

§ 145.120 Canned berries.

(a) *Identity*—(1) *Ingredients*. Canned berries is the food prepared from any suitable variety of one of the optional berry ingredients specified in paragraph (a)(2) of this section, which may be packed in one of the optional packing media specified in paragraph (a)(3) of this section, and may contain one or any combination of two or more of the safe and suitable optional ingredients specified in paragraph (a)(4) of this section. Such food is sealed in a container and before or after sealing is so processed by heat to prevent spoilage.

(2) *Varietal types*. The optional berry ingredients referred to in paragraph (a)(1) of this section are prepared from stemmed fruit of the following optional varietal types of berry ingredient; namely:

- (i) Raspberry varieties conforming to the characteristics of *Rubus idaeus* L. or *Rubus occidentalis* L.
- (ii) Blackberries.
- (iii) Blueberries.
- (iv) Boysenberries.
- (v) Dewberries.
- (vi) Gooseberries.
- (vii) Huckleberries.
- (viii) Loganberries.
- (ix) Strawberry varieties conforming to the characteristics of *Fragaria*.
- (x) Youngberries.

(3) *Packing media*. (i) The optional packing media referred to in paragraph (a)(1) of this section as defined in § 145.3 are:

- (a) Water.
- (b) Fruit juice(s) and water.
- (c) Fruit juice(s).

Such packing media may be used as such or any one or any combination of

two or more safe and suitable nutritive carbohydrate sweeteners may be added. Sweeteners listed in § 145.3 shall be as defined therein, except that a nutritive carbohydrate sweetener for which a standard of identity has been established in part 168 of this chapter shall comply with such standard in lieu of any definition that may appear in § 145.3.

(ii) When a sweetener is added as a part of any such liquid packing medium, the four density ranges of the resulting packing media hereinafter specified for each berry ingredient, expressed as percent by weight of sucrose (degrees Brix) as determined by the procedure described in § 145.3(m), shall be designated by the appropriate name for each of the respective density ranges for each berry ingredient as:

(a) “Slightly sweetened water”; or “extra light sirup”; “slightly sweetened fruit juice(s) and water”; or “slightly sweetened fruit juice(s)”, as the case may be.

(b) “Light sirup”, when the liquid used is water, “lightly sweetened fruit juice(s) and water”; or “lightly sweetened fruit juice(s)”, as the case may be.

(c) “Heavy sirup”, when the liquid used is water; or “heavily sweetened fruit juice(s) and water”; or “heavily sweetened fruit juice(s)”, as the case may be.

(d) “Extra heavy sirup”, when the liquid used is water; or “extra heavily sweetened fruit juice(s) and water”; or “extra heavily sweetened fruit juice(s)”, as the case may be.

The density ranges referred to herein are:

| Optional berry ingredient | Density ranges | | | | | | | |
|---------------------------|----------------|--------------------|----------|--------------------|----------|--------------------|----------|------------------------|
| | (a) | | (b) | | (c) | | (d) | |
| | Min-imum | Max-imum less than | Min-imum | Max-imum less than | Min-imum | Max-imum less than | Min-imum | Max-imum not more than |
| Blackberries | | 14 | 14 | 19 | 19 | 24 | 24 | 35 |
| Blueberries | | 15 | 15 | 20 | 20 | 25 | 25 | 35 |
| Boysenberries | | 14 | 14 | 19 | 19 | 24 | 24 | 35 |
| Dewberries | | 14 | 14 | 19 | 19 | 24 | 24 | 35 |
| Gooseberries | | 14 | 14 | 20 | 20 | 25 | 25 | 35 |
| Huckleberries | | 15 | 15 | 20 | 20 | 25 | 25 | 35 |
| Loganberries | | 14 | 14 | 19 | 19 | 24 | 24 | 35 |
| Raspberries | | 11 | 15 | 15 | 20 | 20 | 27 | 35 |
| Strawberries | | 10 | 14 | 14 | 19 | 19 | 27 | 35 |

| Optional berry ingredient | Density ranges | | | | | | | |
|--|----------------|--------------------|----------|--------------------|----------|--------------------|----------|------------------------|
| | (a) | | (b) | | (c) | | (d) | |
| | Min-imum | Max-imum less than | Min-imum | Max-imum less than | Min-imum | Max-imum less than | Min-imum | Max-imum not more than |
| Youngberries | | 14 | 14 | 19 | 19 | 24 | 24 | 35 |
| (a) "Slightly sweetened water." (b) "Light sirup." (c) "Heavy sirup." (d) "Extra heavy sirup." | | | | | | | | |

(4) *Optional ingredients.* The optional ingredients referred to in paragraph (a)(1) of this section are:

- (i) Natural and artificial flavors.
- (ii) Calcium salts as firming agents provided that the calcium added is no more than 0.035 percent, calculated as calcium, of the weight of the finished canned berries.
- (iii) Organic acids.

(5) *Labeling requirements.* (i) The name of the food is the appropriate name of the berry ingredient specified in paragraph (a)(2) of this section.

(ii) The name of the packing medium, as used in paragraph (a)(3)(i) of this section preceded by "In" or "Packed in." as provided in paragraph (a)(3) of this section and, in the case of raspberries other than red raspberries provided for in paragraph (a)(2) of this section, the name of such packing medium and the color of such raspberry shall be included as part of the name or in close proximity to the name of the food. When the liquid portion of the packing media provided for in paragraphs (a)(3)(i) and (ii) of this section consists of fruit juice(s), such juice(s) shall be designated in the name of the packing medium as:

- (a) In the cases of a single fruit juice, the name of the juice shall be used in lieu of the word "fruit";
- (b) In the case of a combination of two or more fruit juices, the names of the juices in the order of predominance by weight shall either be used in lieu of the word "fruit" in the name of the packing medium, or be declared on the label as specified in paragraph (a)(3) of this section; and
- (c) In the case of a single fruit juice or a combination of two or more fruit juices any of which are made from concentrate(s), the words "from concentrate(s)" shall follow the word "juice(s)" in the name of the packing

medium and in the name(s) of such juice(s) when declared as specified in paragraph (a)(5)(iii) of this section.

(iii) Whenever the names of the fruit juices used do not appear in the name of the packing medium as provided in paragraph (a)(5)(ii)(b) of this section, such names and the words "from concentrate", as specified in paragraph (a)(5)(ii)(c) of this section, shall appear in an ingredient statement pursuant to the requirements of §101.3(d) of this chapter.

(iv) Label declaration. Each of the ingredients used in the food shall be declared on the label as required by the applicable sections of parts 101 and 130 of this chapter.

(b) [Reserved]

[46 FR 2339, Jan. 9, 1981; 47 FR 6426, Feb. 12, 1982, as amended at 48 FR 2748, Jan. 21, 1983; 58 FR 2879, Jan. 6, 1993]

§ 145.125 Canned cherries.

(a) *Identity*—(1) *Ingredients.* Canned cherries is the food prepared from one of the optional fresh or previously canned cherry ingredients specified in paragraph (a)(2) of this section, which may be packed in one of the optional packing media specified in paragraph (a)(3) of this section. Such food may also contain one, or any combination of two or more, of the following safe and suitable optional ingredients:

- (i) Natural and artificial flavors.
- (ii) Spice.
- (iii) Vinegar, lemon juice, or organic acids. Such food is sealed in a container and before or after sealing is so processed by heat as to prevent spoilage.

(2) *Varietal types and styles.* The optional cherry ingredients referred to in paragraph (a)(1) of this section are prepared from mature pitted or unpitted