

FDA Finds 'Serious Violations' In Kraft's Use Of MPC

DAVE LEFEVER
Lancaster Farming Staff

NORTHFIELD, Ill. — The Food and Drug Administration has sent a letter of warning to Kraft Foods citing that several of the company's pasteurized process cheese "food" products are in violation of the Code of Federal Regulations because they contain milk protein concentrate (MPC) and are mislabeled as "food".

The letter is dated Dec. 18 and addressed to Betsy Holden, president and CEO of Kraft Foods North America, Inc., based in Northfield, Ill.

The warning came as a result of FDA inspections in July and August of Kraft facilities in Champaign, Ill.; New Ulm, Minn.; and Springfield, Mo.

"Our inspectional observations

and review of certain labeling collected during the subject inspections found serious violations of Section 403 of the Food, Drug, and Cosmetic Act and Title 21, Code of Federal Regulations...Requirements for Specific Standardized Cheese and Related Products," the letter stated.

The letter charges that Kraft Singles American Pasteurized Process Cheese Food, Kraft Singles Sharp Cheddar Pasteurized Cheese Food, and Kraft Singles Swiss Pasteurized Process Cheese Food products "are misbranded...in that they purport to be or are represented as food, namely pasteurized process cheese food, for which a definition and standard of identity has been prescribed...and the products do not conform to the definition and standard. Milk protein concen-

trate is not listed...as one of the optional dairy ingredients that may be used in pasteurized cheese food."

Kraft Velveeta Pasteurized Process Cheese Spread was cited for a similar labeling violation because it contains MPC.

A copy of the FDA letter was forwarded to *Lancaster Farming* by Gerald Carlin, Susquehanna County dairyman and member of the Pennsylvania Dairy Policy Development Committee of the Family Farm Defenders, a group that has been calling such use of imported MPC illegal and lobbying government representatives to take action.

"The letter from FDA to Kraft Foods confirms what those of us following this issue have known for two years or more," Carlin

said in a letter to *Lancaster Farming*.

"The timing of this (FDA) letter is somewhat suspect since Kraft has already announced a change in labeling," Carlin noted. According to unconfirmed reports, Kraft is removing the word "food" from the labels of the cheese products cited by the FDA, labeling them "Pasteurized Prepared Cheese Product" instead.

The letter to Kraft was preceded by a similar warning the FDA made in November to a small-scale cheese plant in Wisconsin.

According to Carlin, the labeling change is an attempt by Kraft to appease the FDA while maintaining consumer confidence in their products.

"From a consumer standpoint,

I believe it is safe to say that most will not notice the change in labeling, much less be aware that the old label represented a standardized cheese and the new one does not," Carlin said. "I believe the only adequate solution, short of financial restitution, would be to force Kraft to suspend the use of MPC in all products until it has GRAS (Generally Regarded As Safe) status."

Carlin noted that Judith Kitwell, an attorney with the FDA, stated in December 2000 that "to be lawful, milk protein concentrate must meet GRAS criteria."

If MPC were to be given GRAS status, all dairy products made with MPC should be labeled "imitation" as has been the case with dairy products con-

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GRAIN, CATTLE, HOG, & MILK BFP FUTURES MARKETS

Markets Courtesy of Chicago Board and Mercantile Exchange
Closing Bids: Thursday, January 2, 2003

Corn

Date	Open	High	Low	Last	Chge
12/31/02 *CASH*		2406	2406	2406	+20
01/02/03 MAR 03	2346	2386	2346	2370	+12
01/02/03 MAY 03	2392	2422	2392	2406	+10
01/02/03 JUL 03	2430	2454	2424	2444	+14
01/02/03 SEP 03	2414	2426	2414	2422	+10
01/02/03 DEC 03	2402	2422	2400	2416	+10
01/02/03 MAR 04	2470	2476	2470	2474	+10
01/02/03 MAY 04	2490	2492	2490	2492	+10
01/02/03 JUL 04	2504	2504	2504	2504	+6
01/02/03 DEC 04	2400	2400	2396	2400	unch

Total	Volume	Open_Int
12/31/02	32586	438041

Soybeans

Date	Open	High	Low	Last	Chge
12/31/02 *CASH*		5605	5605	5605	+30
01/02/03 JAN 03	5700	5860	5690	5844	+150
01/02/03 MAR 03	5674	5824	5650	5810	+160
01/02/03 MAY 03	5604	5760	5590	5750	+162
01/02/03 JUL 03	5550	5680	5544	5674	+140
01/02/03 AUG 03	5474	5580	5474	5580	+130
01/02/03 SEP 03		5384	5384	5384	+90
01/02/03 NOV 03	5140	5220	5130	5214	+86
01/02/03 JAN 04		5250	5250	5250	+100
01/02/03 MAR 04	5270	5270	5270	5270	+100
01/02/03 NOV 04	4904	4904	4904	4904	-14

Total	Volume	Open_Int
12/31/02	34933	201351

Soybean Meal

Date	Open	High	Low	Last	Chge
12/31/02 *CASH*		16650	16650	16650	+50
01/02/03 JAN 03	1678	1715	1673	1710	+37
01/02/03 MAR 03	1678	1725	1672	1720	+46
01/02/03 MAY 03	1672	1710	1660	1708	+43
01/02/03 JUL 03	1658	1691	1651	1688	+36
01/02/03 AUG 03	1630	1660	1627	1658	+34
01/02/03 SEP 03	1600	1618	1598	1618	+27
01/02/03 OCT 03	1560	1570	1550	1570	+20
01/02/03 DEC 03	1546	1570	1545	1567	+23
01/02/03 JAN 04	1560	1560	1560	1560	+22
01/02/03 MAR 04	1567	1567	1567	1567	+16
01/02/03 MAY 04		1557	1557	1557	+2
01/02/03 JUL 04	1558	1560	1558	1560	+5
01/02/03 DEC 04	1590	1590	1590	1590	+5

Total	Volume	Open_Int
12/31/02	40097	20097

Lean Hogs

Date	Open	High	Low	Last	Chge	Previous Volume	Previous Open_Int
12/31/02 *CASH*	0	4390	4390	4390	-230	0	0
01/02/03 Feb 03	5200	5230	5120	5182	+22	3597	19435
01/02/03 Apr 03	5750	5805	5680	5795	+23	1124	8997
01/02/03 May 03	6195	6255	6165	6245	+55	355	2516
01/02/03 Jun 03	6395	6460	6395	6447	+12	225	5096
01/02/03 Jul 03	6180	6225	6155	6197	+52	296	1606
01/02/03 Aug 03	5940	5965	5925	5945	+45	300	1299
01/02/03 Oct 03	5320	5355	5320	5347	+52	29	324
01/02/03 Dec 03	5185	5245	5185	5245	+65	2	109
01/02/03 Feb 04	5420	5440	5420	5440	+65	0	4

Composite Volume Open_Int

12/31/02	5928	39386
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Live Cattle

Date	Open	High	Low	Last	Chge	Previous Volume	Previous Open_Int
12/31/02 *CASH*	0	7400	7400	7400	+49	0	0
01/02/03 Feb 03	7945	7980	7920	7960	-2	6540	54684
01/02/03 Apr 03	7875	7950	7855	7940	+50	2930	32560
01/02/03 Jun 03	7245	7295	7242	7287	+35	3153	18503
01/02/03 Aug 03	7022	7070	7022	7065	+43	214	5626
01/02/03 Oct 03	7175	7200	7170	7190	+35	64	1123

Composite Volume Open_Int

12/31/02	13632	112548
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Pork Bellies

Date	Open	High	Low	Last	Chge	Previous Volume	Previous Open_Int
12/31/02 *CASH*	0	7800	7800	7800	-400	0	0
01/02/03 Feb 03	8570	8635	8507	8617	-3	362	2061
01/02/03 Mar 03	8380	8465	8370	8460	+20	80	374
01/02/03 May 03	8530	8560	8495	8555	+15	8	141
01/02/03 Jul 03	8510	8610	8500	8600	+33	8	185
01/02/03 Aug 03	8460	8490	8445	8460	unch	0	10

Composite Volume Open_Int

12/31/02	458	2771
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Oats

Date	Open	High	Low	Last	Chge
12/31/02 *CASH*		2166	2166	2166	-4
01/02/03 MAR 03	2030	2056	2030	2054	+36
01/02/03 MAY 03	1960	1974	1960	1974	+30
01/02/03 JUL 03	1780	1790	1780	1786	+10
01/02/03 SEP 03		1560	1560	1560	+10
01/02/03 DEC 03	1570	1570	1570	1570	+10
01/02/03 MAR 04		1580	1580	1580	unch

Total	Volume	Open_Int
12/31/02	468	5959