



## ***Improvement of the quality of milk and other dairy products and compliance with legal standards***

(PRJ-0222-2019)

### ***Dairy Standard Agency***

**Quarter 1 2019/2019** (January 2019 till March 2019)

#### **Project goals**

**Goal 1 - National monitoring of milk and other dairy products in collaboration with Health Authorities**

#### ***Achievements***

***The quarterly sample runs for cycle 68 were completed as per the predetermined schedule and the amount of samples per product are indicated in Table 1 below.***

***Table 1***

<b>Dairy Product</b>	<b>Total</b>
Fresh milk in the categories named packed pasteurised and unpasteurised, pasteurised and unpasteurised retail bulk milk	250
Cultured milk	92
Cultured Buttermilk	24
Drinking Yoghurt	57
Yoghurt (plain/fruit)	92
Dairy desert / snacks	12
<b>Total</b>	<b>527</b>

***7 Metropolitan municipalities, 8 district municipalities and 84 local municipalities participated in the sampling runs representing all provinces.***

***Samples were submitted to DSA laboratory as well as SANAS accredited laboratories as per standard procedure and results of milk and other dairy products were benchmarked against food safety, compositional and trade metrology standards as respectively gazetted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972),***

***Agricultural Product Standards Act, 1990 (Act 119 of 1990) and the Legal Metrology Act, 2014, (Act 9 of 2014).***

Food safety non-conforming results obtained were assessed and communicated to the municipal health authorities for further action. Contact details of participating authorities as well as processors were updated as per standard procedure.

***In respect of product compositional non-compliance, results as in the case of the previous quarter, were not forwarded to the DAFF authorities in view of the legal dispute regarding the appointment of the assignee by the Minister of Agriculture. The categories packed unpasteurised, retail bulk pasteurised and unpasteurised milk continuously indicated a negative compliance rate in terms of food safety and compositional standards. The process of renewal of Memorandums of Agreement with all municipal health authorities to assist with the monitoring and implementation of remedial action plans regarding the continuous problem was initiated and planned to continue during the remainder of 2019.***

***DSA in terms of its project protocol and relationships with the relevant authorities (see project goal 6) also liaised with the relevant law enforcement bodies, providing support through dairy technical information, dairy industry specific technology and guideline documents to limit the sale of non-conforming products.***

***No Non-achievements / underperformance has been reported***

**Goal 2 - Investigations regarding complaints received in respect of product compliance with legal standards**

***Achievements***

The following complaints were received and investigated by the DSA:  
Chemical compliance of hard cheese in terms of R260/2015;  
Sale of Bulk Cheese in the retail.

All complaints were documented and investigated and closed out.

***No Non-achievements / underperformance has been reported***

**Goal 3 - Special investigations**

***Achievements***

Aflatoxin M1

DSA undertook an investigation in 2017 which continued until end 2018 and of which the report was compiled during the first quarter in 2019.

The investigation was aimed at determining the level of Aflatoxin M1 in milk sold to the public at retail level. According to the Foodstuffs, Cosmetics and Disinfectants Act regulations the maximum residue limit of aflatoxin M1 in milk is 0.05 µg/kg or 0.05 ppb.

A total of 267 bovine milk samples were collected throughout South Africa (9 provinces) by participating Environmental Health Practitioners and Dairy Standard Agency personnel during the milk sample cycles C62-C67 (April 2017-November 2018). Milk samples were analysed by means of liquid chromatography tandem mass spectrometry (Method Number LS MS/MS 005) by a SANAS accredited laboratory. A summary of the results are as follows:

Table 2 - Summary of sample results:

Year	Amount of samples	Total amount of samples in which Aflatoxin M1 was present	Total amount of samples with Aflatoxin M1 >0.05µg/kg
2017	167	44	3

2018	100	13	0
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Positive results were communicated to the respective role players and where applicable retailers involved.

## ***No Non-achievements / underperformance has been reported***

### **Goal 4 - Milk and other dairy product risk identification**

#### ***Achievements***

Reports on non-conforming results were forwarded to the respective government departments at the end of Cycle 68. Each participating municipality received a quarterly report on the analysis done of samples submitted. Non-conforming processors as well as processors whose contact details were verified and who requested to receive test results were provided with individual test reports. Quarterly reports forwarded to Health Authorities are indicated in Table 3 below.

Table 3

<b>Province</b>	<b>Health Authority offices</b>
MP	13
LP	18
WC	16
NW	19
GA	15
FS	19
NC	2
EC	12
KZN	13

The DSA national dairy monitoring program provides for the sampling of milk categories namely packed pasteurised and unpasteurised milk and retail bulk pasteurised and unpasteurised milk as well as other dairy products. Relevant information regarding food safety and compositional standards for milk and other dairy products were communicated to the dairy industry and other organisations.

#### **NATIONAL AND INTERNATIONAL FOOD SAFETY AND RECALL MONITORING**

International food risk monitoring - The following websites were monitored on a weekly basis for possible food safety scares that might affect the local dairy industry:

#### **REFERENCES:**

1. Bill Marler - marler@marlerclark.com - Food Poison Journal
2. Centre for Disease Control & Prevention (CDC) - cdc@service.govdelivery.com
3. Dairy Reporter.com
4. FACTSSA - marketing@factssa.com
5. Food Focus
6. Food Focus News
7. Food Safety Magazine - info@foodsafetymagazine.com
8. Food Standards Agency - food.standards.agency@notifications.service.gov.uk
9. FoodStuffSA -DrinkStuffSA
10. Health & Safety Laboratory - HSL@public.govdelivery.com
11. News 24
12. Medical Research Council - MRC@public.govdelivery.com

13. National Institute of Allergy & Infectious Diseases (NIAID) - niaid@service.govdelivery.com
14. National Institute for Communicable Diseases - www.nicd.ac.za
15. Product Safety Australia
16. SAAFFI South African Association of the Flavour & Fragrance Industry
17. United States Food & Drug Administration - fda@go.fda.gov
18. USDA Food Safety & Inspection Service - usfsis@public.govdelivery.com

A comprehensive report was compiled and data analysed regarding possible food safety risks to the South African dairy consumer. Nationally the focus remained on raw milk and milk products as well as bulk sale of milk due to prevailing high trend of non-conformances detected as a result of the DSA National milk monitoring program in collaboration with Health Authorities.

The reported food poisoning incident of school children in KZN that fell ill supposedly as a result of Amazi provided to the school through a feeding scheme were followed up by DSA. Feedback from the relevant authorities confirmed the source was not being Amazi but rather hygiene related matters in the school's food preparation facility.

Focus areas identified in addition to the above is the prevailing high trend of non-compliance of fermented dairy products with regard to the minimum required lactic acid bacteria of 10 to the power 7 colony forming units per gram as prescribed in terms of R260 of March 2015. These non-conformances were detected by means of the DSA National milk monitoring program in collaboration with Health Authorities.

A quarterly label evaluation program has been initiated since the end of cycle 68. The aim of the program is to evaluate all labels of products sampled and to give direct feedback to processors in case of non-conformances identified.

## ***No Non-achievements / underperformance has been reported***

### **Goal 5 - Remedial action programs with the processors and distributors**

#### ***Achievements***

Quarterly milk and other dairy product sample results once processed were forwarded to the respective PD's and processors/manufacturers. These activities were followed up by means of interaction with PD's and processors/manufacturers regarding non-conforming test results as well as recommendations for corrective actions.

Communication is done either by means of a telephone call, e-mail report, posted report or a visit to the facility.

During cycle 68 visits were paid to processors, PD's and Milk Shops in Gauteng (9) during which DSA Retail Bulk Milk Guidelines and Information Guide of DSA were distributed.

**In total 13 facilities were visited for the period January 2019 – March 2019**

**Table-Quarterly Summary for Project 5-January to March 2019**

Province	Areas visited	Companies visited	E-mails	DSA further assistance provided
Gauteng	2	9	28	2
Mpumalanga	1	3	19	8
Free State	0	0	15	2
North West	0	0	11	1
Northern Cape	0	0	1	0
Western Cape	0	0	16	0
Eastern Cape	1	1	1	1

Limpopo	0	0	0	0
Kwa Zulu Natal	0	0	10	0

\* Producer distributors (PD's) are defined as milk producers that are also engaging in the packing, distribution and selling of milk whether raw or as heat treated milk and may include other dairy products.

## ***No Non-achievements / underperformance has been reported***

### **Goal 6 - Communication with the authorities and other organisations**

#### ***Achievements***

Communication with authorities and other organisations

#### a. Department of Health: Directorate Food Control

DSA in its supportive role, assisted the industry with queries relating to food labelling, food safety and food additive requirements as well as dairy technical matters. The complexity of some food safety matters led to an invitation of the DSA to attend the meeting of the work group of experts on antimicrobial residues (AMR) in foodstuffs of DOH and DAFF, serving on the Ministerial Advisory Committee on AMR, known as MAC.

#### b. Municipal Health Authorities

Communication with the municipal health authorities mainly focused on interpretation of food safety legislation and elements of law enforcement as per the health regulations under the Foodstuffs, Cosmetics and Disinfectants Act with specific reference to retail unpasteurised and pasteurised bulk milk.

#### c. Department of Agriculture, Forestry and Fisheries (DAFF)

##### i) Directorate: Inspection Services (IS)

Following a directive by the executive officer of DAFF whereby all functions relating to the enforcement of R260/2015 and R78/2013 were delegated to the assignee, communications with inspectorate were disrupted. Pending the high court application in the case between Woodlands and co-applicant Milk SA against the DAFF and the assignee, Cycle 68 results regarding infringements in terms of the Regulations relating to dairy and imitation dairy products, as a result of the DSA national monitoring program were only partly communicated to DAFF: FSQA.

##### ii) Directorate Food Safety and Quality Assurance – FSQA (policy making)

Communication with FSQA regarding dairy product compositional matters and the interpretation of the Regulations relating to dairy and imitation dairy products continued. Formal communication with DAFF: FSQA also continued regarding the circulation of the first draft amendment of the Regulations relating to dairy and imitation dairy products as well as with industry via the Regulations and Standards Project of Milk SA.

#### d. National Regulator for Compulsory Specifications (NRCS): Legal Metrology

Standard procedure provides for a quarterly report regarding metrology infringements to the Senior Manager, inspections: Legal Metrology NRCS. No formal complaints were raised with NRCS in the first quarter.

#### e. Perishable Product Export Control Board (PPECB)

The implementation process of the latest PPECB SOP was halted by the DAFF Executive Officer due to concerns considered unjustified by the Regulations and Standards Project of Milk SA. Since the filing of papers in the High Court by the Woodlands/Milk SA joint application against matters relating to the latest appointment of an assignee, no further developments regarding the PPECB as assignee over dairy export took place during the first quarter.

#### f. South African Bureau of Standards (SABS)

DSA participated as member in the activities of the Technical Committee SABS TC 70/SC 4, Legal Metrology - sale of goods as well as the SABS TC 034 SC 17 Food products – Hygiene

practices in the food industry and technical committee. Extensive work was completed with regards to the SANS 10330 (HACCP). Outcomes where applicable were communicated to the Regulations and Standards Project of Milk SA. The managing director of DSA has also been appointed as the chairman of the committee SABS/TC 034/SC05 Dairy Standards end March 2019.

### **Communication with other organisations**

#### **Milk SA, MPO and SAMPRO**

DSA attended the SAMPRO general meeting as well as Milk SA Advisory Committee meetings on which it serves and also interacted on a regular basis with the project managers of the Milk SA Consumer Education Project and SAMPRO Training, MPO Institute for Dairy Technology as well as the Co-ordinating Committee of the DSA, CEP and Research and Development Project of Milk SA. DSA managing director as project manager of the Regulations and Standards Project of Milk SA consulted regularly with the organised dairy industry via the with specific reference to the appointment of the DAFF Assignee and regulatory matters.

The management committee of the Regulations and Standards Project continuously interacted via electronic correspondence with the members of the Regulations and Standards Advisory Committee and where applicable to the organised dairy industry requesting comments on regulations and standards. Priority was also given to the progressing matters relating to the Woodlands /Milk SA high court application.

#### **Milk SA funded DSA additional project: Standardisation of standards for calibration of laboratory equipment**

Liaison with industry members continued regarding the Milk SA project relating to the standardisation of standards for calibration of laboratory equipment resulting in the following progress made:

Since end September 2018 extensive work has been done with the establishment of the laboratory facility, equipment as well appointment of a competent laboratory manager to produce national standards (initially for fat, protein, lactose and total solids of raw milk), also to take control of the import of standards for MUN and SSC's and to facilitate the order and distribution of standards.

An industry workgroup meeting was held on 7 February 2019 with a subsequent letter request for comments to industry on 4 March 2019 reflecting on following issues:

- consultation on development of national standards
- deliberation of the science and rationale for the choice of imported standards of MUN and SSC
- position of the IDF Gold Standard and development of national milk ring test and proficiency test scheme
- MOU's with SA Studbook and clients.

CGCSA: FSI – DSA as member of the Food Safety Initiative (FSI) interacted on a regular basis with the management of FSI regarding matters relating to regulations under the Foodstuffs, Cosmetics and Disinfectants Act, Agricultural product Standards Act and the DAFF appointed Assignee. No meetings were attended during the first quarter.

IDF – DSA MD is a member of SANCIDF and of the IDF Standing Committee: Standards of Identity and Labelling and nominated to the IDF Standing Committee for food additives. The managing director has been nominated to participate as part of the SANCIDF arranging committee for the IDF WDS 2010 in Cape Town and attended the first formal meeting on 5 March 2019

SANCU - DSA as member of SANCU communicates with the SA National Consumer Union regarding dairy food safety and quality related and attend general meetings where applicable.

SASDT - DSA MD as member of the management committee of the Northern region participated in the SASDT management meetings and general meeting in during the first quarter.

TERTIARY INSTITUTIONS – DSA serves as a member of the Advisory Boards of the Departments of Environmental Health of the Tshwane University of Technology (TUT) as well as Nelson Mandela Metropolitan University. The purpose of the advisory boards is to give industry inputs and assist the universities with the development of course material for Environmental Health Practitioners. The first meeting held by TUT on 8 March 2019 was attended.

***No Non-achievements / underperformance has been reported***

## **Goal 7 - Liaison on legislation with authorities and other organisations**

### ***Achievements***

Although a blended role of activities exist, it is important to note that the work of the Regulations and standards project of Milk SA project is not a duplication of this DSA project. The fundamental difference of Project 7 relates to the relationship and involvement of DSA as self-regulatory initiative with government structures and execution of the law. The Regulations and standards Project of Milk SA relates to participation in the formalisation of draft regulations and standards and comments on regulatory matters, as well as communication through Milk SA in the interest of the dairy industry and other stakeholders.

DSA continued liaison with the authorities regarding the following legislation and standards:

#### **Department of Health: Directorate Food Control**

##### **Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972)**

Regulations relating to milk and dairy products R1555/1997 (draft to be presented to FLAG September 2019).

#### **Department of Agriculture, Forestry and Fisheries**

**Agricultural Product Standards Act, 1990 (Act 119 of 1990)** - Regulations relating to the classification, packing and marking of dairy products and imitation dairy products intended for sale in RSA (R260/2015) and dispensations. The following actions took place:

23 Jan 2019 – Dispensation granted for various changes to R260/2015;

29 Jan 2019 – Repeal of dispensation;

14 Feb 2019 – Notice from DAFF EO regarding the repeal of all dispensations issued in terms of R260/2015;

19 Feb 2019 – Meeting with deputy director and DAFF officials;

26 Feb 2019 - 1st Amended draft of R260/2015 published;

15 March 2019 – Industry workgroup meeting/Dispensation regarding dairy liquid blends in terms of R260/2015;

29 March 2019 – collating of comments relating to the draft and circulation to industry;

4/5 April 2019 – Planned workgroup subcommittee meeting on fresh cheese and concentrated fermented milk.

Regulations relating to the protection of geographic indications used on agricultural products intended for sale in South Africa – R447 of 22 March 2019 (effective 6 months from date of publication)

Draft regulations relating to fees;

Draft regulations relating to appeals.

**Fertilizers, farm feeds, agricultural remedies and stock remedies Act 36/1947:** Proposed regulations regarding stock remedies

DAFF appointed assignee i.t.o. the APS Act.

#### **Non-compulsory South African National Standards – SABS**

SANS 10330: Food safety - Requirements for a Hazard Analysis and Critical Control Point (HACCP) system.

#### **Codex Alimentarius and ISO**

ISO 22000 Food safety management systems — Requirements for any organization in the food chain.

#### **DSA Technical Committee**

No additional technical committee meetings other than the work relating to R260/2015 and the new 1st Amended draft of R260/2015 published took place during the first quarter. Consultation with the FACS (Food Advisory Consulting Services) laboratory in Stellenbosch continued with regard to the establishment of analytical methods for the detection of milk powder addition in UHT milk.

## ***No Non-achievements / underperformance has been reported***

### **Goal 8 - Information and education**

#### ***Achievements***

DSA presents information sessions based on the DSA Code of Practice and related guideline materials to professional EHP's as well as student EHP's, on national level. The first information session took place in conjunction with the Alfred Nzo District Municipality on 8 March 2019 at the Mount Ayliff Hospital board room.

## ***No Non-achievements / underperformance has been reported***

### **Goal 9 - Media communication**

#### ***Achievements***

Two advertorials/advertisements relating to food safety and product composition were published in the Dairy Mail and Plaas Media.

## ***No Non-achievements / underperformance has been reported***

### **Goal 10 - Development of guideline documentation**

#### ***Achievements***

Extensive work has commenced on the revision of the DSA Labelling Guide which is scheduled for completion end June 2019.

## ***No Non-achievements / underperformance has been reported***

**Goal 11 - Milk SA Regulations and Standards Project** The project relates to dairy technical issues, regulations and standards and encompasses industry involvement regarding: <sup>■</sup> Deliberation of industry regulations relating food safety, product composition, metrological and related standards as well as voluntary industry related standards e.g. animal welfare and related matters. <sup>■</sup> Liaison with industry and statutory bodies in terms of draft, promulgated and repealed legislation and effective communication through the Milk SA organisational structures. <sup>■</sup> Liaison and consultation on an internal and external basis and comment within specified time frames via Milk SA organisational structures. <sup>■</sup> Report to industry via Milk SA structures.

#### ***Achievements***

The Regulations and standards Project of Milk SA relates to participation in the formalisation of draft regulations and standards and comments on regulatory matters, as well as communication



through Milk SA in the interest of the dairy industry and other stakeholders.

The following regulatory items were communicated to industry via the Regulations and standards Project:

### **Department of Agriculture, Forestry and Fisheries**

**Agricultural Product Standards Act, 1990 (Act 119 of 1990)** - Regulations relating to the classification, packing and marking of dairy products and imitation dairy products intended for sale in RSA (R260/2015) and dispensations. The following actions took place:

Dispensation granted for various changes to R260/2015;

Repeal of dispensation;

Notice from DAFF EO regarding the repeal of all dispensations issued in terms of R260/2015;

1st Amended draft of R260/2015 published;

Industry workgroup meeting collated comments/Dispensation regarding dairy liquid blends in terms of R260/2015;

Regulations relating to the protection of geographic indications used on agricultural products intended for sale in South Africa – R447 of 22 March 2019 (effective 6 months from date of publication)

Draft regulations relating to fees;

Draft regulations relating to appeals.

**Fertilizers, farm feeds, agricultural remedies and stock remedies Act 36/1947:** Proposed regulations regarding stock remedies

**Dairy Standard Agency:** Progress of the work of the DSA Laboratory Services

***No Non-achievements / underperformance has been reported***

## **Income and expenditure statement**

Income and expenditure statement	<a href="#">Maart Maandstate 2019 - BI 1 - 5.pdf</a> <a href="#">Maart Maandstate 2019 - BI 9 - 11.pdf</a> <a href="#">Maart Maandstate 2019 - BI 12.pdf</a> <a href="#">Maart Maandstate 2019 - Voorblad.pdf</a> <a href="#">CORFIN151 Standard Monthly Financial reports.pdf</a>
Unnecessary spending during period	No

## **Popular Report**

[DSA Quarterly popular report January - March 2019.pdf](#)

## **Additional documentation**

[CORFIN151 Standard Monthly Financial reports.pdf](#)

## **Statement**

Levy funds were applied only for the purposes stated in the contract	Yes
Levy funds were applied in an appropriate and accountable manner	Yes
Sufficient management and internal control systems were in place to adequately control the project and accurately account for the project expenditure	Yes
The information provided in the report is correct	Yes

