

than 10 grapes, have the cap stem attached.

(iv) There is present in the finished canned fruit cocktail not more than 1 square inch of pear peel per each 1 pound of drained weight of units of pear plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of the units of pear bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in paragraph (c) of this section.

(v) There is present in the finished canned fruit cocktail not more than 1 square inch of peach peel per each 1 pound of drained weight of units of peach plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of units of peach bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in paragraph (c) of this section.

(vi) Not more than 15 percent of the units of cherry ingredient, and not more than 20 percent of the units of peach, pear, or grape, in the container are blemished with scab, hail injury, scar tissue or other abnormality.

(vii) If the cherry ingredient is artificially colored, the color of not more than 15 percent of the units thereof in a container containing more than six units and of not more than one unit in a container containing six units or less, is other than evenly distributed in the unit or other than uniform with the color of the other units of the cherry ingredient.

(2) If the quality of canned fruit cocktail 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.

(c) *Fill of container.* (1) The standard of fill of container for canned fruit cocktail is a fill such that the total weight of drained fruit is not less than 65 percent of the water capacity of the container, as determined by the general method for water capacity of containers prescribed in § 130.12(a) of this chapter. Such total weight of drained fruit is determined by the following

method: Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth that complies with the specifications for such cloth set forth under "2.38 mm (No. 8)" in Table 1, "Nominal Dimensions of Standard Test Sieves (U.S.A. Standard Series)," prescribed in paragraph (b)(1)(i) of this section, which is incorporated by reference. The availability of this incorporation by reference is given in paragraph (b)(1)(i) of this section. Without shifting the material on the sieve so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

(2) If canned fruit cocktail falls below the standard of fill of container prescribed in paragraph (c)(1) of this section, the label shall bear the general statement of substandard fill specified in § 130.14(b) of this chapter, in the manner and form therein prescribed.

[42 FR 14414, Mar. 15, 1977, as amended at 47 FR 11829, Mar. 19, 1982; 49 FR 10100, Mar. 19, 1984; 54 FR 24895, June 12, 1989; 58 FR 2880, Jan. 6, 1993; 63 FR 14035, Mar. 24, 1998]

#### § 145.136 Artificially sweetened canned fruit cocktail.

(a) Artificially sweetened canned fruit cocktail is the food which conforms to the definition and standard of identity prescribed for canned fruit cocktail by § 145.135(a), except that in lieu of a packing medium specified in § 145.135(a)(3), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

(b)(1) The specified name of the food is "artificially sweetened fruit cocktail".

(2) The artificially sweetened food is subject to the requirements for label statement of ingredients used, as prescribed for canned fruit cocktail by §145.135(a). If the packing medium is thickened with pectin, the label shall bear the statement "thickened with pectin". When any organic salt or acid or any mixture of two or more of these is added, the label shall bear the common or usual name of each such ingredient.

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

**§ 145.140 Canned seedless grapes.**

(a) *Ingredients.* Canned seedless grapes is the food prepared from one of the fresh or previously canned optional grape ingredients specified in paragraph (b) of this section which may be packed in one of the optional packing media specified in paragraph (c) 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.

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

(b) *Varietal types and styles.* The optional grape ingredients referred to in paragraph (a) of this section are prepared from stemmed grapes of the light or dark seedless varieties or from unstemmed clusters of such grapes. For the purposes of paragraph (d) of this section, the names of such optional grape ingredients are "light seedless grapes" or "dark seedless grapes", as the case may be, preceded by the words "unstemmed clusters" where applicable.

(c) *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 14 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 14 percent or more but less than 18 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 18 percent or more but less than 22 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 22 percent or more but not more than 35 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.

(d) *Labeling requirements.* (1) The name of the food is "seedless grapes." 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, or "Seasoned with lemon juice". When two or more of the optional ingredients specified in paragraphs (a) (2) and (3) of this section are used, such