

**§ 139.138**

vermicelli”, when the units comply with the shape and size requirements prescribed for macaroni, spaghetti, or vermicelli in §139.110 (b), (c), or (d). The blank in each instance is filled in with the name of the vegetable used, as specified in §139.125(a). For example, the name of an enriched macaroni product containing the prescribed amount of spinach and made in units not conforming in shape and size to the requirements for macaroni, spaghetti, or vermicelli is “Enriched spinach macaroni product”.

[42 FR 14409, Mar. 15, 1977, as amended at 58 FR 2878, Jan. 6, 1993]

**§ 139.138 Whole wheat macaroni products.**

(a) Whole wheat macaroni products are the class of food each of which conforms to the definition and standard of identity and is subject to the requirements for label statement of ingredients, prescribed for macaroni products by §139.110(a), (f)(2), (f)(3), and (g), except that:

(1) Whole wheat flour or whole durum wheat flour or both are used as the sole wheat ingredient; and

(2) None of the optional ingredients permitted by §139.110(a) (1), (2), and (5) is used.

(b) Whole wheat macaroni is the whole wheat macaroni product the units of which conform to the specifications of shape and size prescribed for macaroni by §139.110(b).

(c) Whole wheat spaghetti is the whole wheat macaroni product the units of which conform to the specifications of shape and size prescribed for spaghetti by §139.110(c).

(d) Whole wheat vermicelli is the whole wheat macaroni product the units of which conform to the specifications of shape and size prescribed for vermicelli by §139.110(d).

(e) The name of each food for which a definition and standard of identity is prescribed by this section is “Whole wheat macaroni product”; or alternatively, the name is “Whole wheat macaroni”, “Whole wheat spaghetti”, or “Whole wheat vermicelli”, as the case may be, when the units of the food comply with the requirements of para-

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graph (b), (c), or (d), respectively, of this section.

[42 FR 14409, Mar. 15, 1977, as amended at 58 FR 2878, Jan. 6, 1993]

**§ 139.140 Wheat and soy macaroni products.**

(a) Wheat and soy macaroni products are the class of food each of which conforms to the definition and standard of identity and is subject to the requirements for label statement of ingredients, prescribed for macaroni products by §139.110(a), (f)(2), (f)(3), and (g), except that:

(1) Soy flour is added in a quantity not less than 12.5 percent of the combined weight of the wheat and soy ingredients used (the soy flour used is made from heat-processed, dehulled soybeans, with or without the removal of fat therefrom); and

(2) None of the optional ingredients permitted by §139.110(a) (1) and (2) is used. When the optional ingredient gum gluten (§139.110(a)(5)) is added, the quantity is such that the protein derived therefrom, together with the protein derived from semolina, durum flour, farina, flour or any combination of these used, does not exceed 13 percent of the weight of the finished food.

(b) Wheat and soy macaroni is the wheat and soy macaroni product the units of which conform to the specifications of shape and size prescribed for macaroni by §139.110(b).

(c) Wheat and soy spaghetti is the wheat and soy macaroni product the units of which conform to the specifications of shape and size prescribed for spaghetti by §139.110(c).

(d) Wheat and soy vermicelli is the wheat and soy macaroni product the units of which conform to the specifications of shape and size prescribed for vermicelli by §139.110(d).

(e) The name of each food for which a definition and standard of identity is prescribed by this section is “Wheat and soy macaroni product”, “Wheat and soybean macaroni product”, “\_\_\_\_\_ and soy macaroni product”, or “\_\_\_\_\_ and soybean macaroni product”, the blank in each instance being filled in with the name whereby the wheat ingredient used is designated in §139.110(a); or alternatively, the name is “Wheat and soy macaroni”, “Wheat