



02/12/2019

The Honorable Karen Ross, Secretary  
California Department of Food and Agriculture  
1220 N Street  
Sacramento, CA 95814

Re: Temporary Standards for Almond Milk Cream Cheese and Almond Milk Ricotta

Dear Secretary Ross:

Lyrical Foods, Inc. ("Lyrical Foods" or "we") manufactures and sells Kite Hill® brand non-dairy cultured almond milk products. Pursuant to California Food and Agriculture Code section 36632, Lyrical Foods submits this petition requesting temporary standards for two products: almond milk cream cheese and almond milk ricotta. We request these temporary standards for an initial period of one year.

There was no bill during the preceding session of the Legislature that contained a definition and standard for almond milk cream cheese or almond milk ricotta.

### **Almond Milk Cream Cheese**

#### ***Proposed Definition, Standard, Nomenclature, and Label***

We propose the following definition, standard, and nomenclature for almond milk cream cheese:

Almond milk cream cheese is a soft, uncured, non-dairy cheese. It is made from a pasteurized blend of ground almonds and water, which may be combined with one or more of the following safe and suitable ingredients: bacterial cultures, coagulating enzymes of plant or microbial origin, stabilizers, emulsifiers, salt, acidulants, flavoring ingredients (such as fruits, vegetables, herbs, spices, and flavors), color additives, and sweeteners. The maximum moisture content before the addition of bulky flavoring ingredients is 70% by weight.

The food shall be labeled "almond milk cream cheese," "cream cheese made from almond milk," "almond milk cream cheese spread," "cream cheese spread made from almond milk," "almond milk cream cheese style spread," or "cream cheese style spread made from almond milk." In any of these names, "almond milk" may be written as two words or as the compound word "almondmilk". The language "dairy free" or "non-dairy" shall be included on the principal display panel.

The attached Exhibit A contains a copy of Lyrical Foods' proposed labels for Kite Hill® almond milk cream cheese in five flavors: plain, chive, jalapeno, "everything," and strawberry.

***Relation Between the Proposed Product and Existing Definitions and Standards***

The product for which we request a temporary standard is a unique non-dairy product for which no definition or standard currently exists in California or federal law. There is no existing definition or standard for almond milk cream cheese. While there is a federal standard of identity for cream cheese,<sup>1</sup> which is incorporated in California law,<sup>2</sup> it does not apply to almond milk cream cheese, which is a different product made from almonds.

The proposed nomenclature for the product distinguishes it from dairy-based cream cheese by including "almond milk" (or "almondmilk") in the name of the food. In addition, we propose that the temporary standard require the principal display panel of the product package include the words "dairy free" or "non-dairy" to eliminate any possible basis for confusion.

**Almond Milk Ricotta**

***Proposed Definition, Standard, Nomenclature, and Label***

We propose the following definition, standard, and nomenclature for almond milk ricotta:

Almond milk ricotta is an uncured, non-dairy cheese with a soft, creamy, and open texture. It is made from a pasteurized blend of ground almonds and water, which may be combined with one or more of the following safe and suitable ingredients: bacterial cultures, coagulating enzymes of plant or microbial origin, acidulants, and salt. It has a maximum moisture content of 70% by weight of the finished food.

The food shall be labeled "almond milk ricotta" or "ricotta made from almond milk." In either of these names, "almond milk" may be written as two words or as the compound word "almondmilk." The language "dairy free" or "non-dairy" shall be included on the principal display panel.

This attached Exhibit B is a copy of Lyrical Foods' proposed label for Kite Hill® almond milk ricotta.

***Relation Between the Proposed Product and Existing Definitions and Standards***

The product for which we request a temporary standard is a unique non-dairy product for which no definition or standard currently exists in California or federal law. There is no existing definition or standard for almond milk ricotta. Nor is there an existing California or federal definition for dairy-based ricotta. There is a standard in 3 CCR § 415 for ricotta, which requires that it contain at least 11% milkfat and have not more than 80% moisture content. However, that

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<sup>1</sup> 21 CFR § 133.133

<sup>2</sup> Cal. Food & Agr. Code § 37407

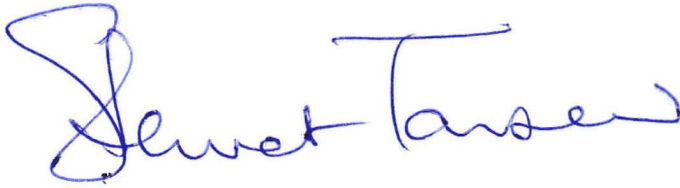
standard does not apply to almond milk ricotta, which is a different product made from almonds that has no milkfat.

The proposed nomenclature for the product distinguishes it from dairy-based ricotta by including "almond milk" (or "almondmilk") in the name of the food. In addition, we propose that the temporary standard require the principal display panel of the product package include the words "dairy free" or "non-dairy" to eliminate any possible basis for confusion.

\* \* \* \* \*

Lyrical Foods believes that it has met the requirements for issuance of temporary standards for almond milk cream cheese and almond milk ricotta. If CDFA requires any additional information, please let us know.

Respectfully submitted,

A handwritten signature in blue ink that reads "Stewart Townsend". The signature is fluid and cursive, with the first name "Stewart" written in a larger, more prominent script than the last name "Townsend".

Dr. Stewart Townsend, SVP R&D

Attachments:

Exhibit A: Labels for Kite Hill Almond Milk Cream Cheese

Exhibit B: Label for Kite Hill Almond Milk Ricotta



Exhibit A.1: Kite Hill Plain Almond Milk Cream Cheese Style Spread, 8 OZ



Exhibit A.2: Kite Hill Chive Almond Milk Cream Cheese Style Spread, 8 OZ





Exhibit A.3: Kite Hill Jalapeño Almond Milk Cream Cheese Style Spread, 8 OZ



Exhibit A.4: Kite Hill Everything Almond Milk Cream Cheese Style Spread, 8 OZ





Exhibit A.5: Kite Hill Strawberry Almond Milk Cream Cheese Style Spread, 8 OZ





Exhibit B: Kite Hill Almond Milk Ricotta, 8 OZ

**kitehill**  
Plant-Based Alternatives

ALMOND MILK  
**RICOTTA**  
DAIRY FREE



NON  
GMO

RICOTTA

ARTISAN ALMOND MILK RICOTTA

Kite Hill® was founded by an artisan chef, and you can see why every ricotta is safe. Our Almond Milk Ricotta is made from almond milk, cultured with live cultures. Substitute to ricotta in recipes. Enjoy! plant-based foods feels great and the taste is irreplaceable.

DAIRY FREE. SOY FREE. GLUTEN FREE. VEGAN.  
NO ARTIFICIAL FLAVORS OR PRESERVATIVES.  
MADE FROM LIVE CULTURES.

PERISHABLE. KEEP REFRIGERATED. Best consumed within 7 days of opening.



Best By  
See Lid

NON  
GMO  
Project  
VERIFIED

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**Nutrition Facts** Servings: About 7 **Serv. size: 2 tbsp (33g)**  
Amount per serving **Calories 80** **Total Fat** 100% DV **Sat. Fat** 0% DV **Trans Fat** 0% DV **Total Sugar** 10% DV **Total Protein** 10% DV  
Sodium 15% DV **Total Fat** 100% DV **Sat. Fat** 0% DV **Trans Fat** 0% DV **Total Sugar** 10% DV **Total Protein** 10% DV  
Dietary Fiber 0% DV **Total Fat** 100% DV **Sat. Fat** 0% DV **Trans Fat** 0% DV **Total Sugar** 10% DV **Total Protein** 10% DV

**INGREDIENTS:** ALMOND MILK, WATER, ALMONDS, SALT, ENZYMES, ORGANIC ACID.

DISTRIBUTED BY  
LYRICAL FOODS, INC.  
HAYWARD, CA 94545

**kitehill**  
Plant-Based Alternatives

ALMOND MILK  
**RICOTTA**  
DAIRY FREE



NON  
GMO

NET WT. 8 OZ (227g)

REFRIGERATE TO KEEP FRESH

NEW LOOK