact assessment. | Noted |
| Environmental Health Northern Ireland | EHNI welcome the opportunity to comment on the proposed Food Hygiene (Amendment) Regulations (Northern Ireland) 2017.  EHNI agrees with the proposed wording as detailed across all species and the manner in which it is to be displayed.  EHNI welcomes the harmonising of the regulations across Northern Ireland, England and Wales.  EHNI have no supporting evidence to provide of any cost implications that may arise from these proposals as indicated in the draft impact assessment. | Noted |
| Lisburn and Castlereagh City Council | Lisburn & Castlereagh City Council welcomes the opportunity to comment on the proposed Food Hygiene (Amendment) Regulations (Northern Ireland) 2017 and agrees with the proposed enhanced labelling as detailed across all species and the manner in which it is to be displayed and welcomes the harmonising of the Regulations across Northern Ireland, England and Wales.. | Noted |
| NILGA Policy and Governance | NILGA, the Northern Ireland Local Government Association, considered that above consultation at its Executive Meeting on 8th September 2017 and agreed to endorse the response from Environmental Health NI (EHNI). | Noted |
| Mid Ulster District Council | Mid Ulster District Council welcomes the opportunity to comment on the proposed Food Hygiene (Amendment) Regulations (Northern Ireland) 2017.  Mid Ulster District Council agrees with the proposed wording as detailed across all species and the manner in which it is to be displayed.  Mid Ulster District Council welcomes the harmonising of the Regulations across Northern Ireland, England and Wales.  Mid Ulster District Council have no supporting evidence to provide of any cost implications that may arise from these proposals as indicated in the draft impact assessment. | Noted |