Ministry for Primary Industries
Manatū Ahu Matua

Analysis of Submissions: Proposed amendments to the:

Animal Products Notice: Raw Milk for Sale to Consumers

Date: 1 March 2016

MPI received 10 submissions on the proposal document. These submissions have been analysed in the following table. As a result of the consultation process, and where appropriate based on the analysis below, amendments have been made to the specification. MPI would like to thank those parties who have taken the opportunity to comment on the proposal.

General Comments:

Submitter Ref	Submission comment(s)	MPI Response
Sub 2	We are concerned that the short time frame for comments has meant that a thorough review of this notice has not been possible.	Noted. MPI's formal consultation was carried out in July 2014. This consultation was targeted to ensure technical detail was achievable.
Sub 3	In summary, we have serious concerns about the ability for smaller producers to meet the regulatory requirements proposed. Many undertake 'cottage industry' operations and are therefore constrained in meeting the proposed requirements as a result of the size of their operation, and therefore the limited financial resources available in comparison to larger scale operators. We believe that if the regulatory requirements as currently proposed are enforced, the ability to continue to operator will cease. This is largely due to the cost of compliance, which will ultimately be passed on to the consumer.	Noted. See above.
	We have concerns about the lack of consultation about the proposal. Despite early indications that producers would be communicated with on the detail of these requirements, there has not been any direct communication with producers for input and feedback. We therefore recommend that moving forward; MPI ensures that it is open and transparent in its consultation and subsequent amendments to the regulations to all producers, to ensure that the final requirements are a better fit to the industry as a whole.	Noted. See above.

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	While the consultation period provided for comments has been short, the following concerns have been noted as immediate concerns on the draft notice. We encourage MPI to work through these concerns through targeted consultation to producers, to ensure that the final notice provides the most appropriate regulatory mechanism to MPI, producers and consumers.	Noted.
	We have concerns about the lack of information and guidance provided about the time line required to provide results. It is noted that it often takes one and a half days to get results about somatic cell count. It is therefore recommended that a section is included in the notice providing guidance for test results. We would welcome further consultation on this matter.	Will be considered during the development of guidance.
	We note that the procedure for investigating food safety outbreaks is not included in the draft notice. We have concerns about how these outbreaks have been investigated to date, in particular the reliance on 'by association' rather than conclusive evidence. We therefore recommend that the notice provides details on how outbreaks will be investigated, to ensure that those reported solely reflect confirmed cases.	Outbreak investigation process is outside the scope of the RCS.
	We would like to be included in further consultation about this draft notice. We are unsure about what is required from 1 March 2016, with uncertainty around whether or not signing up to the RCS by this date is required, or alternatively if the requirement will be on ensuring that all vet checks and dairy expectations etc are undertaken as proposed. There is also uncertainty about the labelling requirements from this date. We therefore request further consultation and information on compliance to be provided to ensure there is clarity in what is expected.	A transition period applies for current producers.
Sub 4	We would again like to express concern at the significant health risks associated with the consumption of raw milk. No level of control can eliminate the food borne illness risks of consuming raw milk and, while the Animal Products Notice: Raw Milk for Sale to Consumers Regulated Control Scheme (Notice) introduces a number of steps to improve hygiene and minimise the risk from microbiological hazards, these will not eliminate the risk to human health from those pathogenic bacteria that have a low infective dose such as some strains of Escherichia coli, Salmonella, and Campylobacter.	Noted.
	We understand that MPI is currently considering public education initiatives in respect of raw drinking milk. We strongly support MPI taking a leadership role in this area and believe	Noted.

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	it is critical to ensure both producers and consumers are fully aware of the serious risks of consuming unpasteurised milk, particularly for those who are young, elderly, pregnant or otherwise immuno-compromised. We welcome the opportunity to engage further with MPI on the development of a risk education programme.	
	We support clear requirements upon which compliance can be measured. It is our view that this Notice, when read alongside the Raw Milk for Sale to Consumers Regulations 2015 (Regulation), provides for an appropriate compliance and verification regime to be established. We note the importance of ensuring compliance activities are adequately resourced to ensure MPI protects public health.	Noted.
	We understand that MPI intends to provide for review of this Notice and the Regulation. We would like to note the importance of reviewing the wider policy of allowing raw milk sales to continue, in particular in the instance of any serious illness or death.	Noted.
	We support a comprehensive guidance document to accompany this Notice and Regulation. We would expect that guidance includes the specific references to other MPI requirements, as well as minimum requirements for record keeping.	Noted.
Sub 7	We wish to reiterate our position regarding the sale of raw milk to consumers, as provided to the Ministry for Primary Industries in July 2014. We continues to support the prohibition of raw milk sales to consumers, a decision which is in line with the stance taken by the WHO, the AVMA and many countries and states throughout the world.	Noted
	Our position on prohibition is based on the known risks of infectious disease from consumption of raw milk, the absence of evidence of any deleterious effects from pasteurisation, an already established and proven method of risk reduction, viz pasteurisation, inability to detect infectious agents in raw milk before it is offered for sale, the lack of knowledge of the occurrence and effects of risky practices prior to and during the harvesting process and uncertainty about the efficacy and practicality of the risk mitigation measures proposed by the MPI.	Noted
	We are of the opinion that “herd health” with respect to safety of raw milk would be impossible to confidently assess at any time, let alone at biannual health checks. These practitioners are particularly concerned about the risks of Shiga toxin-producing Escherichia coli O157 (STEC) infection and haemolytic uremic syndrome (HUS) in humans	Noted

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	consuming raw milk given the ubiquitous occurrence of the pathogen in dairy herds and the very low dose of organisms required to initiate infection. Not-withstanding the risk to human health from consumption of raw milk, our other concern is that sale of raw milk will result in in public health issues that ultimately place the dairy industry at risk. Not only is there the personal harm to the consumer here in New Zealand but adverse events may have impact on markets overseas in terms of their views on our biosecurity processes and policies.	
	While purchasers of raw milk may be prepared to take some additional risk many don't believe, know about or understand the true risks associated with raw milk consumption. While this document seeks to mitigate opportunities for pathogens/contaminants to enter the raw milk it does not appear to deal with risk communication to the public.	Out of scope of notice.
	Raw milk containers or stations must have warnings of the increased risk and explain it in terms the public can understand. Systems should be put in place to encourage any adverse events to be self-reported by the public and a number to call.	Noted. MPI has developed a communication strategy for consumers as part of the implementation programme for the raw milk requirements.
	Medical officers of health should be asked to include risks of raw milk consumption in histories and investigations where appropriate.	Out of scope of notice.
	MPI needs to report on audit events and have measures of efficacy; not just processes to monitor the outcomes of the mitigations. Are audit frequencies and key sampling strategies identified with sufficient sampling sensitivity to detect adverse events and keep these to very low levels?	Noted. Out of scope of Notice.
	The self-monitoring assessment appears to check the process – and require microbiological tests. Clause 4 mentions self-monitoring and testing under Regulation 72(1) monthly – presumably Table 6:12 is the microbiological survey rate?	Noted. The conformance testing frequencies are under Table 6.11 of the Notice.
	Do they have to store a sample from each milk batch daily ["lot"] for a prescribed few weeks to allow retrospective review between sampled conformance tests?	Not required.
	Presumably all RCS herds are registered – given self-monitoring lab rates, is someone checking that testing rates are conformed to by all RCS herds?	All farm dairy operators are required to register with MPI under the RCS, and are independently verified to ensure compliance with the RCS.
	What is the proposed process to re-evaluate the acceptable rate of adverse events when they occur? i.e. if there are too many non-conformances will MPI review the whole policy?	The RCS will be reviewed after two years of full implementation.

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	5.4 – dairy animals move so frequently that an ex infected herd [cleared] animal could move through a property with >C5 status and into an RCS herd	Noted.
	Having seen recent literature on the risk of Crohn's, will MPI monitor any public health stats with consumers of raw milk?	Out of scope of notice.
Sub 9	Before starting comments on the content of the document, we noticed you have no start-up procedure included. We recommend the same as we have set out for after a shutdown, in our comments for clause 6.13, i.e. 3 clear test results on consecutive days which then qualify for the first test in that month.	Noted.

Submission Analysis:

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
Sub 2	2nd para	I am concerned at the statement "otherwise treated". This is a very loose statement	should say something like *".....or treated to give an equivalent micro biocidal treatment*"	Noted, however this is a general background statement that has not been limited to heat treatment or microorganisms.
PART 1				
Sub 9	Definitions	**Colostrum period** means a) – for heifers, within 6 days or 12 milkings..... In MPI's Dairy Industry Code of Practice, NZCP1, it has no classification for heifers at all, yet Best Practice throughout the Dairy Industry accepts the Heifer Colostrum period as 5 days or 10 milkings. We would like to know the justification for this change?		Noted, this definition is consistent with what is stated in the *Code of Practice: Additional Measures for Raw Milk Products*, clause 3.13.
PART 2				
Sub 9	2.5 (2)	We can accept the need for this in rooms such as bottling rooms, or rooms where milk may be exposed during transfer, but to impose this on all parts of the dairy is excessive and unnecessary. Currently we have Raw Drinking Milk cowsheds, some brand new, who have current RMP's under NZCP1 which covers pests & rodents gaining access through piping and ducting. Therefore we recommend only Bottling rooms need to be sealed and flashed.		Agree.
Sub 1	2.9 (1)(h) & (2)(k)	Cattle and buffalo are specified, should this also apply to sheep and goats, alpacas, deer etc? If it does is there a minimum distance for them and/or effluent management requirement?		Noted, these subclauses only apply to cattle and buffalo.
Sub 1	2.9 (3)	Buildings not associated to be 20m away – what		Noted, this has been amended.

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		about existing buildings, will there be a dispensation process or are these expected to be moved/removed?		
Sub 9	2.12 (3)(a)	Incorporating all lights in the Milking Area in this clause is extra to the Dairy Industry Code NZCP1, and is excessive for the risk posed. The chance of broken glass entering a teat cup is extremely slim, plus if this could happen, the filtering system of the milking plant would stop it going further. Having good lighting in the Milking Area is extremely important so that teats and milk can be carefully checked. Insisting on guards or similar may restrict some of that light. We believe the wording of NZCP1 covers lighting risks adequately.		Agree, this has been amended.
Sub 4	2.13 (1)	States that the milk storage area can also be a packing area and a retail area. This allows public access to milk storage areas and packing areas. Given the public might have preciously visited a high risk area (such as a piggery or an abattoir) pathogenic risks must be eliminated from the milk storage area. These risks could be reduced by minimum hygiene requirements on entry (i.e. footbaths, or handwashing facilities etc.)		Noted, no change made.

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		Due to the increased public foot-traffic in and around the farm dairy there is also potential for widened access to bulk milk tanks for further processing. The food defence implications of this need to be more carefully considered. Public access to milk storage areas of milk for further processing must be restricted, with clear security requirements established.		Agree
Sub 1	2.16 (2)	Requirement to have a toilet at the farm dairy – what is the purpose of this? Most raw milk suppliers milk small herds on home farms and therefore have toilet access at their house. There is no such requirement for commercial farm dairies. Sec 1.1 Definition of dairy premises identify this is requirement for farm dairies and packing – not all premises i.e. on farm vending sales will be packing or have staff.	Suggest this should only be a requirement if packing milk for delivery to consumers occurs or based on milk volumes/staff levels.	Agree, this has been amended.
Sub 3	2.16 (2)	We note that the notice as currently drafted requires a toilet to be available close to the milking area at the dairy premises.		See above.
		Many small producers do not have a toilet as part of their milking area, and instead use the toilet at their home which is often nearby. We therefore recommend that this requirement be amended to reflect that the toilet could be instead at the neighbouring or adjacent property.		See above
Sub 4	2.16 (2)	Requires a toilet to be located close to the milking area. As there is an increase in public access to the farm the distance should be specified. It is currently acceptable for the toilet to be 200-500m		See above.

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		from the milking area, however, with the additional public access a toilet may be required to be closer (i.e. within 100m where the retail area is near the farm dairy) to discourage any unsavoury behaviour.		
Sub 9	2.16 (2)	Requiring a toilet "close to" all cowsheds is extra to NZCP1. To expect some existing cowsheds to add the expense of a toilet is excessive for the risk posed. Most Raw Drinking Milk herds are small and their operators are not spending several hours at the cowshed. If people can manage their toileting needs around making road trips in cars, then surely they can manage their needs for an hour or two of milking cows. Another risk for those sheds with a "retail" outlet is that members of the public may see and start using the toilet facilities, adding yet another level of complication & risk. We believe the wording of NZCP1 for toilet facilities is adequate for Raw Drinking Milk farms.		See above.
Sub 1	2.19	Bulk Milk Tank drainage basin to effluent under outlet – infers that all BMT will be like a vat. This won't be practical for other potential forms of BMT i.e. movable tanks etc where supplier only has small volumes or is it expected all farm dairies will have a static BMT?		Agree, this has been amended.
Sub 4	2.20	Absent from section 2 is the requirement that the effluent systems must meet the regional council resource consent or permitted activity rules, 365 days a year, We recommend that this is included and suggests that section 2.20 is an appropriate location.		This is out of scope of the notice.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
Sub 1	2.22	All structural changes - to be approved by an assessor and inspected within one month. Does this mean only "major" changes or changes that may impact. For example structural changes to yards should not impact on milk. Assume repairs and maintenance or minor changes that do not impact on the milk harvesting etc are allowed?		Agree, this has been amended.
PART 3				
Sub 4	3.13 (1)	(1) a) specifies the testing of milking machines be one per season or at the frequency specified by the registered tester. Allowing the tester to specify less frequent testing should not be permitted.	We suggest this is clarified by rewording along the following lines: *by a registered tester who has a current practising certificate at least once each season, or more frequently, as specified in writing by the registered tester; and*	Noted, industry standards have been applied.
PART 4				
Sub 4	4.14 (2)	(2)(c) Restricts industrial waste to only waste from tanneries or paper mills. This should be amended to indicate that these are examples of industrial waste rather than the only forms of industrial waste that cannot be applied	by rewording along the lines of: *Industrial waste, such as waste from tanneries or paper mills*	Noted, this has been amended, and the clause moved to Part 5 of the Notice.
Sub 1	4.14 (3)	Clarification on the breach of animals grazing - does this apply to the full clause 4.14 including the 21 day after effluent spread or only 4.14 (2) human waste etc?		The requirement covers all of clause 4.14 (now clause 5.15 of the Notice).
Sub 9	4.14	What is the reasoning behind this, as it applies to NZ conditions? Our outdoor conditions with both rain and plenty of sunshine mean that applied effluent is neutralised to an extend sooner than in many other countries. Where does the 21 day figure come from? During some periods of the year maintaining a 21 day no-grazing policy will be very		Noted, this is consistent with what is stated in the *Code of Practice: Additional Measures for Raw Milk Products*, clause 3.7.

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		difficult, especially throughout the spring. We could accept a 15 day figure if needed.		
Sub 4	4.19 (3) & (6)	-(3) requires a hot alkali wash. This should be a chlorinated hot alkali wash. -(6) only requires the milking equipment to be sanitised prior to next milking, to ensure that all pathogenic and foreign matter risks are adequately mitigated. This should be a full Clean in Place (CIP) as sanitising is not sufficient.		Noted, however a chlorinated alkali would not be the only chemical option. Noted, this is consistent with what is in the Operational Code: NZCP1: Design and Operation of Farm Dairies.
Sub 4	4.20 (1)	States "Agitators must (if possible) run...". If agitators are not running during a CIP the cleaning will not be effective	Clause should be reworded to ensure agitators (where fitted) must be run during CIP.	Noted, this is consistent with what is in the Operational Code: NZCP1: Design and Operation of Farm Dairies.
		Absent from this section is the requirement that when the Bulk Milk Tank is emptied that it must be cleaned for the 30h sell by period to reset. Milk residue will remain in the Bulk Milk Tank which will not be adequately refrigerated, allowing bacteria to grow and contaminate the incoming milk.		Noted, this has been amended.
Sub 1	4.22	Suggest add comment that disposable filter socks must not be re- used		Agree, this has been amended.
		Filter sizing could also be noted here or add reference to schedule A milking design equipment for requirements included.		Noted, no change made.
Sub 4	4.22 (2)	Does not require single use of disposable filter socks. We suggest that the wording of this clause is aligned with NZCP1 section 5.13 (3) in that the Filter socks should be used as per the manufactures instructions. It is the manufacturer's instructions which state they are single use.		Noted, this has been amended.
Sub 4	4.24 (1)	Does not specify the quality of air that may be		Noted, no change made.

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		used for air purging. We ask that this is specified to be air that meets either the quality for breathing air or the 3A Sanitary Standards (as referenced in section 3.5 (5))		
Sub 3	4.27	We note that it is required that "any old label or mark on a reused container must be removed or obliterated before the RCS container is offered for sale with new milk in it". We recommend that a label should be permitted to be reused, provided all printing on the label is clearly legible and new use by date and batch information is provided on the container.		Agree, this has been amended.
Sub 9	4.27(6)	Obviously this applies to re-using containers with a different product label, but it also catches RCS milk labels which may still be perfectly legible after cleaning. Some labels are of a quality that would allow re-use. We suggest adjusting the wording.		Agree, this has been amended.
Sub 4	4.28 (5)	Stipulates that the milking machinery must be tested by a competent person and that the person may be a member of the MPTA. To be consistent with the requirements of a competent person for milking machinery testing this should be aligned with the requirements in section 3.13 and require that the competent person be a registered tester.		Noted, this has been amended. This is now in clause 3.12 of the Notice.
PART 5				
Sub 4	5.1 (1)	Does not specify that the animals must be identified through the National Animal Identification and Tracing scheme (NAIT). The clause should be reworded to clarify that NAIT is a requirement for animal traceability through movement control and disease management.		Noted. The change requested is covered by NAIT requirements.

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Sub 1	5.2 (2)(g)	Suggest add … whether treated or not.		Agree, this has been amended.
Sub 8	5.3 & 5.4	Within each of these, wording like TB suspect, suspicion of TB and TB positive appears to be used interchangeably which is confusing for us as we have more precise definitions of these two states (Tb suspect vs TB positive) within our TB programme. Cases have showed this. If the intent of the RCS is that any hint of TB, e.g. a skin-test-positive pending a confirmatory blood test, should have supply withheld until resolved one way or the other, the wording of the RCS needs to unambiguously state this.		Noted. Further clarification will be provided in guidance.
		There appears to be contradiction between regulation 60 and RCS clauses 5.3 and 5.4 about the extent of withdrawal of supply. Regulation 60(2)(a) reads that the suspicion of presence of bovine TB in milking animals should lead to the withholding od RCS raw milk from the farm dairy (not just the individual suspicious animal), yet clauses 5.3 and 5.4 of the RCS only require the milking animals that are TB suspect or TB positive to the segregated and not milked in the farm dairy. If the intent of the RCS is to provide greater clarity and expand on the relevant regulations, the RCS would benefit from some rewording as to the extent of supply withdrawal if a suspect TB case occurs.		Noted. See above.

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		Clause 5.4(2) of the RTCS requires that all bovine and cervine animals at the farm dairy address must come from properties with a TB status (you use the term "TB rating") of C5 or greater. Given you are wanting to remove TB risk to the greatest extent possible, I'm presuming we are meaning that during their whole lifetime such animals have only been in herds with a "TB rating" of C5 or greater. This requires lifetime traceability which has been possible for cattle movements since mid-2012 and deer since early-2013 but not before then unless the individual cows were recorded in the LIC MINDA system.		Agree, 'Tb rating' has been amended to 'Tb status' throughout the document. Noted, however lifetime traceability was not the intent of this Notice.
		Adding to 4 should be a requirement that any movements of cows temporarily off the farm dairy, e.g. for short-term grazing, must only be to herds with a TB status of C5 or greater.		Agree, this has been amended.
		As mentioned above you use the words "TB rating" for herd TB status under the TB NPMP. Suggest this is made clearer in the definitions clause (1.1) of the RCS.		Agree, this has been amended.
Sub 7	5.4	When animal react to a skin test they should be removed from the milking herd, not when confirmed as a TB reactor. There is a substantial time between skin and blood test, and no milk should be for human consumption during that time. Also this does not specify how often TB is tested. Maybe these herds should have annual test?		Noted.
Sub 4	5.5 (1)	References the SAMM plan; this should be		Noted, this has been amended.

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		updated to reference the Smart SAMM plan which is a more robust science based Plan specific to New Zealand conditions.		
Sub 7	5.5 (1)	The SAMM plan has now changed to Smart SAMM recommendations.		Noted, this has been amended.
Sub 4	5.6 (1) & (3)	(1) specifies when an animal is to be treated as diseased, but does not stipulate any further actions.	This clause should be expanded to specify the actions to be taken with wording along the lines of: *Any milking animal showing clinical signs, or having a diagnosis confirmed by a veterinarian, of infectious diseases communicable to humans through milk must be treated as diseased, segregated, and treated as per veterinary instruction.*	Agree.
		(3) specifies that an animal must have received the Leptospirosis trivalent vaccination. As the label requirements for this vaccination may require 2 doses to be effective against Leptospirosis trivalent the clause should be reworded along the lines of: An animal must not enter the RCS milking herd unless it has received the Leptospirosis trivalent vaccination (if available for the species) in accordance with label requirements.	The clause should be reworded along the lines of: *An animal must not enter the RCS milking herd unless it has received the Leptospirosis trivalent vaccination (if available for the species) in accordance with label requirements.*	Agree, this has been amended.
Sub 7	5.6 (3)	Leptospirosis – trivalent leptospirosis vaccines are not always needed in all parts of NZ and are not always available. We suggest changing this wording to 'regular		Noted, this has been amended.
Sub 4	5.7 (1) & (2)	(1) does not prevent the veterinary assessments being carried out in the veterinary office.	It is suggested that the clause be reworded to prevent this e.g.: *Physical assessment by veterinarians of the RCS milking herd is required by Regulation*	Noted. Further clarification will be provided in guidance.

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			74 for the purpose of -	
		(2) would mean that treatment of mastitis, lameness and retained membranes could not be done without veterinary supervision or advice. If this is not the intent clarification is required.		
Sub 9	5.7 (2)	This is more than is required in NZCP1.There are many occasions when good farmers don't need a veterinary visit or recommendation. What is the intent of writing it this way?		Noted, this has been amended.
Sub 7	5.9	5.9(1) states only ACVM registered treatments to be used, 5.9(3) states any off-label use, so is the use unregistered treatments allowed for that purpose or not?		Noted, this is consistent with what is in the Operational Code: NZCP1: Design and Operation of Farm Dairies.
Sub 1	5.9 (3)	Could add "off label use.." which includes combinations of PARS		Noted, no change made.
Sub 9	5.12 (2)(b) & (7)	does not make sense		Agreed, this has been amended.
		35 what?		
Sub 7	5.13	We are not clear here what the 35 refers to. Days? Hours?		Noted, this has been amended.
Sub 1	5.14	Records of animal treatments refer to section 5.2 Could add further clarification in the RCS to ensure they are clear in animal treatment records and include recording of untreated animals i.e. lame, off colour etc		Noted.
Sub 7	5.16 (1)	Is it important for food safety that water is clear?		Noted, the test acceptance limit for turbidity of water is specified in Schedule B – Water Testing in the Notice.
Sub 7	5.17 (1)	This does not define what is meant by contamination (Faeces? Heavy metals? Disease?)		Noted, no change made. Further clarification will be considered for

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		Further explanation is required here.		guidance.
Sub 1	5.19 (1) (5)	(1) Could clarify that ensiled feed includes silage	(5) Change dairy animals to lactating dairy animals	Noted, this has been amended.
Sub 3	5.19	feed for milking animals as currently drafted provides that: *(1) Lactating animals in an RCS milking herd must not be fed fermented or ensiled feed.* *(2) Animals in an RCS milking herd must never be fed* *a) feed containing ruminant protein (such as blood or bone from ruminant animals); or* *b) feed at a level that is likely to cause or result in milk tainting, or contamination of the milk with any chemical residue, contaminant or toxin; or* *c) feed waste, silage sludge, or mouldy or spoiled feed*	We recommend that this section is deleted as we believe it is covered by 2) c).	Noted, this has been amended.
		We operate a pasture based feed system with surplus grass being made into bailage as a source of high quality fed for the winter milk supply when grass growth rates are low. The producers operate a 'closed system' and therefore do not buy in feed.	We recommend that this section is deleted as we believe it is covered by 2) c).	Noted, this has been amended.
Sub 7	5.19 (1)	Is this a feasible requirement? Does this mean they can't be fed silage? And what is the reasoning behind that?		Noted. This has been amended.
Sub 9	5.19 (1)	Because Silage is an important energy source for milking cows during times of feed shortages, we would like to know why you propose to ban it from Raw Drinking Milk herds. Silage is fed to livestock throughout the dairy world for products that include Soft Products as well as Raw Drinking Milk. Where there is a silage quality concern, testing	We also recommend adding the following to 5.19 for feeding silage; *Silage must not form more than 20% of the feed of milking animals in an RCS milking herd.*	Noted. This has been amended.

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		procedures for the silage are put in place. Even a NZFSA report titled Consideration of on farm provisions for raw milk production- 2008 did not recommend banning silage because there are better ways to manage any risks as set out here. *Preparation of silage should avoid contact with soil, animal or bird faeces to reduce Listeria contamination. When a silage stack is opened, the pH should be checked and monitored, as material with pH >4.0 to 5.0, poor digestibility and high ash content (suggesting soil contamination) is more likely to have high levels of Listeria. Silage with obvious mould and that from the edges of the stack are also more likely to have high levels of the organism, and should not be fed to stock (Cooper and Walker 1998). Feeding of silage or other fermented feeds should follow milking, and feed stacks should be covered to prevent windborne contamination. Control efforts should be emphasised in the winter and spring periods when the risk of raw milk contamination with Listeria is greatest. Monitoring of raw milk for presence of Listeria is also an important control measure. Raw BTM collected for processing without pasteurisation for Camembert and Brie cheese, in France, undergoes testing 2 to 3 times per month for Listeria and must be Listeria-free for 3 consecutive tests before it is accepted. In addition, each tanker Load is tested, with trace-back to farms when positive samples are found (Sanaa et al 2004) with auditing of hygienic practices and*		

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		testing of individual milk samples with high somatic cell counts (>300,000 cells/ml) Good teat preparation and for-stripping of each quarter is shown in other research to significantly reduce the risk of contamination. Combined with the testing every 10 days for Listeria, any risk is reduced to normal acceptable levels. We believe silage is a critical part of the cows diet for parts of the year, particularly in some dryland regions, and therefore ask for you to remove the banning of it from this document.		
Sub 9	5.19 (3)	(3) We would like to see Palm Kernel added to this list.		Noted, no change made.
Sub 10	5.19 (1)	Feeding or pasture, maize and cereal silage is an integral part of most farming operations and has no effect on milk quality. Not being able to feed silage will have a severe impact on the viability of a farming business, and also have a serious impact on milk composition at some times of the year, particularly winter. Providing silage quality is good then there is no reason to exclude the feeding of silage. Feeding of poor silage is precluded by clause 5.19 (2) c). Milk testing will identify any problems.		Noted. This has been amended.
Sub 7	5.20 (1) & (3)	(1) This appears to further rule out silage?		Agree. This has been amended.
		(3) This may be very difficult to ensure it is completely free from pests when a pest is any bird, vermin or insect.		Noted.
Sub 9	5.20 (1)	Where does hay fit in this clause? It is not common practice to store hay in areas mentioned here.		Noted. This has been amended.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
PART 6				
Sub 4	6.2 (2)	Requires handwashing before milking of any animal. This could be interpreted to mean once at the beginning of milking, rather than before the milking of each animal. If it is intended that hands be washed prior to the milking of each animal this clause should be reworded.		Agree, this has been amended.
Sub 7	6.3 (1) & (2)	We are concerned about the feasibility and legality of these requirements.		Noted.
Sub 9	6.4	This clause reads that all persons present need these qualifications. There needs to be a clause that allows for a person in training – under supervision.		Agree, this has been amended.
Sub 1	6.5	Add comment on use of pre teat sprays, allowed or not allowed, when used process pre cupping		Noted, no change made.
Sub 4	6.5 (4)	Requires the stripping of each teat of every cow at every milking. We strongly support this. (4)(a) would be much more effective if it was specified or strongly suggested that the checks were done on a black surface.	It is suggested that the clause is reworded to something similar to: *Check on a black surface for clots or flakes, water appearance or unusual colour, consistency, or ropiness; and*	Noted, further clarification will be provided in guidance.
Sub 7	6.5 (1) to (4)	This seems like an extreme measure for milking that isn't required for non RCS herds. Is this reasonable? Especially in larger herds?		Noted, additional measures for milking hygiene are recommended in MPI's "Assessment of the microbiological risks associated with the consumption of raw milk" discussion paper. These requirements are also consistent with requirements in Codex, and the Animal Products (Raw Milk Products Specifications) Notice 2009.
Sub 9	6.5 (4)	We believe this needs rewording. As it reads, it means rapid test every quarter each milking. This is	It should have these words added to b).. *... if at all suspicious of quality or if any of*	Agree, this has been amended.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		not necessary and we don't think it is what you intend.	*the above are found.*	
Sub 4	6.7 (1)	should include or cross reference to the cooling requirements contained in clause 49 of the Regulations. The only reference to required cooling temperatures at present is within Background section on page 6 of the Notice.		Agree, this has been amended.
		should also specify the required outcome of milk filtering i.e. to remove visible foreign matter.		Agree, this has been amended.
Sub 2	6.8 (1)(d)	This clause appears to refer only to herds where cows have been confirmed as positive for Tb. Please clarify situation with respect to the supply of raw drinking milk from "reactor" cows in the herd.		Agreed, this has been amended.
Sub 7	6.9	What is the scientific basis for this time limit?		This is required by Regulation 66 of the Raw Milk for Sale to Consumers Regulations 2015.
Sub 9	6.9 (1)	At the September Workshops and in our comments following them, we requested 36 hrs, especially for those who deliver. Some want up to 48 hours. If milk complies with all other requirements and is kept under refrigeration as required then it should not matter whose fridge it is in, right up to the use by date in theory. A strategy which is developing overseas that some are keen to try here in NZ, is test and hold using the Rapid Test technologies. This usually takes 24 hours for results to appear before the milk is cleared for sale or delivery. This methods offers more safety but may be restricted if time limits are too tight.		This is required by Regulation 66 of the Raw Milk for Sale to Consumers Regulations 2015.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
Sub 2	6.10 (1)(c)	Does this provide sufficient clarity around including fresh milk which has been mixed with milk greater than 30 hours old.		Yes, MPI believes there is sufficient clarity in Regulation 66 of the Raw Milk for Sale to Consumers Regulations 2015.
Sub 4	6.10 (1)(g)	Specifies sour bovine milk to have titratable acidity levels of 0.18% or higher. We recommend this is reduced to 0.16% or higher, as not all bacterial strains will increase the titratable acidity levels. We reject milk with titratable acidity of 0.16% or higher, therefore unpasteurised milk should have the same or lower limit to that of milk for further processing.		Noted, no change made.
Sub 1	6.12	Bacillus Cereus not included as test requirement however is in micro safety limits table 6.15b Chemical residues and IGG not included in testing frequency but limits for demerits in 6.15c		Noted, this has been amended.
Sub 2	6.12	Campylobacter. Does this refer to the genus (in which case suggest spp. be used) or is there specified species?		Noted, this has been amended.
Sub 9	6.12 Table	Add Palm Kernel to the Aflatoxin test.		Noted, no change made. Aflatoxin testing is for milk samples.
		Somatic Cell Count is in the table twice.		Table has been amended.
		Inhibitory Substances. We would like to know the definition of what is required in this test. Are all labs testing for the same criteria? At the September workshops when this was questioned in relation to Certified Organic farms not storing drugs on the farm, we were told the test includes cleaning residues. Since then we have heard different information, therefore we think a definition for this test is		The inhibitory substance test method is approved by MPI. This ensures consistency through MPI recognised laboratories. Please see the Animal Products Notice: Specifications for Laboratories and the CLT for a list of test methods, and more information.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		required. If as a result of a clearer definition, Certified Organic farms who spend considerable money to get that certification, can prove they don't stock or use those products, they would like an exemption from this test considered. The regular Veterinary assessment could also be part of that exemption.		Noted, industry standards have been applied.
		We have expressed concern that the focus is on the broader Ecoli test instead of the Ecoli 0157 test. We test monthly for this already to get a more definitive result.		Noted.
Sub 2	6.13	Are operators required to use a ISO accredited laboratory for this testing?		The requirements for laboratories are in Regulation 84 of the Raw Milk for Sale to Consumers Regulations 2015, and the Animal Products Notice: Specifications for Laboratories.
Sub 9	6.13	It is important to be consistent with other food groups testing and closure procedures, and not be excessive. Keeping in mind that there are already 3 tests per month in most categories, where a pattern of performance will be forming for each farm. What is presented to us in 6.13 (1) is extremely excessive in our view and is more like a penalty than a practical tool. At the discussions during the September workshops, we suggested the Food Safety Failures page presented was close, and just needed a slight adjustment. We said the need for a compulsory number of days was not needed because of the time it takes to get test results back from Labs. In that time, most producers will have found the source of any		Noted, no change made.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		problem. With the existing 3 tests per month for each category in mind, we suggest that 3 clear consecutive tests for both 6.13 (1) & (2) would be ample to manage the risks without unduly penalising a producer or their customers.		
Sub 3	6.15	We note that E.0157 is not tested for. We test for this microbiological parameter on a monthly basis.		Noted.
		As there have been positive tests for E.0157 in New Zealand, we believe that it is in the best interests of the industry, and ultimately the consumer, for this parameter to be tested for. We therefore recommend that E.0157 be added as a microbiological parameter tested for.		Noted
Sub 2	6.15A	Concern that the first three pathogenic microorganisms listed require only remedial action at the first limit level. This milk will not be subject to bacterial reducing treatments and there is minimal safety margin for any bacterial growth or level increases whilst testing is undertaken.		Noted. These limits are consistent with the limits in the Food Standards Code, Standard 1.6.1 Microbiological Limits in food. Actions for Critical non-conformances associated with these limits should be read in conjunction with Regulation 76(1) of the Raw Milk for Sale to Consumers Regulations 2015.
Sub 3	6.15B	We note the following food safety limits, demerit points and classification have been provided for Somatic cell count (page 39 – 40). •Not exceeding 120,000 acceptable result •120,000-300,000 one demerit point remedial action required •>300,000 non-conforming We also note the text for an unsatisfactory conformance trend: *(1) Where a farm dairy operator incurs a total of 10*		Noted, this has been amended.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		demerit points or more within a rolling 3 month period then the milk supply must be suspended until either: *a) the total demerit points within the previous 3 months are less than 6, with a minimum of 3 samples tested per month; or* *b) the responsible verifier reviews all investigations into the cause and the corrective actions implemented and agrees that the situation has been rectified.* We have concerns that while larger suppliers have the ability to select a group of low cell count cows to form their raw milk herd (20 cows from a 600 cow herd) and therefore have no problem complying with the somatic cell count required; smaller operators do not have the same ability to select low cell count cows. Smaller producers supply raw milk from the whole herd, which includes cows with both high and low somatic cell counts. While actions are taken to cull high cell count cows, this action is undertaken as part of a longer term stock management plan. Smaller producers have a 'closed farming system' therefore buying cows at short notice is not an option. One cow from a smaller herd with a high somatic cell cows (e.g. bullying cows) can therefore have a huge impact on the somatic cell count sample taken. In addition, many smaller producers choose to milk their cows once a day which also has an impact on the somatic cell count. Under the current proposal, smaller producers will incur		

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		demerit points frequently. We recommend that a fairer system would be for the acceptable result level to be <200,000 and a demerit point between 200,000 and 300,000. We believe that this would better align MPI's requirements to those held by DairyNZ who suggest a cell count as 150,000 as ideal. Dairy NZ's limit also better aligns with what is considered appropriate internationally. We note that ADHB use a threshold of 200,000 to indicate disease "A threshold SCC of 200,000 would determine whether a cow is infected with mastitis. Cows with a result of greater than 200,000 are highly likely to be infected on at least one quarter". We also understand that the United States Raw milk Institute does not have a standard for somatic cell count.		
Sub 9	6.15B	B.Cereus is included in this table but not included in 6.12. Following the September workshops we request your reasons for including B Cereus in the testing regime. We can find no evidence of it being associated with Raw Drinking Milk disease outbreaks. Instead, because it is a poor competitor, it is associated more with cooked and heated foods. The main sources of contamination seems to come from stock bedding and soil. The first is not a factor in New Zealand Raw Milk herds. And because of our generally lower stocking rates, Raw Milk herds have less direct contact with soil. Combine these factors with good teat hygiene and the risk is extremely low. This from NZFSA report titled Consideration of on		Noted, this table establishes limits for conformance testing. No routine testing is required for *B. cereus*, however results of any testing (whether it is requested routine testing, or MPI surveys) will be judged against the limits.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		farm provisions for raw milk production- 2008 *Pre-milking teat cleaning methods reduced spore count following experimental challenge. The most effective methods for reducing milk spore content (96% reduction) were use of a moist washable towel, with or without soap, followed by drying with a dry paper towel, for a total time of 20 s per cow (Magnusson et al 2006). Cleaning of teats prior to milking with an individual wet paper towel also* *halved the concentration of spores in milk (Christiansson et al (1999).* Add a good cold chain and the low risk factor can be managed even lower. We have also been told by a leading Dairy Microbiologist that the numbers needed for the B Cereus to cause an illness in Raw Drinking Milk would make the milk almost undrinkable. Therefore we see no need for NZ to be the first to include B. Cereus in our testing regime.		
		These levels have been altered in the final stages of writing these Standards without consultation. At the workshops in September a bottom level of 160,000 was accepted by most attending and we want to know why that has now been lowered further to 120,000 in this document. Pasteurised milk is allowed to have a 400,000 SCC reading, and they do not disappear from the milk during processing. We are not advocating that it is good, just pointing out the contrast. For many Raw Milk Herds on Once A Day milking 120,000 will be a		Noted, this has been amended.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		challenge at certain stages and therefore we advocate for the level to be 160,000. Most are aiming for a lot lower than that but it can take time.		
Sub 9	6.15C	This table has 3 rows of test results that are not listed anywhere else; IgG1, Chemical Residues, & Chemical Contaminants. This correlates with our question above about Inhibitory Substances and needs better definitions & requirements. The requirement for IgG1 testing is a difficult one to manage because many of the herds are relatively small and may spread their calving throughout the year. How and when to test these herds is a difficult question. Most pride themselves on quality and so take responsibility in this area seriously anyway.		As above, no routine testing is required for igG_1, Chemical Residues or Chemical Contaminants, however results of any testing (whether it is requested routine testing, or MPI surveys) will be judged against the limits.
Sub 9	6.16 (4)	Most sample bottles from Certified labs are not large enough to fit all this information on them. For this reason the Certified labs have specific forms that accompany the labelled/coded sample bottles. This paragraph needs amending to say each sample must be accompanied with the information.		Noted.
Sub 4	6.17 (1)	should be amended to require the laboratory to be recognised by MPI under either of the Notices referenced in a) or b).		The requirements for recognition of laboratories are in Regulation 84 of the Raw Milk for Sale to Consumers Regulations 2015
Sub 4	6.18(3)(a)	should specify that any disposal to land or farm effluent system must be in accordance with the requirements of local regional councils.		Noted. Covered by local council requirements.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
PART 7				
Sub 9	General	Overall this section reads well and we thank you for listening to our requests for performance based assessments. The answers to some of our questions here may come clearer as the process moves to completion, but we need to raise them anyway. We would like a little more clarity about the frequency and timing of Verification and Assessor visits. i.e can a Verification visit quality as an assessor visit. The cost of 3 visits per year would make it prohibitive. We had anticipated that following the initial Verification visit, the Assessor visits would suffice unless there was a report back to the Verifier that concerned them. They are after all assessing the same criteria, with the Assessor reporting back to the Verifier.		Noted, further clarification will be provided in guidance. Noted, there will be a consequential amendment made to *NZCP2: Code of Practice for the Assessment of Farm Dairies.*
		There is no schedule or paragraph about the Assessors responsibilities or their reports. Where do they fit in and what are their responsibilities to the Verifier and to the farm. With very few Verifiers in NZ we anticipated a bigger role from the assessors.		Decisions on registration under the RCS, can be reviewed as per Regulation 28 of the Raw Milk for Consumers Regulations 2015, and section 162 of the Animal Products Act 1999.
		There is no appeal or review process mentioned should the farm want any reports or decisions about their business reviewed.		Decisions on verification reports and farm dairy assessment reports are out of scope of the notice. We encourage raw milk producers to discuss the review process with their recognised agency and farm dairy assessment organisation.
Sub 3	7.4 & 7.6	-We have concerns about the proposal for assessors to arrive to inspect premises unannounced. We have noted that often the gates		The requirement for giving recognised persons (assessors and verifiers) freedom and access to carry out

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		to their premises are locked, and therefore if an assessor were to arrive unannounced, entry would not be possible. -It is therefore recommended that to align with normal business practice, notice should be provided to the producer. This notice could be in the form of a 24 hour advance phone call.		functions and activities under the Regulated Control Scheme is in Regulation 69 in the Raw Milk for Sale to Consumers Regulations 2015. This requirement must be complied with once registered under the Regulated Control Scheme. This requirement is consistent with requirements for operators under Risk Management Programmes.
Sub 9	7.4 & 7.6	We want it made clearer that no Verifier or Assessor can go onto their property without a member of their business being present. That may be immediately or with several hours notice, but if they cannot make contact with someone from the business they should not be entering the property, both out of courtesy and Health & Safety reasons.		The requirement for giving recognised persons (assessors and verifiers) freedom and access to carry out functions and activities under the Regulated Control Scheme is in Regulation 69 in the Raw Milk for Sale to Consumers Regulations 2015. This requirements must be complied with once registered under the Regulated Control Scheme. This requirement is consistent with requirements for operators under Risk Management Programmes.
Sub 1	7.5	Clarify whether the current assessor step A1 – A4 may impact on verification step V1 – V5 and vice versa		Noted, further clarification will be provided in guidance.
Sub 2	7.5	As there is increased food safety risk associated with the consumption of raw milk, I would suggests that this this be reflected in an increased initial frequency (suggest 6 months) of on farm audits.		Noted. Assessments of Raw Milk producers under the Regulated Control Scheme will be specific to the Regulated Control Scheme.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		Please clarify that such audits will be distinct and different from current farm dairy assessments where the milk harvester is supplying both to a manufacturing company for further processing and for direct consumption as raw milk.		
Sub 4	7.5 (1)	table sets out a ceiling verification frequency of 3 years, which is longer than the RCS registration period of 24 months (as contained in the Regulations). We believe that a more appropriate ceiling frequency would be the same or less than the registration period.		Noted. Having a verification frequency ceiling of 3 years will have no impact on the renewal of registration. The requirements for renewal of registrations are in Regulation 23 of the Raw Milk for Sale to Consumers Regulations 2015.
Sub 4	7.6	Section 7.4 also has this same title, should this section instead be titled "Unscheduled verification audits"?		Agreed, this has been amended.
PART 8				
Sub 9	8.2 (1)	At the September workshops we were presented with a 5 day use by date. Why has it now change to 4 days? At those workshops we explained that people tend to purchase on a weekly basis, not a 5 (or 4) day basis and therefore placing a use by date less than 7 days is simply going to be ignored by most consumers of good Raw Drinking Milk. Good quality Raw Drinking Milk produced to standards similar to these has a shelf life of 10 to 14 days. Infact the Pennsylvania State Govt has a shelf life of 16 days for their Raw Milk licensees with less testing. We are happy to talk with you about setting up some shelf life testing.		The use-by date is for health and safety reasons and not consumer convenience. MPI's "Assessment of the microbiological risks associated with the consumption of raw milk" discussion paper was used to inform this requirement.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
Sub 4	8.4	We support the requirement that all containers of unpasteurised milk contain specified warning information. We are, however, concerned that the proposed warning does not provide sufficient information on the food safety risks entailed. We propose the warning also include information relating to: • the risk of death to immune-compromised consumers; • the specific symptoms that may be experienced; • when to seek medical advice; • where to find further information; and • what 70°C means for those that do not have ready access to a thermometer	We propose that the warning, therefore, be revised along the following lines: *"Raw milk may contain harmful microorganisms that can cause serious illness or death. Specific symptoms that may be experienced include vomiting, diarrhoea or generally feeling unwell. To reduce the risk of illness, raw milk should be heated to 70°C (or scalding) for one minute. This is critical for infants, young children, the elderly, pregnant women and people with weakened immune systems. In the event of illness please seek medical advice. Further information can be found at www….."*	The submitter's proposed warning information is too long and risks not being fully read. There may also be practical issues with providing the information on a label. The proposed statement is not consistent with international warning statements for raw milk sold to consumers. In terms of specifics in the statement: • while "death" can occur it is extremely rare. • There is no requirement to state specific symptoms associated with a high risk food in the Food Standards Code. Similarly there is no requirement to advise consumers to seek medical advice if they are ill or to seek further information via a website. • "scalding" may cause consumer confusion. Only older people are likely to understand the term. MPI notes the proposal for a consumer-facing website. MPI will consider this as part of its communication strategy.
		We see particular value in the development of a consumer-facing website that would provide further information on the risks of raw milk consumption, outline more detail on the range of medical symptoms that might be experienced (e.g. Salmonellosis, Campylobacteriosis) and generally allows consumers to make an informed choice to consume unpasteurised milk, or not.		
Sub 4	8.6 (1)(b)	requires the specified warning information be of font size 3mm. New Zealanders have become accustomed over several generations to their milk being a safe source of nutrition. The warning		A requirement for a minimum font size of 3mm for the specified warning information is based on the requirement for warning statements in the Food

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		statement is very important, and we question if 3 mm lettering is an adequate size. In Italy unpasteurised milk became available to consumers in 2007 and after several tragic events involving children, unpasteurised milk in Italy is now required to have a warning display in red lettering 10 mm high. We consider 10 mm to be appropriate and believe international experiences should be considered when developing labelling requirements.		Standards Code.
Sub 4	8.7 8.8 8.9	As with the information contained on warning labels we also consider it appropriate for notices and labelling in retail areas, in connection to dispensing devices and on online sales websites to also include, in more detail: • the risk of death to immune-compromised consumers; • the specific symptoms that may be experienced (widened to include specific conditions such as salmonellosis, listeriosis, renal failure etc.); • when to seek medical advice; and • where to find further information.		Noted. See above.
Sub 9	8.9	To be consistent with 8.10(2), once a customer has set up an account to be an online customer, there should be no obligation for them to go through the acknowledgement window each and every order. The Acknowledgement window should be part of the account set up only, and not part of the regular Log-in window.		Noted. See above.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
PART 10				
Sub 4	10.1	Absent from clause (3) is the requirement that the delivery of raw milk be directly into the hands of the final consumer. This entails considerable risk that the milk cooling requirements will not be met and that milk left outside at a residential address remains unrefrigerated for potentially lengthy periods of time. The requirement for maintaining the cool chain until the final consumer takes physical possession should be added as point c) of the clause. If this is not taken into account, then, the Specified Warning Information must instruct consumers to dispose of any raw milk, where it is suspected or known that the milk has not been cooled to 6°C or lower prior to physical receipt.		Noted.
Sub 3	10.8	10.8 (1) currently provides that "Milk that has not been delivered to a final consumer by its sell-by time must be treated in accordance with clause 10.10 as if it were non-conforming milk."	We therefore recommend that MPI reconsider 10.8 to extend the 30 hour limits to allow pathogen tests to be undertaken.	Noted. The requirements for 30 hours timeframe are in Regulation 66 of the Raw Milk for Sale to Consumers Regulations 2015
		We note that in the US, they have adopted a test and hold policy which means that all milk is held for 24 hours for pathogen test results (which we understand is a prompt test). We believe that this is good regulatory practice, however we note that 30 hour sell by requirement as proposed would make this impractical.		Noted.
SCHEDULE - WATER				
Sub 1		Water must meet the Ministry of Health Drinking-water Standards for New Zealand 2005. Does compliance with sections following this clause in the RCS demonstrate compliance or is further		The Notice specifies that routine testing of water is required to monitor compliance. Further clarification will be provided in guidance.

Submitter ref	Submission clause	Submission comment(s)	Submitter proposed amendment(s)	MPI response
		monitoring required? – i.e. determined testing etc? DPF 202 water management plan (specific to RCS) not attached for review		
Sub 4		This schedule specifies that the Ministry of Health Drinking-water Standards for New Zealand 2005 (MoH Standard) must be met and also sets out the testing to be carried out and when these tests are required. Given that the MoH Standard has extensive chemical and microbiological analyte requirements, the testing of E.coli, turbidity and clarity do not adequately determine compliance. Therefore we request that a full drinking water analysis be completed be included in the registration assessment by an appropriately accredited and recognised laboratory.		The Notice specifies that routine testing of water is required to monitor compliance. Further clarification will be provided in guidance.
Sub 9		Some farms are on Local Council supply which is regularly tested for a range of factors. Are they able to get their testing extended to every 12 months if their regular milk test results are negative for Ecoli? Some farms are installing filters and UV treatments for all water that goes to and through the cowshed. Can they get this testing extended to every 12 months if their regular milk test results are negative for Ecoli?.		No, the requirements apply to all raw milk producers as confirmation of suitability of the water supply(s).