Food and Drug Administration, HHS

§ 133.5

Muenster and munster cheese.
Muenster and munster cheese for manufacturing.
Nuworld cheese.
Pasteurized blended cheese.
Pasteurized blended cheese with fruits, vegetables, or meats.
Pasteurized process cheese.
Pasteurized process cheese with fruits, vegetables, or meats.
Pasteurized cheese spread.
Pasteurized cheese spread with fruits, vegetables, or meats.
Pasteurized Neufchatel cheese spread with other foods.
Pasteurized process cheese spread.
Pasteurized process cheese spread with fruits, vegetables, or meats.
Pasteurized process pimento cheese.
Pasteurized process cheese food.
Pasteurized process cheese food with fruits, vegetables, or meats.
Pasteurized cheese spread.
Pasteurized cheese spread with fruits, vegetables, or meats.
Pasteurized Neufchatel cheese spread.
Pasteurized process cheese spread.
Pasteurized process cheese spread with fruits, vegetables, or meats.
Pasteurized process cheese spread with fruits, vegetables, or meats.
Pasteurized process cheese spread.
Pasteurized process cheese spread.
Soft ripened cheeses.
Romano cheese.
Roquefort cheese, sheep’s milk blue-mold, and blue-mold cheese from sheep’s milk.
Samsoe cheese.
Sap sago cheese.
Semisoft cheeses.
Semisoft part-skim cheeses.
Skim milk cheese for manufacturing.
Spiced cheeses.
Part-skim spiced cheeses.
Spiced, flavored standardized cheeses.
Swiss and emmentaler cheese.
Swiss cheese for manufacturing.

SUBPART A—GENERAL PROVISIONS

§ 133.3 Definitions.

(a) Milk means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows, which may be clarified and may be adjusted by separating part of the fat therefrom; concentrated milk, reconstituted milk, and dry whole milk. Water, in a sufficient quantity to reconstitute concentrated and dry forms, may be added.

(b) Nonfat milk means skim milk, concentrated skim milk, reconstituted skim milk, and nonfat dry milk. Water, in a sufficient quantity to reconstitute concentrated and dry forms, may be added.

(c) Cream means cream, reconstituted cream, dry cream, and plastic cream. Water, in a sufficient quantity to reconstitute concentrated and dry forms, may be added.

(d) Pasteurized when used to describe a dairy ingredient means that every particle of such ingredient shall have been heated in properly operated equipment to one of the temperatures specified in the table of this paragraph and held continuously at or above that temperature for the specified time (or other time/temperature relationship which has been demonstrated to be equivalent thereto in microbial destruction):

<table>
<thead>
<tr>
<th>Temperature</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>145 °F</td>
<td>30 min.</td>
</tr>
<tr>
<td>161 °F</td>
<td>15 s.</td>
</tr>
<tr>
<td>191 °F</td>
<td>1 s.</td>
</tr>
<tr>
<td>204 °F</td>
<td>0.05 s.</td>
</tr>
<tr>
<td>212 °F</td>
<td>0.01 s.</td>
</tr>
</tbody>
</table>

If the dairy ingredient has a fat content of 10 percent or more, the specified temperature shall be increased by 5 °F.

(e) Ultrapasteurized when used to describe a dairy ingredient means that such ingredient shall have been thermally processed at or above 280 °F for at least 2 seconds.

[48 FR 2742, Jan. 21, 1983; 48 FR 11426, Mar. 18, 1983]

§ 133.5 Methods of analysis.

Moisture, milkfat, and phosphatase levels in cheeses will be determined by the following methods of analysis from “Official Methods of Analysis of the Association of Official Analytical Chemists,” 13th ed., 1980, which is incorporated by reference (copies are available from the AOAC INTERNATIONAL, 481 North Frederick Ave., suite 500, Gaithersburg, MD 20877, or available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal-register/code_of_federal_regulations/ibr_locations.html):

(a) Moisture content—section 16.233 “Method I (52)—Official Final Action”, under the heading “Moisture”.

(b) Milkfat content—section 16.255 “Fat (60)—Official Final Action”.

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§ 133.10 Notice to manufacturers, packers, and distributors of pasteurized blended cheese, pasteurized process cheese, cheese food, cheese spread, and related foods.

(a) Definitions and standards of identity have recently been promulgated under the authority of the Federal Food, Drug, and Cosmetic Act for a number of foods made in part from cheese, including pasteurized process cheese; pasteurized process cheese with fruits, vegetables, or meats; pasteurized blended cheese; pasteurized process cheese spread, and related foods. These standards prescribe the name for each such food. The act requires that this name appear on the label. Many of these names consist of several words. In the past it has been the practice of some manufacturers to subordinate the words “pasteurized,” “blended,” “process,” “food,” and “spread” to give undue prominence to the word “cheese” and to words naming the variety of cheese involved.

(b) When placing the names of these foods on labels so as to comply with the requirements of section 403 (a), (f), and (g) of the act, all the words forming the name specified by a definition and standard of identity should be given equal prominence. This can readily be accomplished by printing the specified name of the food in letters of the same size, color, and style of type, and with the same background.

(c) Where the names of optional ingredients are required to appear on the label, the designations of all such ingredients should be given equal prominence. The names of the optional ingredients should appear prominently and conspicuously but should not be displayed with greater prominence than the name of the food. The word “contains” may precede the names of the optional ingredients, and when so used will not be considered as intervening printed matter between name of food and name of optional ingredients required to be placed on the label.

(d) Where a manufacturer elects to include a label statement of fat and moisture content, the declaration should be on the basis of the food as marketed. A fat declaration on a moisture-free basis is likely to be misleading, and should not be used in labeling.