



**CHEESE IMPORTERS
ASSOCIATION OF AMERICA**

Bulletin 16-5 February 9, 2016

CIAA Bulletin

**An Exclusive CIAA Member
Update**

FDA Publishes Update Saying It Is Taking a New Look at Criteria for Raw Milk Cheese

The Food and Drug Administration (FDA) on February 8 published an update regarding what steps it will take in the further review of testing and assessment of non-toxigenic E. coli in the production of raw milk cheese. Of special note, FDA says that it intends "to engage in a scientific dialogue on these issues." Please note that this announcement does not provide any specific schedule or proposal, but is an important acknowledgment of the concerns that CIAA and others in the cheese industry have raised.

As you may recall, [CIAA submitted comments](#) last October saying that the association supports the safety of imported raw milk cheeses, and points out that there have not been significant human health and safety problems associated with these cheeses. We stated that practices such as animal health requirements, hygienic milk collection and storage, fast cooling, and microbiological criteria imposed by the countries from which we import have adequately protected American consumers. We also suggested that a further harmonization of international standards should be a goal of all current trade negotiations, particularly the Transatlantic Trade and Investment Partnership (TTIP) so that our consumers can continue to have access to wholesome and traditionally desired products. And, CIAA stated its strong belief that any considered changes to the rule should be backed by documented scientific research, information gathered by the collection of raw milk cheese samples collected over the last few years from the import community, as well as a risk assessment related to statistical analysis of illnesses directly caused by consumption of lawful importation of raw milk cheeses.

At our February Board Meeting, we restated our views on the value of international standards, our desire to work with other industry groups, and discussed our plans to meet with FDA officials later this spring, just as we did a year ago, to discuss this and other issues of importance to CIAA's members.

If you have any questions, please contact Roger Szemraj at rszemraj@theciaa.org or (202) 789-1212.

The [FDA announcement follows](#):

FDA Is Taking a New Look at Criteria for Raw Milk Cheese

February 8, 2016

Recently, cheesemakers have raised concerns suggesting that the FDA is applying safety criteria that may, in effect, limit the production of raw milk cheese without demonstrably benefitting public health.

In response, we want to first acknowledge our respect for the work of the artisan cheesemakers who produce a wide variety of flavorful, high-quality cheeses using raw milk and our appreciation for the great care that many take to produce raw milk cheeses safely. We understand the concerns expressed by some cheesemakers, as well as lawmakers, and intend to engage in a scientific dialogue on these issues.

The agency's role in this area, and with respect to food safety generally, is to work with the industry, consumers, government partners, and experts to be sure the right science-based, prevention-oriented standards and safety criteria are in place and that there is widespread compliance in the interest of food safety and consumer confidence. Some question testing raw milk cheese for the presence of non-toxicogenic *E. coli*, which has long been used by FDA and other public health agencies in the U.S. and other countries to indicate fecal contamination. Specifically, the concerns include the application of the test results and scientific foundation of these criteria.

The FDA's reason for testing cheese samples for non-toxicogenic *E. coli* is that bacteria above a certain level could indicate unsanitary conditions in a processing plant. Our surveillance sampling shows that the vast majority of domestic and imported raw milk cheeses are meeting the established criteria.

The agency will re-evaluate its criteria in the context of the overarching framework for the oversight of food production provided by the 2011 FDA Food Safety Modernization Act (FSMA). The Preventive Controls for Human Food rule mandated by FSMA, which became final in September, requires that food producers identify hazards in their product and operations and put controls in place to prevent or minimize those hazards.

Looking ahead, with the FSMA preventive controls rule now final, we will be taking another look at what role non-toxigenic E. coli should have in identifying and preventing insanitary conditions and food safety hazards for both domestic and foreign cheese producers.

The FDA will also consider and update, as appropriate, the 2010 Compliance Policy Guide, which outlines safety criteria. Any changes will be informed by our engagement with stakeholders and experts on such issues as the use of a single bacterial criterion for both pasteurized and raw milk cheese, and the use of non-toxigenic E. coli as an indicator organism.

The agency will continue to inspect cheese-making facilities and test for pathogens in domestic and imported cheese but, in the meantime, FDA is in the process of pausing its testing program for non-toxigenic E. coli in cheese. We will also continue working with all stakeholders to benefit from their expertise about safe cheese-making practices and achieve the mutual goal of food safety.

For More Information

- [Food Safety Modernization Act \(FSMA\)](#)

DATES TO REMEMBER

March 1, 2016 (approximately)

FAS issues final notice of calendar year 2016 licenses to licensees

March 15, 2016

The license fee for each license issued is due and payable in full no later than March 15 of the year for which the license is issued. Licenses issued after March 15 of any quota year are payable in full no later than 10 days from the date of issuance.

April 16, 2016

Raw Milk Cheese Appreciation Day

April 28, 2016

Member Meeting

9:30 am - 11:30 am

Saddle Brook Marriott, Saddle Brook, NJ

April 29, 2016

CIAA Dinner Dance

Macaluso's, Hawthorne, NJ

July 1, 2016

Last day for an exporting country that is not designating importers for calendar year 2016 to notify FAS.

August 31, 2016

Last day to Enter dairy products into U.S. Customs territory that may be used to qualify and establish eligibility for a calendar year 2016 license.

October 15-19, 2016

SIAL Trip to Paris, France

November 3, 2016

Member Meeting

9:30 am - 11:30 am

Saddle Brook Marriott, Saddle Brook, NJ

* If a deadline date falls on a Saturday, Sunday, or Federal holiday, the deadline will be the next business day (Section 6.36(a) of the Dairy Tariff-Rate Import Quota Licensing Regulation). This does not apply to dates of entry for eligibility.

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