DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Central Region

Food and Drug Administration
Waterview Corporate Center
10 Waterview Blvd., 3rd Floor
Parsippany, NJ 07054

Telephone (973) 526-6008

WARNING LETTER

Certified Mail
Return Receipt Requested

File # 00-NWJ-05

October 18, 1999

Mr. Anthony Filiti
President
Chianti Cheese Co.
207 Hanover Street
Pemberton, New Jersey 08068

Dear Mr. Filiti:

During an FDA inspection on March 15, 1999, at your firm located at the above address, our Investigator collected samples of the grated Parmesan cheese and grated Swiss cheese you manufacture. An analysis determined that both products are in violation of Section 403(h)(1) of the Federal Food, Drug and Cosmetic Act (the Act), whereby those products are misbranded. Under Sections 133.165(a) [Parmesan cheese] and Section 133.195(a) [Swiss cheese] of Title 21, Code of Federal Regulations, both cheeses are required to possess minimum milkfat percentages based on total solids in each product. Your Parmesan cheese was found to have 23.4% weight-to-weight milkfat, where the regulation requires a minimum of 32%. Your Swiss cheese was found to have 31.1% weight-to-weight milkfat, where the regulation requires a minimum of 43%. The products are represented as Parmesan and Swiss cheeses, but fail to conform to the standard of identity for each cheese.

As a manufacturer of human food, you are responsible for assuring that your overall operation and the food products themselves are in compliance with the law.

You should take prompt action to correct the above violations and to establish procedures whereby such violations do not recur. Failure to do so may result in regulatory action without further notice such as seizure and /or injunction.

You should notify this office in writing within 15 working days' receipt of this letter of the steps you have taken to bring your firm into compliance with the law. Your response should include each step being taken that has been taken or will be taken to correct the violations and prevent their recurrence. If corrective action cannot be completed within 15 working days, state the

reason for the delay and the time frame within which the corrections will be completed. Please include copies of any available documentation demonstrating that corrections have been made.

Your reply should be directed to the Food and Drug Administration, Attention: Kirk D. Sooter, Compliance Officer, at the address and telephone number above.

Sincerely yours,

for Douglas I. Ellsworth
District Director