

**§ 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-

**21 CFR Ch. I (4–1–08 Edition)**

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

and soybean macaroni”, “\_\_\_\_\_ and soy macaroni”, or “\_\_\_\_\_ and soybean macaroni” when the units of the food comply with the requirements of paragraph (b) of this section; or “Wheat and soy spaghetti”, “Wheat and soybean spaghetti”, “\_\_\_\_\_ and soy spaghetti”, or “\_\_\_\_\_ and soybean spaghetti” when such units comply with the requirements of paragraph (c) of this section; or “Wheat and soy vermicelli”, “Wheat and soybean vermicelli”, “\_\_\_\_\_ and soy vermicelli”, or “\_\_\_\_\_ and soybean vermicelli” when such units comply with the requirements of paragraph (d) of this section, the blank in each instance being filled in with the name whereby the wheat ingredient used is designated in § 139.110(a).

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

#### § 139.150 Noodle products.

(a) Noodle products are the class of food each of which is prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with liquid eggs, frozen eggs, dried eggs, egg yolks, frozen yolks, dried yolks, or any combination of two or more of these, with or without water and with or without one or more of the optional ingredients specified in paragraphs (a) (1) to (4) of this section inclusive:

(1) Onions, celery, garlic, bay leaf, or any two or more of these, in a quantity which seasons the food.

(2) Salt, in a quantity which seasons the food.

(3) Gum gluten, in such quantity 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.

(4) Concentrated glyceryl monostearate (containing not less than 90 percent monoester) in a quantity not exceeding 3 percent by weight of the finished food.

The finished noodle product contains not less than 87 percent of total solids as determined by the method prescribed in “Official Methods of Analysis of the Association of Official Analytical Chemists,” 13th Ed. (1980), in

section 14.133, under the heading “Vacuum Oven Method—Official Final Action,” which is incorporated by reference. Copies may be obtained from the AOAC INTERNATIONAL, 481 North Frederick Ave., suite 500, Gaithersburg, MD 20877, or may be examined at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). The total solids of noodle products contains not less than 5.5 percent by weight of the solids of egg, or egg yolk.

(b) Noodles, egg noodles, is the noodle product the units of which are ribbon-shaped.

(c) Egg macaroni is the noodle product the units of which are tube-shaped and more than 0.11 inch but not more than 0.27 inch in diameter.

(d) Egg spaghetti is the noodle product the units of which are tube-shaped or cord-shaped (not tubular) and more than 0.06 inch but not more than 0.11 inch in diameter.

(e) Egg vermicelli is the noodle product the units of which are cord-shaped (not tubular) and not more than 0.06 inch in diameter.

(f) The name of each food for which a definition and standard of identity is prescribed by this section is “Noodle product” or “Egg noodle product”; or alternatively, the name is “Noodles” or “Egg noodles”, “Egg macaroni”, “Egg spaghetti”, or “Egg vermicelli”, as the case may be, when the units of the food are of the shapes and sizes specified in paragraph (b), (c), (d), or (e), respectively, of this section.

(g)(1) When any ingredient specified in paragraph (a)(1) of this section is used, the label of the noodle product shall bear the statement “Seasoned with \_\_\_\_\_”, the blank being filled in with the common name of the ingredient; or in the case of bay leaves, the statement “Spiced”, “Spice added”, or “Spiced with bay leaves”.

(2) When the ingredient specified in paragraph (a)(4) of this section is used, the label shall bear the statement “Glyceryl monostearate added” or the statement “With added glyceryl monostearate”.