**Ronald Doering** 

## Raw milk cheese — Another sterile debate

n Sept. 18, 2013 the Canadian Food Inspection Agency confirmed that one person had died and several people in B.C. and Alberta were ill from eating *E. coli* contaminated raw milk cheese produced at a B.C. farm. As soon as the recall was announced, the media went into full frenzy and the usual "debate" about the safety of raw milk and raw milk cheese followed.

There is really no issue as to safety. There is a broad scientific consensus that raw milk is not as safe as milk that is pasteurized. There have been dozens of foodborne illness outbreaks in recent years with many hundreds of people seriously ill and some deaths clearly attributable to ingesting raw milk and raw milk cheese. That is why in Canada the sale of raw milk directly to consumers is prohibited by a variety of provincial provisions, and it is a crime to sell unpasteurized milk in Canada under B.08.002.2 (1) of the Food and Drug Regulations. Because raw milk cheese is less risky if it is given time to cure, our regulations allow for the sale of raw milk cheese as long as it is stored at 2°C or above for at least 60 days before being offered for sale.

The essential facts in this case are clear. The deadly bacteria came from cow poop. If the milk had been pasteurized, the bacteria would have been killed and the victims would be alive and well today. Raw milk cheese that is produced



by very reputable and careful cheese makers, as apparently was the situation here, still involves risk, as this case so clearly demonstrates.

Just because raw milk and raw milk cheese are not as safe as if they were pasteurized doesn't necessarily mean that they should be banned. That is why regulations around the world are so inconsistent. The sale of raw milk is illegal in Scotland, but legal in England,

There is a broad scientific consensus that raw milk is not as safe as milk that is pasteurized.

Wales and Northern Ireland (indeed, our future king will drink nothing else, a fact that could be used by both sides of the debate). South of the border, the states are roughly evenly divided; 28 states do not prohibit sales of raw milk, but they impose restrictions on suppliers.

While the food science on the safety risk of raw milk cheese is clear, the policy response can still be variable. We allow the sale of lots of other products that can be contaminated with *E. coli* without requiring pasteurization. If people think that the supposed benefit of raw milk

cheese outweighs the health risk, why shouldn't they be allowed to buy the product? And Health Canada's website does provide a clear warning: "Health Canada's ongoing advice to pregnant women, children, older adults and people with a weakened immune system is to avoid eating cheese made from raw milk, as it does present a higher risk of foodborne illness than pasteurized milk cheeses. If consumers are unsure whether a cheese is made of pasteurized milk, they should check the label or ask the retailer."

But there's the rub. There is no legal requirement to label raw milk cheese, and most retailers are uninformed. This is the debate we should be having.

I checked the cheese counter at my local grocery store today. Some cheeses bragged that they were made with raw milk, clearly appealing to the foodies willing to pay a lot of money for whatever benefit they think is obtained. I asked the clerk what other cheeses were made from raw milk and she had no idea. How could she? Several imported cheeses and many tiny portions labelled "local" and "artisanal" may well have been made with raw milk. The consumer who sets out to buy raw milk cheese for the taste, or some cultural or other ideological reason, is making an informed choice. For the rest of us, shouldn't we be entitled to know that some cheese is safer than others? Canada should require mandatory labelling of raw milk cheese.

Ronald L. Doering, BA, LL.B., MA, LL.D., is a past president of the Canadian Food Inspection Agency. He is Counsel in the Ottawa offices of Gowlings. Contact him at Ronald.doering@gowlings.com