

# SUBMISSION

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To: Ministry of Agriculture and Forestry

Submission on: **PROPOSAL FOR CONTINUING TO LEGALLY PROVIDE  
FOR FARM GATE SALES OF RAW DRINKING MILK**  
Discussion Paper No: 2011/11

From: Federated Farmers of New Zealand

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## **SUBMISSION**

### **PROPOSAL FOR CONTINUING TO LEGALLY PROVIDE FOR FARM GATE SALES OF RAW DRINKING MILK**

**Discussion Paper No: 2011/11**

#### **1. EXECUTIVE SUMMARY**

- 1.1. Federated Farmers welcomes the opportunity to submit on the proposal for continuing to legally provide for farm gate sales of raw drinking milk, Ministry of Agriculture and Forestry (MAF) Discussion Paper No: 2011/11.
- 1.2. Federated Farmers submits that there are two markets for raw milk in New Zealand: one operating at the farm gate and another in towns and cities, where raw milk clubs provide chilled, fresh, raw milk to New Zealanders who do not live in the country.
- 1.3. Federated Farmers submits that Option 3 of the discussion document be adopted for those who wish to sell milk from their farm (at the 'farm gate').
- 1.4. Federated Farmers submits that MAF work with the dairy industry to find policy that will allow a wider, more commercial market to exist.
- 1.5. Federated Farmers further submits that until workable policy to provide for this market is developed, that the status quo continues.

#### **2. INTRODUCTION**

- 2.1. Federated Farmers' members understand the risks that raw milk poses, regardless of how modern the farm dairy is today. Milk, regardless of whether it is pasteurised or not, and given the right conditions, is a wonderful medium for micro-organisms to multiply in. These conditions can, fortunately, be mitigated by following recognised procedures that are easily followed.
- 2.2. Many farmers do believe that they should be able to drink their own milk, and have done so down the centuries, while respecting the perishable nature of the product. This philosophy also applies to parts of the rural community.
- 2.3. Consumers also believe that they should be able to drink this milk unpasteurised, or 'raw'. However, with today's disconnection between the consumer and the farm, few non-farming consumers fully understand the nature of the food safety risk posed by poorly collected milk, the storage of milk, and hygiene overall.
- 2.4. In order to discover if any market exists for raw milk, Federated Farmers surveyed its members, with the knowledge that the survey might not be restricted to just Federated Farmers members due to modern technology. See Appendix 1 for the survey.

- 2.5. Federated Farmers also consulted two of the bigger suppliers of raw milk in order to better understand the issues.

### 3. SURVEY RESULTS

- 3.1. The survey was sent out to 5,500 email addresses and was 'live' on our website for a period of eight days. This website is open to anyone. During that time we received a total of 464 electronic responses.

- 3.2. Of the 464 responses received:

- 34 sold raw milk, with the 35<sup>th</sup> misunderstanding the question (this respondent supplies two processors who both pasteurise the milk before processing).
- The remaining 428 where from respondents who
  - bought milk
  - wished to buy it
  - were farmers who would sell it if there was a market and if it were legal
  - were farmers and drank it themselves and/or gave it to their staff and friends but did not sell it
  - were in favour of allowing this milk to be bought and sold
  - were neither buyers nor sellers nor drinkers of this milk, and did not offer any comments
  - were against selling this milk – these were all farmers (four).  
*As one farmer put it: "I am quite concerned about the sale of milk because what about the risks of salmonella I now there are a lot of outbreaks this year". Another wrote: "We find it difficult to support the prospect of selling raw milk at the farm gate. The potential health risk far outweighs any benefit for those wishing to risk the health of themselves and others. The advent of pasteurisation was a major breakthrough for human health and this should not be compromised."*

#### 3.3. Focussing on the 34 farmers who sold this milk:

- One farmer supplies 3,700 litres/week and distributes it to a customer base of 1,000 through a raw milk club. This farmer supplies it in a monitored, refrigerated vehicle to outlets with monitored chillers, where customers could pick it up. This business is the farmer's sole source of income.
- One farmer supplies 3,000 litres/week and distributes it to 800 regular customers in a monitored refrigerated vehicle, to monitored chillers, which could be customers' refrigerators.

- One farmer supplies 1200 litres/week and distributes it to 150 customers, at the farm gate only. It is kept chilled at the farm gate, which Federated Farmers understands to mean somewhere on-farm. This is done because this farmer understood that it was illegal and “*not really safe*” to sell it off farm.
- One farmer supplies 1,000 litres/week and distributes it to 40 customers, at the farm gate: “*There is a notice on site, customers are told the milk is raw and unprocessed. They must bring their own clean containers. The milk is for their own personal in home use only. Large quantities of milk will not be supplied. They can only get milk 6.30 to 7.30 am and 4.30 to 5.30 pm. Most of our customers are Indian looking for raw milk to make products they have grown up with.*”
- Two farmers supply 500 - 600 litres/week each and distribute this to 140 - 200 customers through raw milk clubs and also from the farm gate. Transport is in a monitored refrigerated vehicle or customers collect it in chillie bins.
- One farmer supplies 300 litres/week and distributes it to 35 customers. This farmer did not give any more information.
- One farmer supplies 160 litres/week and distributes it to 56 customers, both from the farm gate and through a raw milk club. This milk is transported in a monitored refrigerated vehicle to outlets with monitored chillers.
- One farmer supplies 100 litres/week to 20 customers who all pick it up at the farm gate.
- 25 farmers supply quantities of less than 70 litres/week to less than ten customers each, and some only irregularly.

3.4. **Focussing on those who did not sell this milk** (see paragraph 3.1), 315 respondents drank it for **health** reasons, mainly to manage a wide range of allergies and asthma. A sample of the comments received on health benefits follows:

- “*We make our own kefir with raw milk which we find easier to digest in comparison to pasteurised milk*”
- “*My family of 5 is lactose intolerant and can not consume milk for sale in the supermarkets. Yet, all 5 of us tolerate raw milk without any problems.*”
- “*My son and husband suffer from asthma and eczema. This has considerably reduced since using un-pasteurised milk.*”
- “*My son had bad eczema and since drinking raw milk each day this has improved dramatically - his overall health has improved also*”
- “*I feel very strongly that it has been very beneficial for my asthma as I am a chronic asthmatic but have seen good improvements since changing to raw milk*”.

- 3.5. Some also drank it because of its **taste**: *“The milk tastes like milk used to taste. It seems to be like a luxury. I also like the fact it isn't over processed and is as natural as we can get it”.*
- 3.6. Only a few mention **price**, and only in conjunction with ‘health’.
- 3.7. Many children had been (and are) bought up drinking this milk, with a number of **infants** being regular drinkers. *“My family uses raw milk from our own farm, my children have been drinking it since they were weaned from breast milk (about 1 year old). We never had any problems with it and my children are hardly ever sick. We love it and think it is much healthier than homogenised milk. We think every New Zealander should have the choice to buy raw milk if they want to”.*
- 3.8. **‘Immuno-compromised’** was a category included as these people could be seen as an at-risk group of people. A few indicated that they identified with this group: *“I have ticked that milk is used by immuno-compromised user - We first started using raw milk when our young daughter was in a maintenance phase of treatment for leukaemia over 5 years ago. We have had no health issues that could possibly be related to drinking raw milk in that time”.*
- 3.9. **Retirees** (aged 65 or older) is another group seen as being at increased risk of food borne illnesses. Around thirty people identified with this group. None admitted to acquiring any food borne illness deriving from drinking raw milk. *“I was reared on raw milk from a child, went on to pasteurised milk when I moved off the farm, but have gone back to raw milk recently and have never felt better. My sinus problem suddenly cleared up (it has been bothering me for years and no amount of prescriptions was able to clear it). I always notice my sinuses when I have taken pasteurised milk again”.*
- 3.10. Responding to the question of **where** they picked the milk up from, only 48 said that they picked it up from the farm, while nearly 300 picked it up from a chilled collection point other than the farm gate.
- 3.11. Regarding the **volume** of raw milk per week bought, one person bought 150 litres/week. This person supplied milk to their own family, but did not offer any comments on the reason for the large quantity. Nine people buy 20-30 litres/week. Thirty people buy 10-19 litres/week, with the rest (by far the majority) buying under that amount.
- 3.12. Many people used it just for drinking while others used it to produce other dairy products.
- 3.13. **Comments received**
- 3.14. These were many and mostly to do with their positive experiences. Here is a small selection:
- *“I don't know of anyone locally (we're on Banks Peninsula) who sells raw milk at the gate - land a bit steep for dairy farmers! But if I did, I'd certainly buy it - 4 litres a week, to be drunk by 2 retired adults. Like the thought of less processing, would buy it to support the*

*farmers, but probably not if I could buy it cheaper at dairies in Christchurch. Price is important”.*

- *We do intend to buy raw milk as it is so much better for oneself as i only use coconut milk at the moment. It would be terrible if MAF stopped the sale of raw milk*
- *I strongly believe in the health benefits of raw milk for human consumption, and advocate that the ability for producers to sell limited quantities direct to consumers be retained, with safeguards that are workable and achievable.*
- *The farm that supplies the milk is 50km away and we would not be able to collect it from them! We need to be able to collect from a depot.*
- *buying raw (real) milk is an important consumer choice - ultimately I'll keep buying it, illegal or not*
- *Some people like to buy milk for cheese making (at home). For this they generally would require more than 5 or 6L ie, 20L as a minimum - for this purpose the 5 or 6L per customer is a bit loose as you could have 4 people in one car collect 5L each or the person could collect 5L each day over 4 days (although for cheese making they like it fresh) or to simplify it you could just give the one person the 20L.*
- *Our dairy farm is for all purposes in town and we constantly have people call in to buy milk but never have and never would for health and safety reasons. You're the first to get blamed if someone was to get sick and it would get all dairy farmers and our products tarnished with the same brush. Security is another major our cowshed has it's own entrance, security lights and cameras only deter the honest, the less who know about it the less who will want to help themselves or worse contaminate the bulk milk silo or let it all down the drain.*
- *Consumers and farmers should be able to have the right to buy/sell raw milk. Consumers must understand the milk is provided on an all care no responsibility basis or farmers just won't do it. We have been approached about selling raw milk but have chosen not to as we feel the risks of it affecting our long term business are too high.*
- *The Milk Club system means we can again drink raw milk. We were purchasing from a small outfit at the farm gate but changed to the bigger supplier with a collection point as the "little supplier" didn't have a fridge and was a lot more unprofessional and seemed less hygienic than the big supplier. The reason the "little supplier" gave for not having a fridge was that with only selling a small amount they couldn't warrant the expense. What MAF are proposing will mean the only suppliers will be the "little guys" - which I believe pose far more health risks than the few larger, professional suppliers currently doing it.*
- *The farm does have farm days and I can go whenever I want however this is not practical for me. I am a working mother and it is simply*

*not an option for me to visit this farm each week to collect my milk - nor do I visit the fields where I buy my raw vegetables. My raw milk is made available at an accessible location which saves me time and also petrol.*

#### **4. CONSULTATION OF FARMER SUPPLIERS**

- 4.1. Federated Farmers, together with the Ministry of Agriculture (MAF) team working on this project, met with two of the larger suppliers of raw milk and a nutritionist.
- 4.2. These farmers supply pre-ordered milk through raw milk clubs to a large number of customers who buy limited volumes of milk, regularly. The milk is delivered in monitored, refrigerated vehicles, to their own monitored chillers in central locations, often shops. Customers have to sign off on the milk they pick up.
- 4.3. Customers sign up to belong to both of these clubs and are given supporting information on the perishability of the milk, storage and consumption conditions. They are given information to allow them to make an informed choice of the nature of the milk.
- 4.4. Both farmers send samples of the raw milk for microbiological testing regularly, testing for *Campylobacter*, *Listeria*, *Salmonella* and *E coli* O157. No positive results have been reported since testing first began in 2009.
- 4.5. Both farmers take care when producing their milk, aware that this raw product is perishable.
- 4.6. Both farmers are proactive in wanting to get some sort of legal framework around supplying this market as they see it as one with real value to both them and their customers. One in particular has gone some way to developing his own Risk Management Programme.
- 4.7. With regard to not requiring their customers to actually come through the farm gate to collect this milk, they argue this method is safer for the farmer and farm business as:
  - 4.7.1. There are no health and safety issues of managing visitors to the farm.
  - 4.7.2. There are no security risks of having people come onto the farm unannounced, with the added risk of them helping themselves once they see the layout of the dairy.
  - 4.7.3. The cold chain is more secure i.e. No extra food safety risks as the milk is delivered in a monitored refrigerated vehicle to a monitored chiller. Customers then have a shorter ride home to their own fridges.
- 4.8. The nutritionist spoke of the health benefits of this product and gave a copy of his findings to both MAF and Federated Farmers.

#### **5. RAW MILK MARKET**

- 5.1. From this survey and the farmer interview, Federated Farmers submits that there may well be two markets for raw milk – one at the farm gate, and another that supplies raw milk on a more commercial basis. The former could well be a ‘quick fix’ in order to get it in line with incoming legislation, while the latter will need some time to develop.
- 5.2. As seen from the survey of those who supply milk at the farm gate, many farmers do have personal contact with the people they sell raw milk to as their customers live close to the farm gate.
- 5.3. Also from the survey results, most of the people who do use this market buy it in small quantities although this information is taken from those who buy milk, not those who sell it – the ‘sellers’ were only asked to provide information of how much they sold on a weekly basis.
- 5.4. As noted above (section 3.1), the only people who brought up food safety issues were farmers. Farmers know how to manage the risk and are proud of their product. They do not want a poor operator spoiling the availability of raw milk for everyone, both sellers and buyers.
- 5.5. There were a number of respondents who stated that they were in favour of Option 3 (MAF’s preferred option) in the discussion document: *“Although we do not sell milk at present, the changes to this Act would seem to be realistic and necessary for others to sell their milk and also for us to be able to sell our milk if the situation ever arises. The hygiene standards and general farm practices are much higher these days than when this Act was first introduced. A very sensible idea.”*

## **6. FARM GATE MARKET**

- 6.1. In order to provide raw milk at the farm gate, Federated Farmers submits that the term ‘farm gate’ be adhered to. This will require all those wanting to sell raw milk with minimal change to their business to ask their customers to come to the farm to pick up their raw milk.
- 6.2. Limiting the volume to 6 litres per customer was objected to by only a few respondents: *“I believe the maximum volume should be 10L so that people may make cheese at home. With a 6L maximum, I think most people would collect milk over two days which surely is more of a risk to their health.”* Tellingly, the two farmer suppliers Federated Farmers consulted with on this issue had no objection to the 6 litre limit per customer as proposed by MAF.
- 6.3. Federated Farmers submits that the extra animal health and hygiene requirements suggested by MAF would be acceptable. However, in order to give longevity to the policy, Federated Farmers submits that specifying the actual hygiene practices regarding udder preparation should be omitted and left to the industry to decide what these are. The objective of using visibly clean teats could give some indication of a standard to be adhered to.
- 6.4. Federated Farmers submits that the amended farm gate requirements as set out in section 6.1 (Amended farm gate sale requirements) of the consultation document be adopted for this market.

## **7. WIDER RAW MILK MARKET**

- 7.1. There does exist a wider market for raw milk. New Zealanders living in the cities and towns of New Zealand have demonstrated through this survey that they want a choice of liquid milk – pasteurised and raw. It is impracticable for these people to make a trip to the countryside several times a week to pick up the milk of their choice.
- 7.2. In order to help consumers connect with the farming origin of this raw milk, Federated Farmers submits that the term 'raw milk' should be replaced with 'farm milk'.
- 7.3. Federated Farmers strongly submits that MAF works with the industry to find a practical solution of developing policy that will help this wider market exist. As one of the supplier respondents wrote: *We favour an Option 4 with a Code of Practice for smaller herds less than 20 cows and a template Combined RMP for larger herds. Willing to work with MAF. Still has to be buyer beware and educate buyer.*
- 7.4. Federated Farmers further submits that if no legal market is allowed, then an illegal market will flourish. As one survey respondent puts it: *"if this tested supply was to cease we would possibly source the product from less reliable source".*
- 7.5. The public appear to be well served by the current providers of raw milk.
- 7.6. Federated Farmers submits that until a policy to allow raw milk sales on a more commercial basis is developed, that the status quo be allowed to continue.

## **8. ABOUT FEDERATED FARMERS**

- Federated Farmers of New Zealand is a primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers.
- The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
  - Our members may operate their business in a fair and flexible commercial environment;
  - Our members' families and their staff have access to services essential to the needs of the rural community; and
  - Our members adopt responsible management and environmental practices.