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November 2019

# MARKET NEWS



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## Focus on China

### China reports new African swine fever case in Yunnan

China on Wednesday confirmed a new case of African swine fever in Southwestern China's Yunnan province, said the Ministry of Agriculture and Rural Affairs.

The outbreak occurred in a farm with a total of 261 pigs in Jietou Township, Tengchong City, with the viral disease infecting 177 pigs and killing 97, said the ministry, citing reports from the China Animal Disease Control Center.

The ministry has dispatched a team to the area, and local authorities have initiated an emergency response to block and cull the affected pigs and bury them before disinfecting the venue.

Transport of all pigs and related products out of or into the blockade region is forbidden, the ministry said.

African swine fever is believed to infect only pigs, and no humans or other species have thus far been infected.

### School canteens open kitchens for public supervision

About 84 percent of schools with canteens have opened their kitchens for public supervision, according to the Ministry of Education (MOE) at a press conference Tuesday.

School canteens have followed the lead of catering businesses in showing customers food processing conditions by opening large windows and publishing CCTV footage

from their kitchens, said a ministry press release at a press conference held in Zhuhai city of south China's Guangdong Province.

The total number of schools opening their canteen kitchens for public supervision reached 318,600 by Oct 14, the ministry statement said.

Schools are also encouraged to livestream their kitchen operations so as to enhance oversight from students, faculty, parents and regulatory agencies.

In an inspection operation covering about 631,000 school canteens, school meal providers, grocery stores and restaurants near schools in September, 496 unlicensed food operators were closed down and about 11,400 received warnings.

The inspection was jointly initiated by the MOE, the State Administration for Market Regulation, the Ministry of Public Security and the Ministry of Agriculture and Rural Affairs.

In the next stage, the inspection will aim to upgrade the environment of school canteens, dormitories, classrooms, toilets and playgrounds, with food safety and sanitation as priorities, the ministry said.

### Caffeine detected in popular milk tea brands

Can't fall asleep at night? The milk tea you drink during the day could be the chief culprit.

A test recently carried out in the southern city of Shenzhen discovered high levels of caffeine in milk tea sold by some popular brands, chinanews.com reported.

On average, caffeine content in the 10 surveyed brands is 258 milligrams per kilogram.

The highest caffeine content is found in a Hong-Kong style milk tea produced by Mai Chi Ling, with a proportion of 522 mg/kg (or 365 mg/cup), equivalent to seven cans of Red

Bull.

Other brands, including Heytea, Yidiandian and DAKASI, all contain a high amount of caffeine.

Bobo Ice Milk Tea of Heytea, a sought-after brand among youngsters especially in metropolitan cities, contains caffeine equivalent to 3.5 cans of Red Bull.

The test was made by the Consumer Committee of Guangming District of Shenzhen.

## International News

### Changes to the FSIS Salmonella verification testing program for raw ground beef and beef trimmings

The Food Safety and Inspection Service (FSIS) is announcing on 10/28/2019 (and requesting comment) on a new pathogen reduction performance standards for Salmonella in raw ground beef and beef manufacturing trimmings. The agency explains how it plans to evaluate if an establishments producing raw ground beef and/or beef manufacturing trimmings are effectively addressing Salmonella, using a 52-week moving window of FSIS sampling results and other related verification activities. Approximately one year (52 weeks) after the new standards are made final, the Agency plans to post individual establishment performance as either “meeting” or “not meeting” the pathogen reduction performance standard on the FSIS website, based on the most recent 48 Salmonella sample results. FSIS will continue to analyze these beef manufacturing trimmings samples for Escherichia coli O517:H7 and applicable non-O157 Shiga-toxin producing E. coli (STEC) and ground beef samples for E. coli O157:H7. If fewer than 48 samples are collected or analyzed in a 52-week

window at an establishment, its status would be reported as “N/A,” provided the establishment has two or fewer Salmonella positives in that window.

### Imports of Food and Feed from Japan, Regarding Radioactive Contamination Checks



The law regulating the importation of food and feed from Japan, protecting against radioactive contamination has been amended. These changes come into effect from 14th November 2019. The new law Commission Implementing Regulation

(EU) 2019/1787 amends Commission Implementing Regulation (EU) 2016/6

#### Changes introduced

- The number of specified products and controlled prefectures has been reduced (removal of Soybeans, Japanese butterbur, Japanese royal fern, Ostrich fern) (removal of food from Chiba, Tochigi and Iwate prefectures)
- The results of sampling and analysis continue to be required for consignments of specified products from a controlled prefecture. Some prefecture requirements have been updated. Full details are in Annex I of CIR (EU) 2019/1787
- A new format Declaration has been introduced for consignments of

specified products originating or consigned from Japan. The model Declaration is in Annex II of CIR (EU) 2019/1787

- Transitional provisions regarding Declarations: consignments accompanied by a declaration in accordance with Annex III of Commission Implementing Regulation (EU) 2017/2058 can be accepted provided that the products left Japan prior to 14th November 2019

### Summarised import requirements

The new Regulation applies to Japanese food and feed from 14th November 2019

The regulation specifies that food and feed may only enter the EU through a BIP (Border Inspection Post – for products of animal origin) or a DPE (Designated Point of Entry – for products not of animal origin). Felixstowe is designated for both and therefore all controlled products are able to be imported subject to the conditions set out.

### Specified Products and Controlled Prefectures

The table below summarises the specified products and controlled prefectures. Controls are in place as follows:

- All specified products from all prefectures in Japan are required to be accompanied by a CED and a Declaration. The current specified products and their CN codes are in the first two columns of the below table.
- If the specified products are from a controlled prefecture they must be accompanied by an analytical report containing the results of sampling and analysis in addition to the CED and Declaration. The 'X' in the below table indicates which products from which prefectures require the analytical

report.

These requirements (declaration and analytical report) cover imports of fishery products caught or harvested in the coastal waters of the prefecture of Fukushima, irrespective of where such products are landed.

### Composite/Compound products

The controls also apply to any products consisting of greater than 50% of a specified product (from a controlled prefecture). Where the origin of the ingredients (at more than 50%) is unclear the product must be accompanied by an analytical report containing the results of sampling and analysis.

### Health Canada's proposal to enable the use of the food additives methyl paraben, propyl paraben and their sodium salts in various foods

Food additives are regulated in Canada under Marketing Authorizations (MAs) issued by the Minister of Health and the Food and Drug Regulations (Regulations). Approved food additives and their permitted conditions of use are set out in the Lists of Permitted Food Additives that are incorporated by reference in the MAs and published on the Canada.ca website.

The Food Directorate is proposing changes to the paraben food additive entries that appear in Part 2 of the List of Permitted Preservatives, based on:

- Health Canada identifying parabens as a priority for safety assessment, both in the Food Directorate and as part of the third phase Footnote 1 of the Government of Canada's Chemical Management Plan Footnote 2 (CMP);
- the Food Directorate's review of the paraben listings and updated toxicological opinion on parabens;

- a determination that the existing permitted conditions of use for the parabens could result in exposures that may exceed the acceptable daily intake for these food additives; and
- consultation with food industry stakeholders who identified that the parabens are used in fewer food categories and at lower levels than currently permitted.

The objective of the proposed modification to the List of Permitted Preservatives is to ensure that approved food additive uses of parabens are up to date and reflective of actual uses by the food industry in foods sold in Canada. Therefore, it is the intention of Health Canada to modify Part 2 of the List of Permitted Preservatives to revise the food categories and maximum levels for methyl-p-hydroxybenzoate (methyl paraben), propyl-p-hydroxybenzoate (propyl paraben), and their sodium salts (sodium salt of methyl-p-hydroxybenzoic acid and sodium salt of propyl-p-hydroxybenzoic acid) in the List of Permitted Preservatives.

### **FDA Continues Enforcement Discretion Policy Relevant to Certain Co-Manufacturers under FSMA**

The FDA will be continuing its enforcement discretion policy for compliance with certain FDA Food Safety Modernization Act (FSMA) supply-chain program requirements applicable to receiving facilities that are co-manufacturers.

Three of the rules created to implement FSMA - Preventive Controls for Human Foods, Preventive Controls for Animal Food, and the Foreign Supplier Verification Programs – require co-manufacturers that are receiving facilities and/or importers that produce food for the brand owners to approve suppliers and conduct certain supplier verification activities. These requirements are



designed to ensure suppliers are addressing hazards requiring a supply-chain-applied control.

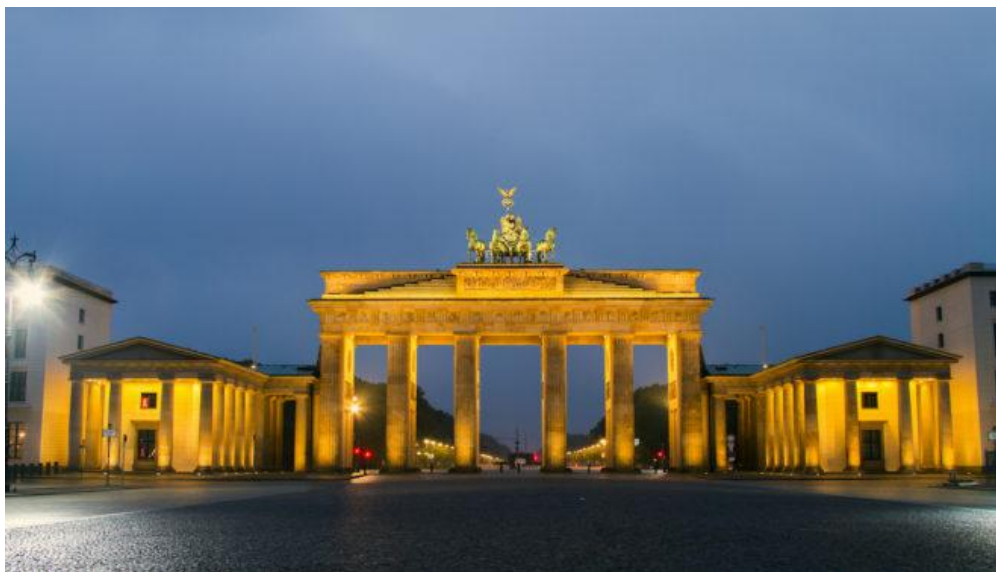
Previously, industry expressed concerns that in some situations the supply chain requirements could conflict with existing contracts between brand owners and the firms the brand owners select to supply their co-manufacturers. To comply with the supply-chain program requirements, co-manufacturers often need detailed information about suppliers that only the brand owner has, and that cannot be shared because of confidentiality clauses in the contracts between brand owners and the co-manufacturers' suppliers.

In November 2017, the FDA announced an enforcement discretion policy until November 6, 2019 for compliance with certain supply-chain program requirements related to supplier approval and supplier verification. The

enforcement discretion was intended to give brand owners more time to work with suppliers to adjust contracts so that supply-chain related information could be shared with co-manufacturers.

Since that time, FDA has learned of additional challenges industry is facing in trying to meet the supply-chain requirements. The FDA will continue its enforcement discretion policy while advancing its work with stakeholders to better understand these challenges and to consider possible solutions to address these situations. We intend to announce the extension in a forthcoming notice in the Federal Register. In the meantime, co-manufacturers should continue to comply with other applicable requirements for which they are responsible under the Federal Food, Drug, and Cosmetic Act.

### **USDA conducts on-site food safety audit for Germany's processed meat exports**



A new USDA audit of Germany's food safety systems for processed meat products exported to the United States did not find much to cause concern. The on-site verification audit of Germany's inspection system occurred from March 18 through March 29, ending with an exit interview in Berlin.

At that interview, Germany's Federal Office of Consumer Protection and Food Safety promised to take corrective actions to address USDA findings. USDA's Food Safety and Inspection Service (FSIS) is to monitor the verification activities.

Germany currently exports processed pork products to the United States.

The USDA audit team's review of Germany's food safety system for processed meats found nothing that puts public health in danger. Several components of Germany's food safety system were examined in detail and no deficiencies were found.

However, in two of six establishments, USDA auditors found government verification of HACCP requirements were inadequate. In two of four ready-to-eat dry-cured ham establishments, auditors found shortcomings in government verification of HACCP (hazard analysis and critical control point) requirements.

USDA's concerns were said to involve "recordkeeping and necessary technical clarifications."

At two dry-cured ham establishments, the audit report says, "the hazard analyses did not identify microbiological controls for Salmonella within all process steps; however, the establishment process had validated/scientific documentation."

The final report is dated Sept. 25. USDA sent the final audit report off to Germany on Oct. 23.

“The purpose of the audit was to determine whether Germany’s food safety inspection system governing processed meat products remains equivalent to that of the United States, with the ability to export products that are safe, wholesome, unadulterated, and correctly labeled and packaged,” the audit report says.

USDA foreign audit reports focus on six system equivalent components:

- Government Oversight (e.g., Organization and Administration);
- Government Statutory Authority and Food Safety and Other Consumer Protection Regulations (e.g., Inspection System Operation, Product Standards, and Labeling, and Humane Handling);
- Government Sanitation;
- Government Hazard Analysis and Critical Control Point (HACCP) System;
- Government Chemical Residue Testing Programs; and
- Government Microbiological Testing Programs.

“This was a routine ongoing equivalence verification audit,” according to the audit report. “The audit objective was to determine whether Germany’s food safety inspection system governing processed meat products remains equivalent to that of the United States, with the ability to export products that are safe, wholesome, unadulterated, and correctly labeled and packaged.”

Germany remains eligible to export certain products to the United States.

### **More than 800 beef products now under recall for E. coli risk**

Public health officials have added another 18 products to a list of recalled beef

and veal items that now has more than 830 entries. An investigation into E. coli contamination prompted all of the regional and nationwide recalls.

“The Canadian Food Inspection Agency (CFIA) is conducting a food safety investigation on E. coli O157:H7 in various beef and veal products sold by Ryding-Regency Meat Packers Ltd. — Establishment 99 — and St. Ann’s Foods Inc./Ryding-Regency Meat Packers Ltd. — Establishment 639,” according to a statement on the food agency’s website.

As is the practice and policy of the CFIA, none of the recalls report how many pounds of meat are involved. The agency has not posted any information on the investigation other than to say it involves E. coli and that it is ongoing. The recall notices all say they were “triggered by the CFIA’s inspection activities,” but the government has not reported what the specific inspection trigger was.

Ryding-Regency began recalling beef and veal products on Oct. 3. Since then a number of different entities, including some identified by Canadian officials simply as “industry,” have posted recalls. No illnesses have been confirmed, but the investigation is ongoing.

In the United States, the U.S. Department of Agriculture’s Food Safety and Inspection Service (FSIS) issued a public health alert for raw non-intact beef products derived from imported beef from Ontario, Canada, that have been recalled by Ryding-Regency. That alert remains in effect.

In Canada, officials continue to urge the public and foodservice operators including schools, restaurants, hotels, hospitals, nursing homes, and other institutional kitchens to not use the recalled beef and veal products.

Several of the 18 new products under recall in Canada are packaged without a brand name. A variety of retailers in Ontario received the implicated products.



## FDA may add sesame to list of major food allergens requiring label disclosure



An estimate of 17 percent of children who have food allergies are allergic to sesame, according to research published in *Pediatric Allergy and Immunology*. Sesame is one of the 10 most common childhood food allergies and severe reactions are common.

The Food and Drug Administration is currently considering adding sesame to the list of allergens requiring disclosure on food labels. Failure to include required information about allergens on food labels is a violation of federal law. Undeclared sesame has resulted in a number of recalls in recent years for food under the jurisdiction of the FDA as well as the U.S. Department of Agriculture.

An estimated 20 percent to 30 percent of children outgrow their sesame allergies. The National Institute of Allergy and Infectious Diseases (NIAID) estimates that 1.1 million or 0.23 percent of the U.S. population has a sesame allergy.

“Given how frequently sesame allergy occurs among children who are allergic to other foods, it is important to use caution to the extent possible when exposing these children to sesame,” said Anthony S. Fauci, director of the NIAID.

## Tiger Brands mulls sale of processed meats operations

Tiger Brands is considering selling its processed meats business that was identified as the source of the South African Listeria outbreak in 2017 and 2018.

The company said as part of a strategic review it had been looking at the possibility of selling its Value Added Meat Products (VAMP) business, which includes Enterprise Foods, in 2017. However, the outbreak and closure of manufacturing facilities delayed the evaluation.

The listeriosis outbreak began at the start of 2017 and was declared over in September 2018 with 1,065 confirmed cases and 218 deaths. It was traced in March 2018 to a ready-to-eat processed meat product called polony made at a plant in Polokwane run by Enterprise Foods, which is owned by Tiger Brands.

When the business re-opened at the beginning of the 2019 financial year, a review was started.

## Offers received

A Tiger Brands stock market statement said this found the business was “not an ideal fit within its portfolio” and that consideration should be given to exiting the category.

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It confirmed there had been “several indicative offers” and a formal due diligence process has been started ahead of a final decision being made.

Company officials said the actions do not affect its commitment to the class action legal process which is underway.

In April this year, owners of Tiger Brands said they planned to fight the lawsuit relating to the company’s part in the outbreak. The first stage of the process deals with liability. Damages would be handled at a second stage if the court finds the firm liable.

The firm of Richard Spoor Attorneys are representing more than 1,000 people affected by the listeriosis outbreak. The Seattle firm of Marler Clark LLP is serving as a consultant for the case attorneys.

Earlier this year, Tiger Brands issued subpoenas to food testing laboratories for information on the identities of those who submitted samples for listeriosis testing and results of these tests during the outbreak period. This action is separate to, but has the potential to delay, the main litigation.

No hearing is planned for this year but it could happen by mid-to-late 2020.

## Safety Alerts

Date	Brand Name(s)	Product Description	Product Type	Recall Reason Description	Company Name
11/22/2019	Whole Foods Market	Raspberry Cheesecake Italian Gelato	Food & Beverages,	Undeclared egg	Whole Foods Market

11/21/2019	Tainy Vostoka	Dried Fruit Mix	Food & Beverages,	Undeclared sulfites	Euroline Foods LLC
11/20/2019	Nabisco	Cheese Nips	Food & Beverages,	Potential presence of plastic	Mondelēz Global LLC
11/15/2019	Breakstone’s	Cottage Cheese	Food & Beverages,	Potential presence of plastic and metal	Kraft Heinz Foods Company
11/13/2019	Marketside	Marketside Brand Creamy Cauliflower Parmesan Soup	Food & Beverages, Soup	Undeclared fish and wheat	Kettle Cuisine
11/13/2019	Natural Grocers	Organic Soybeans	Food & Beverages,	Potential to contain mold	Vitamin Cottage Natural Food Markets, Inc.
11/11/2019	Fresh Seasons Kitchen	Veggie & Ranch Cups with cauliflower	Food & Beverages,	Due to the potential risk of Listeria monocytogenes	Taher, Inc.
11/08/2019	Crazy Fresh, quick & easy, no brand	Various fresh vegetables	Food & Beverages,	Listeria monocytogenes	Russ Davis Wholesale

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	name listed						Flour	All-Purpose Flour			Flour, Inc.
11/06/2019	Mill Stream Corp.	Cold Smoked Salmon	Food & Beverages,	Clostridium botulinum	Mill Stream Corp.	10/31/2019	Season's Choice, Raley's	Frozen raspberries, frozen berry mixes	Food & Beverages, Fruit/Fruit Product	Potential to be contaminated with Hepatitis A	Wawona Frozen Foods
11/06/2019	Whole Foods Market	Multiple Products	Food & Beverages,	Listeria monocytogenes	Whole Foods Market	10/31/2019	Nestle	Ready-to-bake refrigerated cookie dough products	Food & Beverages,	Due to the potential presence of food-grade rubber pieces	Nestle USA, Inc.
11/05/2019	Wegmans	Vegetable blends served at self-serve cold bar	Food & Beverages, Vegetable Products	Listeria monocytogenes	Wegmans	10/28/2019	Great Lakes, more	Fresh apples varieties:	Food & Beverages,	Potential to be contaminated with Listeria monocytogenes	North Bay Produce, Inc.
11/05/2019	No Brand name Listed on Package	Stir Fry Blends	Food & Beverages, Vegetable Products	Listeria monocytogenes	GHNW, LLC	10/28/2019	Golden Dragon Inc.	Chinese Almond Cookies	Food & Beverages, Allergens	May contain undeclared milk	Golden Dragon Fortune Cookies Inc.
11/05/2019	Meijer	Vegetable Trays & Broccoli florets	Food & Beverages,	Listeria monocytogenes	Meijer						
11/05/2019	Keshav and Swan Brands	Dried dates	Food & Beverages,	Undeclared sulfites	Peekay International Inc.						
11/03/2019	Mann, various private brands	Various vegetable products	Food & Beverages,	Potential contamination with Listeria monocytogenes	Mann Packing Co., Inc.						
11/01/2019	King Arthur	Unbleached	Food & Beverages,	E. coli O26	King Arthur						

## Enterprise News

### Meat and poultry egg roll recall expanded to 126,000 pounds



St. Louis-based T & R Enterprise USA Inc. has added about 8,000 pounds of additional products to its Oct. 18 recall of meat and poultry egg roll products, bringing the total recall to about 126,000 pounds. Routine inspection activity by USDA's Food Safety and Inspection Service found the egg rolls were being produced under "insanitary conditions."

"FSIS is concerned that some product may be frozen and in consumers' refrigerators or freezers or both. Consumers who have purchased these products are urged not to consume them. These products should be thrown away or returned to the place of purchase," according to the recall notice posted by the FSIS.

The meat and poultry egg roll items were produced on various dates from Aug. 1 to Sept. 26 this year. The following products are subject to recall:

- Cases containing 80/2-oz pieces of "SILVER LABEL PORK & VEGETABLE PROTEIN EGG ROLL."
- Cases containing 120/2-oz pieces of "Dai Kin PORK & TEXTURED VEGETABLE PROTEIN EGG ROLL."
- Cases containing 120/2-oz pieces of "TITA'S PORK & TEXTURED VEGETABLE PROTEIN EGG ROLL."
- Cases containing 120/2-oz pieces of "TITA'S CHICKEN & TEXTURE VEGETABLE PROTEIN EGG ROLL."
- Cases containing 120/2-oz pieces of "WORLD CUISINE PORK & TEXTURED VEGETABLE PROTEIN EGG ROLL."
- Cases containing 120/2-oz pieces of "WORLD CUISINE CHICKEN & TEXTURED VEGETABLE PROTEIN EGG ROLL."

The recalled products bear establishment number "EST. 33792" or "P33792" inside the USDA mark of inspection. These items were shipped to institutional locations in Georgia and Missouri.

The problem was discovered while FSIS was conducting routine food inspection activities. There have been no confirmed reports of adverse reactions due to consumption of these products. Anyone concerned about an injury or illness should contact a healthcare provider.

## Walmart, Costco recall baby formulas because of potentially deadly bacteria

Retail giants Walmart and Costco are recalling Parent's Choice and Kirkland branded baby formula because of possible contamination with *Cronobacter* spp., which has a fatality rate up to 80 percent in newborns and young infants.

The recalls posted by the Canadian Food Inspection Agency (CFIA) follow two in early October by Loblaw Companies Ltd. that involved President's Choice. All of the recall notices say the actions were initiated because of CFIA test results.

Walmart reported distributing the implicated Parent's Choice brand "Infant Formula for Babies Sensitive to Lactose" nationwide in Canada. Similarly, Costco reported national distribution of its Kirkland Signature brand "Non-GMO Infant Formula for Babies Sensitive to Lactose."

None of the four notices say how much formula is subject to recall. None of the notices name of the formula manufacturer(s) or ingredient suppliers.

## Nestlé recalls more than 2 dozen cookie dough products because of rubber bits

Complaints about pieces of "food grade" rubber in some cookie dough has spurred Nestlé USA to initiate a nationwide recall of 26 ready-to-bake products.

The multi-national company reports distributing the refrigerated, raw, Nestlé Toll House dough in the continental United States and Puerto Rico. The recalled cookie dough products are sold in tubes, flat plastic packages and tubs.

Consumers who may have purchased the products should not prepare or consume them but should instead discard the product, the company urged in its

Check  
your  
fridge



recall notice.

"We have identified the source of the rubber and have already fixed the issue," the Nestle company reported in its Oct. 31 recall notice, which was posted today by the Food and Drug Administration. "We are working with the U.S. FDA on this voluntary recall and will cooperate with them fully."

No injuries or illnesses had been confirmed as of the posting of the recall notice, according to the company.

Consumers should look for specific batch codes on the 26 recalled products to determine if the specific packages they have in their homes are subject to the recall.

### **Kraft Heinz recalls Breakstone's cottage after consumer complaints**

The Kraft Heinz Foods Co. is recalling some Breakstone's brand cottage cheese following several consumer complaints about extraneous material in the product.

The company reported that bits of plastic and metal "may have been introduced during production." The cottage cheese has expiration dates into the second week of December.

"Consumption of hard or sharp foreign material could cause injury to teeth, mouth, throat, stomach or intestine tissues if swallowed," according to the Kraft Heinz recall notice posted by the Food and Drug Administration. "Consumers who purchased this product should not eat it and return it to the store where purchased for an exchange or full refund."

As of the posting of the recall notice, six consumer complaints had been received. No reports of injuries had been confirmed. Kraft Heinz reported distributing about 9,500 cases of the Breakstone's cottage cheese that are subject to the recall. It shipped the cottage cheese to retailers and distributors in the United States and exported to Latin America, according to the recall notice.

### **MARKET NEWS - REPLY**

If you have any views or comments on the articles in the marketing news please feel free to contact us on the following email address: [sales.china@mxns.com](mailto:sales.china@mxns.com)