

Review of raw drinking milk official controls
consultation summary page

Date launched:	06/02/2019	Closing date:	30/04/2019
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Who will this consultation be of most interest to?

Current producers of raw/unpasteurised drinking milk (RDM) and any other dairy producers that may consider RDM production in the future. RDM consumers, enforcement authorities and those with an interest in RDM.

What is the subject of this consultation?

Due to an increase in outbreaks associated with RDM and an increase in producers and sales of RDM A paper outlining [recommendations for enhanced controls](#) around RDM production was presented to the FSA Board at their meeting in June 2018.

The Board reviewed the evidence presented and agreed to support these recommendations. Proposed changes will seek to provide greater assurance from producers that their product is as safe as possible, this assurance will be for both the regulator and consumers. The proposed changes will also provide greater consistency in comparison to controls already in place in Northern Ireland.

What is the purpose of this consultation?

To provide interested parties with the opportunity to comment and feedback on the proposed changes to RDM official control delivery and the associated impact of the changes.

Responses to this consultation should be sent to:

Food Hygiene Policy Branch
Food Policy
FOOD STANDARDS AGENCY

7th Floor
Clive House
70 Petty France
Westminster
London
SW1H 9EX

Email: foodhygiene.policy@food.gov.uk

Impact Assessment included?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Review of raw drinking milk official controls

Detail of consultation

FSA – Food Standards Agency
RDM – Raw Drinking Milk
FBO – Food Business Operator
FSMS – Food Safety Management System
RMPA – Raw Milk Producers Association

Introduction

In June 2018, the FSA Board was presented with a decision paper to review current controls for RDM. The paper provided recommendations of planned improvements that could be made in the delivery of official controls as well as providing the evidence used in reaching these recommendations.

The Board agreed with the conclusion that the risk from RDM is not so unacceptable as to justify removing the right of adult consumers to choose to drink it, provided that certain controls are met. However, the board did recognise that improvements are required in terms of ensuring more robust controls, accountability and the need for FBO's to provide assurance to their customers and the regulator that the product that they produce is safe.

Proposals

There have always been legal requirements for FBO's to register with the FSA for production of Raw Drinking Milk, have a system in place to identify, monitor and control hazards associated with this production and to verify that the controls measures in place for these hazards are effective.

As part of the review of the official controls the FSA as the regulator are going to be more explicit in how they require FBO's to demonstrate that they meet these legal requirements. The new controls will apply to all new producers and existing producers not already meeting the requirements will have a period of 6 months in which to make any changes necessary.

Having a Food Safety Management System in place will allow producers to identify the stages of their production systems that could pose a risk and have control measures in place to eliminate or reduce these risks to an acceptable level.

Template documents demonstrating the minimum requirements of these systems have been included to aid producers to better understand how this can be set up. These templates could be used or an alternative that provides the equivalent information.

Valid Food Safety Management Systems have a verification step included which is aimed at testing the effectiveness of the control measures introduced and verify their effectiveness, allowing for corrective action to be taken if needed. Periodic testing is seen as the most effective way to verify these systems and within the registration guidance document there is a list of the pathogens that can be found in RDM, producers will be asked to test for these to establish and verify the effectiveness of their FSMS.

The frequency at which testing should take place has not been specified as this will vary dependant on the nature of the business so instead the frequency will be decided by producers using their FSMS and the risks highlighted through this as justification for the frequency applied.

1.

Key proposal(s):

- **Producers of RDM to have an effective and verified Food Safety Management System in place**
- **Effective verification of this system to include testing for pathogens commonly found in RDM**

Impacts

2.

An assessment of the impact of proposed changes has been completed and can be found at Annex 1

3.

Engagement and Consultation Process

A producer workshop was held in conjunction with NFU in May 2018 to which all RDM producers were invited. Just over 70 RDM producers attended this event along with representatives of FSA, LA, NFU and the Raw Milk Producers Association (RMPA). Information was shared with attendees on proposed changes and further questions were taken away and answered retrospectively. Engagement has continued on a regular basis with the RMPA.

Questions asked in this consultation:

Q1: We would welcome any views on the 6 months period being allowed for existing RDM producers to adapt any existing systems to meet the proposed requirements.

Other relevant documents

4. Any relevant related documents can be found as Annexes below.

Responses

5. **Responses are required by close 30th April 2019.** Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,



**Colin Thompson
Dairy Operational Lead
Field Operations**

Enclosed

Annex A: Standard Consultation Information

Annex B: Impact Assessment

Annex C: List of interested parties

Annex D: Draft copy of proposed Registration Guidance Document

Disclosure of the information you provide

Information provided in response to this consultation may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004).

If you want information you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

Any automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding.

The Food Standards Agency will be what is known as the 'Controller' of the personal data provided to us.

Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

The Data Protection Act 2018 states that, as a government department, the Food Standards Agency may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

What we do with it

All the personal data we process is located on servers within the European Union. Our cloud-based services have been procured through the government framework agreements and these services have been assessed against the national cyber security centre cloud security principles.

No third parties have access to your personal data unless the law allows them to do so. The Food Standards Agency will sometimes share data with other government departments, public bodies, and organisations which perform public functions to assist them in the performance of their statutory duties or when it is in the public interest.

What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email address below. If at any point you believe the information we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the Information Commissioner's Office (ICO) at <https://ico.org.uk/>, or telephone 0303 123 1113.

Our Data Protection Officer in the FSA is the Information Management and Security Team Leader who can be contacted at the following email address:
informationmanagement@foodstandards.gsi.gov.uk

Further information

If you require a more accessible format of this document please send details to the named contact for responses to this consultation and your request will be considered.

This consultation has been prepared in accordance with HM Government consultation principles¹.

[Annex B. Impact Assessment](#)

[Annex C. List of interested Parties](#)

[Annex D. Proposed Draft Registration Guidance Document for RDM Producers in England & Wales.](#)

¹ www.gov.uk/government/publications/consultation-principles-guidance