

Victorian dairy licence handbook



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# 1. Introduction

Dairy Food Safety Victoria (DFSV) is responsible for regulating the Victorian dairy industry to safeguard public health.

Victoria has the largest dairy industry in Australia, with the majority of dairy farms located in Victoria, producing more than 65 per cent of Australia's milk and accounting for most of its dairy exports. The Victorian dairy industry is an important contributor to the national and state economies and the safe production of dairy food is critical to the reputation and continued growth of the dairy industry.

As a DFSV licensed dairy business operator you are responsible for ensuring the food you produce complies with national regulatory standards and is safe for human consumption.

Before applying for a dairy licence, it is necessary for a potential licensee to understand their obligations as a licence holder, in particular, the regulations regarding food safety and hygiene.

This handbook outlines what is required to obtain and operate under a DFSV dairy licence, and where to find additional resources to support you to meet those requirements.



## 2. The regulatory framework – an overview



Australia's food regulation policies are developed by the Australia and New Zealand Ministerial Forum on Food Regulation. Members include a minister from New Zealand, ministers from the Australian Government, health ministers from the Australian states and territories, and ministers from related portfolios where nominated by their jurisdictions.

National food safety standards to protect the health and safety of consumers are developed in line with these regulatory policies by Food Standards Australia New Zealand (FSANZ) and published as the Australia New Zealand Food Standards Code.

The states and territories are responsible for administering the requirements of the Food Standards Code.

In Victoria, DFSV monitors compliance with and enforces the food standards in the dairy industry through administration of the *Dairy Act 2000* and the *Food Act 1984*.

### DFSV's role

DFSV is responsible for ensuring that standards which safeguard public health are maintained in the Victorian dairy industry.

This includes:

- administering the licensing system
- monitoring compliance with regulatory requirements
- taking appropriate enforcement actions in the event of non-compliance.

### Legislative requirements

As a business operator in the Victorian dairy industry you will need to meet the requirements set out in the:

#### *Dairy Act 2000*

The Dairy Act established DFSV and the licensing system for the Victorian dairy industry. Under this Act dairy farmers, carriers, manufacturers and distributors are required to:

- hold a valid and current licence with DFSV
- comply with the conditions of the licence.

#### *Food Act 1984*

The Food Act is the key legislation that controls the sale of food in Victoria. Under the Act, food business owners – which includes dairy carriers, manufacturers and distributors – are legally responsible for ensuring that food sold to customers is safe and suitable to eat.

The Act requires that:

- food produced must be safe and suitable
- food handling must be hygienic
- food businesses must comply with the Australia New Zealand Food Standards Code.

### *Australia New Zealand Food Standards Code*

The Australia New Zealand Food Standards Code sets national requirements for the composition, safety, handling, labelling and primary production and processing of food in Australia and is applied and enforced in Victoria through the *Food Act 1984*.

The Code is a collection of food standards set out in four chapters, which all have relevance for dairy businesses, with specific requirements for dairy primary production and processing outlined in Standard 4.2.4, including the requirement for implementation of documented food safety programs for dairy primary production (farms), transportation (carriers) and processing (manufacturers).

### *Export requirements*

If you are intending to export dairy food, your business must meet the requirements detailed in the Export Control (Milk and Milk Products) Orders 2005 and be registered with the Commonwealth Department of Agriculture and Water Resources.

DFSV supports streamlined export certification by undertaking audits of export registered businesses on behalf of the Commonwealth Department of Agriculture and Water Resources.

## 3. Who needs to be licensed?

It is a requirement of Part 3, Section 22 of the Dairy Act that all dairy businesses operating in Victoria must be licensed with DFSV. Before commencing business as a:

- **dairy farmer** – keeping any animals for the purpose of producing milk for profit or sale (as defined by the Dairy Act)
- **dairy food carrier** – transporting liquid dairy food in a bulk container
- **dairy manufacturer** – manufacturing dairy food (includes processes such as blending, cutting, slicing, grating and packaging)
- **dairy distributor** – operating a business that distributes dairy food.

The owner of the business must ensure there is a current and valid dairy industry licence in respect of the business.



## 4. Obtaining a licence

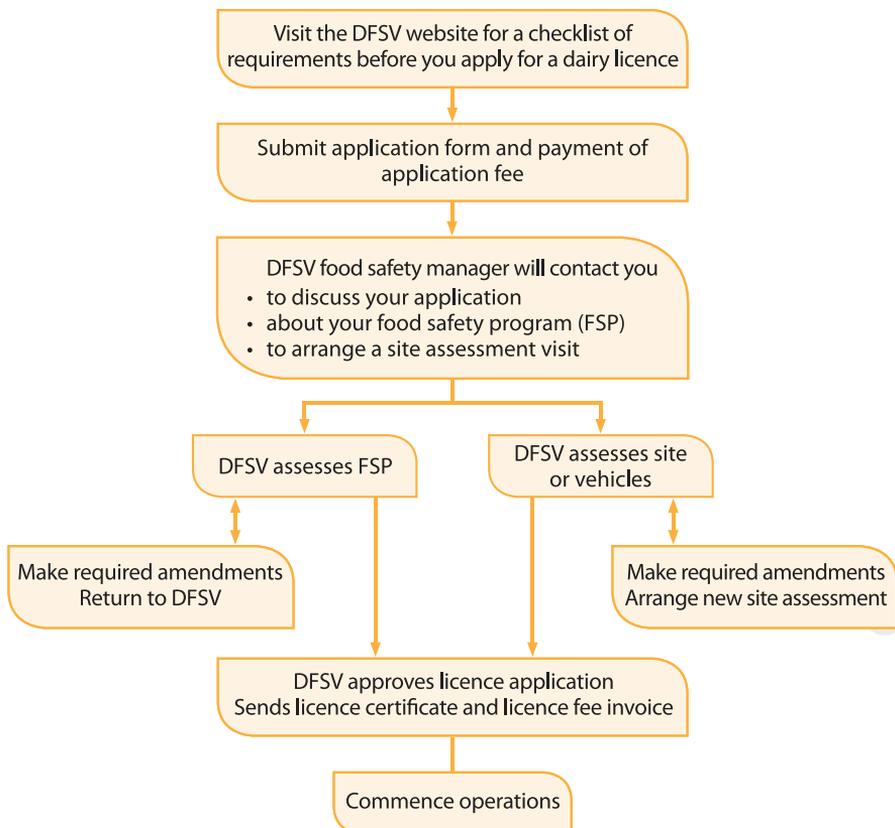
To be issued a DFSV licence to operate a dairy farm, manufacturer or carrier business you will need to develop a documented food safety program that complies with the Food Standards Code. All dairy businesses must also ensure your premises and/or vehicles comply with the Food Standards Code.

As part of the licence approval process, DFSV will conduct a site assessment to ensure your premises and equipment:

- are fit for purpose
- are in a good state of repair
- are able to be cleaned and sanitised effectively
- comply with Standard 3.2.3 of the Food Standards Code.

When DFSV is satisfied that your food safety program and premises are appropriate for operating your business, and the business has the requisite skills and competency, your licence will be issued.

Under Part 3, Section 26 of the Dairy Act, DFSV also has authority to refuse to issue, renew or transfer a licence; to issue or renew with conditions; or to cancel or suspend a licence.



## 5. Regulatory requirements – Dairy farmers

Dairy farmer licence holders must comply with the following regulatory requirements.

1. Ensure that the licensed premises is maintained, and dairy food is produced, handled and stored, in accordance with relevant provisions of the Australia New Zealand Food Standards Code.

2. Immediately notify DFSV of any changes to the ownership of the business or prior to making any changes to the premises, equipment or processes carried out at the premises.

3. Implement a food safety program.

The Food Standards Code requires a dairy primary production business (dairy farm) to control its potential food safety hazards by implementing a documented food safety program, which outlines control measures for managing hazards arising from inputs, such as veterinarian medicines and agricultural chemicals, premises and equipment, milking animals, and milking personnel and practices.



Food safety programs must also include support programs outlining measures for managing animal health, cleaning and sanitising, pest control, milk cooling and storage temperatures, and traceability of inputs, animals milked and milk produced.

Most dairy manufacturers have developed farm quality assurance (QA) program templates within the company QA system which incorporate the regulatory food safety program requirements for farms.

4. Ensure food safety programs are audited by a DFSV-approved auditor within six months of a new licence being issued and then at a minimum of once every two years.

5. Comply with any written action request by an authorised officer or DFSV, and any specific condition of the licence.

### **Supporting resources available:**

- DFSV website – Starting a dairy business/farmers
- DFSV raw milk checklist
- Australia New Zealand Food Standards Code
- DFSV licence conditions

## 6. Regulatory requirements – Dairy carriers

Dairy carrier licence holders must comply with the following regulatory requirements.

1. Comply with all relevant provisions of the *Food Act 1984* and the Australia New Zealand Food Standards Code in relation to the transportation of dairy food.
2. Immediately notify DFSV in writing of any changes to the ownership of the business, or prior to making any changes to the equipment or processes.
3. Implement a food safety program  
The Food Standards Code requires a dairy transport business to control its potential food safety hazards by implementing a documented food safety program, which outlines control measures for managing hazards arising from transport vehicles, equipment and containers, and personnel involved in the collection and transport of milk or dairy products.



4. Food safety programs must also include support (pre-requisite) programs that ensure clean and sanitary food contact surfaces, product traceability, time and temperature controls to prevent or reduce the growth of microbiological hazards, and staff with suitable skills and knowledge to undertake their work activities. Ensure food safety programs are regularly reviewed and appropriate records kept.

5. Tankers or vessels used for the bulk transport of milk and milk products should only be used to collect milk from dairy farms; transport milk and milk products or transport potable water or food grade liquids that will not contaminate milk and milk products or leave residues.

### **Supporting resources available:**

- DFSV website – Starting a dairy business/ carriers
- DFSV raw milk cheese checklist
- Australia New Zealand Food Standards Code
- DFSV licence conditions

## 7. Regulatory requirements – Dairy manufacturers

Dairy manufacturer licence holders must comply with the following regulatory requirements.

1. Comply with all relevant provisions of the *Food Act 1984* and the Australia New Zealand Food Standards Code in the conduct of the dairy business and the processing, handling, packaging and storage of dairy food.

2. Immediately notify DFSV in writing of any changes to the ownership of the business or to the products manufactured by the business, or processes used to manufacture the products.

3. Implement a food safety program. The Food Standards Code requires a dairy processing (manufacturing) business to control its potential food safety hazards by implementing a food safety program which documents control measures at each point in the manufacturing process.

Food safety programs must also include support (pre-requisite) programs outlining measures for managing practices such as cleaning and sanitation, pest control, maintenance, and staff training as well as raw material control, calibration, and product traceability.

DFSV's *Developing a food safety program* and *Model food safety program* will assist you to identify and document all of the elements to be included in a food safety program.

4. Ensure food safety programs are audited by DFSV within 30 days of the start of production and then at a minimum of every six months.



5. Comply with any product sampling request made by an authorised officer within the stated time frames.

6. Comply with any written action request by an authorised officer or DFSV, and any specific condition of the licence.

### **Supporting resources available:**

- DFSV website – Starting a dairy business/ manufacturers
- Australia New Zealand Food Standards Code
- DFSV licence conditions
- Developing a food safety program
- Hygienic design: guidelines for dairy food manufacturing premises
- DFSV raw milk checklist
- Dairy pathogen manual
- Microbiological testing criteria
- FSANZ food industry recall protocol

## 8. Regulatory requirements – Dairy distributors

Dairy distributor licence holders must comply with the following regulatory requirements.

1. Comply with all relevant provisions of the *Food Act 1984* and the Australia New Zealand Food Standards Code.
2. Ensure dairy foods are protected during storage and distribution to prevent chemical, microbiological and physical contamination and to maintain records with respect to temperature control and product traceability.

3. Immediately notify DFSV in writing of any changes to the ownership of the business or prior to making any changes to the premises, equipment or processes carried out at the premises.

### **Supporting resources available:**

- DFSV website – Starting a dairy business/distributors
- DFSV licence conditions

## 9. Compliance monitoring

DFSV undertakes regular activities to monitor compliance with the Food Standards Code and other regulatory requirements.

This primarily takes the form of regular audits of farm and manufacturing premises and operations to assess compliance with requirements in the food safety program and whether the program is still adequate for the operations of the business.

### **Audits**

DFSV food safety managers conduct all DFSV's food safety compliance audits of manufacturing licensees – the first within 30 days of the commencement of operations and thereafter at a minimum of every six months.

DFSV approved auditors conduct audits of dairy farmer licensees within three to six months of the commencement of operations and then at a minimum of once every two years.

### **Product surveillance**

DFSV conducts a Product Surveillance Program to monitor the microbiological status of a cross-section of dairy products manufactured in Victoria.

The program is additional to manufacturers' normal in-house testing as detailed in their individual food safety programs. It entails testing a wide range of finished products, with a focus on selected high-risk food categories, such as soft cheeses, dairy desserts and dips.

Samples are collected by DFSV food safety managers at six-monthly audits and results allow DFSV to analyse trends in the microbiological safety of products and enables manufacturers to benchmark their results against other manufacturers of similar products. Importantly, the data provides DFSV with evidence of effective implementation of food safety programs and of compliance with the Food Standards Code for the batches analysed.

## 10. Non-compliance

Non-compliance may be identified through inspections, audits, test result notifications, complaint investigations or incidents of foodborne illness.

Your DFSV food safety manager should be your first point of contact for queries, incident notifications, or to alert DFSV to changes in your business.

If a non-compliance with a requirement of the food safety program, the Food Standards Code or other relevant regulations is identified, DFSV will take enforcement action proportionate to the seriousness of the legislative non-compliance and the food safety risk.

This may range from corrective action requests, written orders or directives, increased audit frequency and unannounced inspections, to licence suspension or cancellation, refusal to renew a licence, or prosecution.

## 11. DFSV support

DFSV provides a range of information products designed to help build the technical knowledge and expertise necessary to produce safe dairy food. Visit the Dairy Food Safety Victoria website to find out more [www.dairysafe.vic.gov.au](http://www.dairysafe.vic.gov.au)





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