

§ 145.190

21 CFR Ch. I (4-1-04 Edition)

(vi) *Pits or pieces of pits in whole pitted and halves styles.* Not more than two pits or pieces of pits per 500 grams (17.8 ounces) of drained plums.

(2) Determine compliance as specified in §145.3(o) except that a lot shall be deemed to be in compliance for extraneous plant material, loose pits in whole style, and pits or pieces of pits in whole pitted and halves styles based on the average of all samples analyzed according to the sampling plans set out in §145.3(p).

(3) If the quality of canned plums falls below the standard prescribed in paragraph (b)(1) of this section, the label shall bear the general statement of substandard quality specified in §130.14(a) of this chapter, in the manner and form therein specified; however, if the quality of the canned plums falls below standard with respect to only one of the factors of quality specified in paragraphs (b)(1) (i) through (vi) of this section, there may be substituted for the second line of such general statement of substandard quality ("Good Food—Not High Grade") a new line, as specified after the corresponding designation of paragraph (b)(1) of this section which the canned plums fail to meet, as follows:

- (i) "Blemished";
- (ii) "Partly crushed or broken";
- (iii) "Blemished and partly crushed or broken";
- (iv) "Contains extraneous plant material";
- (v) "Contains loose pits"; or
- (vi) "Contains pits" or "Contains pieces of pits".

(c) *Fill of container.* (1) The standard of fill of container for canned plums is:

(i) The fill of the plums and packing medium, as determined by the general method for fill of container prescribed in §130.12(b) of this chapter, is not less than 90 percent of the total capacity of the container.

(ii) The drained weight of the plum ingredient as determined by the method prescribed in §145.3(n) is not less than 50 percent for whole styles and 55 percent for halves styles based on the water capacity of containers as determined in §130.12(a) of this chapter.

(2) Determine compliance for fill of container as specified in §145.3(o).

(3) If canned plums fall below the standard of fill of container prescribed in paragraph (c)(1) of this section, the label shall bear the statement of substandard fill specified in §130.14(b) of this chapter, in the manner and form therein specified. If canned plums fall below the standard of fill of container in respect to drained weight, the words "Low drained weight" shall follow the general statement of substandard fill on the label.

[42 FR 14414, Mar. 15, 1977, as amended at 58 FR 2880, Jan. 6, 1993]

§ 145.190 Canned prunes.

(a) *Ingredients.* Canned prunes is the food prepared from dried prunes, which may be packed as a solid pack or in one of the optional packing media specified in paragraph (b) of this section. Such food may also contain one, or any combination of two or more, of the following safe and suitable optional ingredients:

- (1) Natural and artificial flavors.
- (2) Spice.
- (3) Vinegar, lemon juice, or organic acids.
- (4) Unpeeled pieces of citrus fruits.

Such food is sealed in a container and before or after sealing is so processed by heat as to prevent spoilage.

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

- (i) Water.
- (ii) Fruit juice(s) and water.
- (iii) 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 sweetener(s) may be added. Sweeteners defined 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.

(2) When a sweetener is added as a part of any such liquid packing medium, the density range of the resulting packing medium expressed as percent by weight of sucrose (degrees Brix) as determined by the procedure

prescribed in §145.3(m) shall be designated by the appropriate name for the respective density ranges, namely:

(i) When the density of the solution is less than 20 percent, the medium shall be designated as "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.

(ii) When the density of the solution is 20 percent or more but less than 24 percent, the medium shall be designated as "light sirup"; "lightly sweetened fruit juice(s) and water"; or "lightly sweetened fruit juice(s)", as the case may be.

(iii) When the density of the solution is 24 percent or more but less than 30 percent, the medium shall be designated as "heavy sirup"; "heavily sweetened fruit juice(s) and water"; or "heavily sweetened fruit juice(s)", as the case may be.

(iv) When the density of the solution is 30 percent or more but not more than 45 percent, the medium shall be designated as "extra heavy sirup"; "extra heavily sweetened fruit juice(s) and water"; or "extra heavily sweetened fruit juice(s)", as the case may be.

(c) *Labeling requirements.* (1) The name of the food is "prunes—prepared from dried prunes". The words "prepared from dried prunes" shall be in close proximity to the word "prunes" and shall be of the same style and not less than ½ of the point size of the type used for the word "prunes". The name of the food shall also include a declaration of any flavoring that characterizes the product as specified in §101.22 of this chapter and a declaration of any spice or seasoning that characterizes the product; for example, "Spice added", or in lieu of the word "Spice", the common name of the spice, "Seasoned with vinegar" or "Seasoned with unpeeled pieces of citrus fruit". When two or more of the optional ingredients specified in paragraphs (a) (2) through (4) of this section are used, such words may be combined as for example, "Seasoned with cider vinegar, cloves, cinnamon oil and unpeeled pieces of citrus fruit."

(2) When the food is prepared with a packing medium, the name of the packing medium specified in para-

graphs (b) (1) and (2) of this section, preceded by "In" or "Packed in" and the words "cooked", "stewed", or "prepared", shall be included as part of the name or in close proximity to the name of the food. When no packing medium is used, the words "solid pack" or "moist pack" or the word "moistened" followed by the words "without sirup" shall be included as part of the name or in close proximity to the name of the food. When the packing medium is prepared with a sweetener(s) which imparts a taste, flavor or other characteristic to the finished food in addition to sweetness, the name of the packing medium shall be accompanied by the name of such sweetener(s), as for example in the case of a mixture of brown sugar and honey, an appropriate statement would be "\_\_\_\_\_ sirup of brown sugar and honey", the blank to be filled in with the word "light", "heavy", or "extra heavy" as the case may be. When the liquid portion of the packing media provided for in paragraphs (b) (1) and (2) of this section consists of fruit juice(s), such juice(s) shall be designated in the name of the packing medium as:

(i) In the case of a single fruit juice, the name of the juice shall be used in lieu of the word "fruit",

(ii) 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 (c)(3) of this section, and

(iii) In the case of the 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 (c)(3) of this section.

(3) Whenever the names of the fruit juices used do not appear in the name of the packing medium as provided in paragraph (c)(2)(ii) of this section, such names and the words "from concentrate", as specified in paragraph (c)(2)(iii) of this section, shall appear in an ingredient statement pursuant to

the requirements of §101.3(d) of this chapter.

(4) 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.

[42 FR 14414, Mar. 15, 1977, as amended at 58 FR 2880, Jan. 6, 1993]

## PART 146—CANNED FRUIT JUICES

### Subpart A—General Provisions

Sec.

146.3 Definitions.

### Subpart B—Requirements for Specific Standardized Canned Fruit Juices and Beverages

- 146.114 Lemon juice.
- 146.120 Frozen concentrate for lemonade.
- 146.121 Frozen concentrate for artificially sweetened lemonade.
- 146.126 Frozen concentrate for colored lemonade.
- 146.132 Grapefruit juice.
- 146.135 Orange juice.
- 146.137 Frozen orange juice.
- 146.140 Pasteurized orange juice.
- 146.141 Canned orange juice.
- 146.145 Orange juice from concentrate.
- 146.146 Frozen concentrated orange juice.
- 146.148 Reduced acid frozen concentrated orange juice.
- 146.150 Canned concentrated orange juice.
- 146.151 Orange juice for manufacturing.
- 146.152 Orange juice with preservative.
- 146.153 Concentrated orange juice for manufacturing.
- 146.154 Concentrated orange juice with preservative.
- 146.185 Pineapple juice.
- 146.187 Canned prune juice.

AUTHORITY: 21 U.S.C. 321, 341, 343, 348, 371, 379e.

SOURCE: 42 FR 14433, Mar. 15, 1977, unless otherwise noted.

### Subpart A—General Provisions

#### § 146.3 Definitions.

For the purposes of this part:

(a) The term *corn sirup* means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of cornstarch, and includes dried corn sirup. The solids of corn sirup and of dried corn sirup contain not less than 40 percent by weight

of reducing sugars calculated as anhydrous dextrose.

(b) The term *dextrose* means the hydrated or anhydrous, refined monosaccharide obtained from hydrolyzed starch.

(c) The term *dried glucose sirup* means the product obtained by drying glucose sirup.

(d) The term *glucose sirup* means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose.

(e) The term *invert sugar sirup* means an aqueous solution of inverted or partly inverted, refined or partly refined sucrose, the solids of which contain not more than 0.3 percent by weight of ash, and which is colorless, odorless, and flavorless, except for sweetness.

(f) The term *sugar* means refined sucrose.

(g) Compliance means the following: Unless otherwise provided in a standard, a lot of canned fruits shall be deemed in compliance for the following factors, to be determined by the sampling and acceptance procedure as provided in paragraph (h) of this section, namely:

(1) *Quality*. The quality of a lot shall be considered acceptable when the number of defectives does not exceed the acceptance number in the sampling plans.

(2) *Fill of container*. A lot shall be deemed to be in compliance for fill of container when the number of defectives does not exceed the acceptance number (c) in the sampling plans.

(h) The sampling and acceptance procedure means the following:

(1) *Definitions*—(i) *Lot*. A collection of primary containers or units of the same size, type, and style manufactured or packed under similar conditions and handled as a single unit of trade.

(ii) *Lot size*. The number of primary containers or units in the lot.

(iii) *Sample size*. The total number of sample units drawn for examination from a lot.