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Is the Wax Coating on Cheese Considered Tare?

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Recently, the NIST Weights and Measures Division (WMD) has received calls from several state weights and measures jurisdictions asking about the wax coating on a variety of cheeses. Should the wax coatings be considered as tare weight or net weight? Definitely a good question!

Some may argue that although the wax is not consumed, it may be an integral part of the manufacturing of the cheese and there are cases where cheese that is sold wholesale, by weight, has included the weight of the wax.

The issue of wax on cheese came up in 1984, and the WMD asked the Food and Drug Administration (FDA) for guidance. In a letter dated March 20, 1984, the FDA Associate Director for Compliance provided the following interpretation:

We are of the opinion that 21 CFR 101.105(g) requires that wax coatings on cheese always be considered part of the tare. This section states that the declaration of quantity of contents shall accurately reveal the quantity of food in the package exclusive of wrappers and other material packed therewith.

Even when the wax is an integral part of the manufacture of the cheese, the wax itself is not derived from the curd of any type of milk. As a result, it would be inappropriate to consider the wax to be part of the food known as cheese.

Also, most consumers would consider such wax inedible and would discard it. Under these circumstances, we believe that consumers would be misled by declarations of net weight including the wax coating.

Further, you should be aware that our position on these wax coatings applies to wholesale as well as retail cheese packages. Both types of packages could be considered misbranded if the net weight declaration included the wax coating.

Clearly, wax on cheese is to be considered tare! This interpretation still holds true today.

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