

§ 145.145

21 CFR Ch. I (4-1-14 Edition)

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 words may be combined as for example, “Seasoned with cider vinegar, cloves, and cinnamon oil”.

(2) The color type and style of the grape ingredient as provided in paragraph (b) of this section and the name of the packing medium specified in paragraphs (c) (1) and (2) of this section, preceded by “In” or “Packed in” or the words “solid pack”, where applicable, 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 (c) (1) and (2) of this section consists of fruit juice(s), such juice(s) shall be designated in 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 (d)(3) of this section; and

(iii) 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 (d)(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 (d)(2)(ii) of this section, such names and the words “from concentrate”, as specified in paragraph (d)(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]

§ 145.145 Canned grapefruit.

(a) *Identity—(1) Product identification.* Canned grapefruit is the food prepared

from one of the optional grapefruit ingredients specified in paragraph (a)(2) of this section and one of the optional packing media specified in paragraph (a)(3) of this section. Such food may also contain one or more of the following safe and suitable optional ingredients:

- (i) Spices.
- (ii) Natural and artificial flavoring.
- (iii) Lemon juice.
- (iv) Citric acid.
- (v) Calcium chloride or calcium lactate or a mixture of the two calcium salts in a quantity reasonably necessary to firm the grapefruit sections, but in no case in a quantity such that the calcium contained in such calcium salt or mixture is more than 0.035 percent by weight of the finished food.

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

(2) *Optional grapefruit ingredient.* The optional grapefruit ingredients referred to in paragraph (a)(1) of this section are prepared from sound, mature grapefruit (*Citrus paradisi* Macfadyen) of the color types white—produced from white-fleshed grapefruit, and pink—produced from pink or red-fleshed grapefruit and are in the following forms of units: Whole sections or broken sections. Each such form of units or a mixture of such forms of units prepared from a single varietal group (color type) is an optional grapefruit ingredient. The core, seeds, and major portions of membrane of such ingredient are removed. For the purpose of this section, a grapefruit section is considered whole when the unit is intact or an intact portion of such unit is not less than 75 percent of its apparent original size and is not excessively trimmed.

(i) For the purpose of paragraph (a)(4) of this section, the name of the optional grapefruit ingredient is:

- (a) “Section” or “segments”, if 50 percent or more of the drained weight of the food consists of whole sections.
- (b) “Broken sections” or “broken segments”, if less than 50 percent of the drained weight of the food consists of whole sections.

(ii) The drained weight is determined by the method prescribed in the standard of fill of container for canned

grapefruit set forth in paragraph (c)(2) of this section.

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

- (a) Water.
- (b) Grapefruit juice and water.
- (c) Grapefruit juice.
- (d) Slightly sweetened sirup or slightly sweetened water.
- (e) Light sirup.
- (f) Heavy sirup.
- (g) Slightly sweetened grapefruit juice and water.
- (h) Lightly sweetened grapefruit juice and water.
- (i) Heavily sweetened grapefruit juice and water.
- (j) Slightly sweetened grapefruit juice.
- (k) Lightly sweetened grapefruit juice.
- (l) Heavily sweetened grapefruit juice.

As used in paragraph (a)(3)(i) of this section, the optional packing medium “water” means, in addition to water, any mixture of water and grapefruit juice in which there is less than 50 percent grapefruit juice; the optional packing medium “grapefruit juice and water” means the liquid packing medium in which juice of mature grapefruit and water are combined as a liquid packing medium with not less than 50 percent grapefruit juice and the term “grapefruit juice” means single strength expressed juice of sound, mature fruit. It may be fresh, canned, or made from concentrate. However, if it is made from concentrate, the juice shall be reconstituted with water to not less than the soluble solids the grapefruit juice had before concentration.

(ii) Each of the packing media in paragraph (a)(3)(i) (d) to (l) of this section is prepared with a liquid ingredient and one or more safe and suitable nutritive carbohydrate sweeteners. Water is the liquid ingredient from which packing media in paragraph (a)(3)(i) (d) to (f) of this section are prepared. Grapefruit juice and water are the liquid ingredients from which the packing media in paragraph (a)(3)(i) (g) to (i) of this section are prepared. Grapefruit juice is the liquid ingredient from which the packing media in

paragraph (a)(3)(i) (j) to (l) of this section are prepared. If one or more liquid nutritive carbohydrate sweeteners and grapefruit juice are combined as a liquid packing medium with not less than 50 percent grapefruit juice, the packing medium is as set forth in paragraph (a)(3)(i) (g) to (i) of this section.

(iii) The respective densities of packing media in paragraph (a)(3)(i) (d) to (i) of this section as measured on the refractometer, expressed as percent by weight sucrose (degrees Brix) with correction for temperature to the equivalent at 20 °C (68 °F), 15 days or more after the grapefruit are canned or the blended homogenized slurry of the comminuted entire contents of the container if canned for less than 15 days, according to the “Official Methods of Analysis of the Association of Official Analytical Chemists” (AOAC), 13th Ed. (1980), section 31.011 under “Solids By Means of Refractometer—Official Final Action,” and Reference Tables, section 52.012 (Refractive indices (n) of sucrose solutions at 20°) and section 52.015 (Refractive indices of invert sugar solutions), 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)), but without correction for invert sugar or other substances, are as follows:

(a) Packing media in paragraph (a)(3)(i) (d), (g), and (j) of this section: Twelve percent or more but less than 16 percent.

(b) Packing media in paragraph (a)(3)(i) (e), (h), and (k) of this section: Sixteen percent or more but less than 18 percent.

(c) Packing media in paragraph (a)(3)(i) (f), (i), and (l) of this section: Eighteen percent or more. A lot shall be deemed to be in compliance for packing medium density based on the average value for all the samples analyzed according to paragraph (b)(2) of this section but no container may have a value lower than that of the next

lower category or 2 percent by weight sucrose (degrees Brix) lower if no lower category exists.

(4) *Labeling requirements.* (i) The name of the food is “grapefruit” or “pink grapefruit”, as appropriate for the color type of the grapefruit used. 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, “with added spice”. Whenever the word “sirup” is used, it may be alternatively spelled “syrup”. When two or more of the optional ingredients specified in paragraphs (a)(1) (i), (ii), and (iii) of this section are used, such words may be combined; for example, “with added cloves and cinnamon oil”.

(ii) The form and style of the grapefruit ingredient as provided for in paragraph (a)(2) of this section and the name of the packing medium as used in paragraph (a)(3) of this section preceded by “In” or “Packed in” shall be included as part of the name. When the packing medium is prepared from concentrated grapefruit juice, the words “from concentrate” shall follow the words “grapefruit juice” in the name of the packing medium.

(iii) *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) *Quality.* (1) The standard of quality for canned grapefruit is as follows:

(i) The food is free from extraneous material such as leaves, portions of leaves, and pieces of peel.

(ii) The finished food contains per 500 grams (17.6 ounces) not more than:

(a) An aggregate area of 20 square centimeters (3.1 square inches) of tough membrane or albedo on the units.

(b) Four developed seeds. A seed is considered a developed seed when it measures more than 9.0 millimeters (0.35 inches) in any dimension.

(iii) Not more than 15 percent by weight of the drained grapefruit may be blemished units. A blemished unit is a grapefruit section or any portion

thereof which is damaged by lye peeling, by discoloration, or by other visible injury. The drained weight is determined by the method prescribed in the standard of fill of container for canned grapefruit set forth in paragraph (c)(2) of this section.

(2) *Sampling and acceptance procedure.* A lot is to be considered acceptable when the number of “defectives” does not exceed the acceptance number in the sampling plans given in paragraph (b)(2)(ii) of this section.

(i) Definitions of terms to be used in the sampling plans in paragraph (b)(2)(ii) of this section are as follows:

(a) *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.

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

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

(d) *Sample unit.* A container, the entire contents of a container, a portion of the contents of a container, or a composite mixture of product from small containers that is sufficient for the examination or testing as a single unit.

(e) *Defective.* Any sample unit shall be regarded as defective when any of the defects or conditions specified in the quality standard (paragraph (b)(1) of this section) and paragraph (c)(3)(i) of this section for minimum fill of container are present in excess of the stated tolerances.

(f) *Accepted number (c).* The maximum number of defective sample units permitted in the sample in order to consider the lot as meeting the specified requirements.

(g) *Acceptable quality level (AQL).* The maximum percent of defective sample units permitted in a lot that will be accepted approximately 95 percent of the time.

(ii) Sampling plans and acceptance procedure:

Lot size (primary containers)	Size of container	
	<i>n</i> <sup>1</sup>	<i>c</i> <sup>2</sup>
NET WEIGHT EQUAL TO OR LESS THAN 1 KG (2.2 LB)		
4,800 or less .....	13	2
4,801–24,000 .....	21	3

Lot size (primary containers)	Size of container	
	<i>n</i> <sup>1</sup>	<i>c</i> <sup>2</sup>
24,001–48,000 .....	29	4
48,001–84,000 .....	48	6
84,001–144,000 .....	84	9
144,001–240,000 .....	126	13
Over 240,000 .....	200	19

NET WEIGHT GREATER THAN 1 KG (2.2 LB) BUT NOT MORE THAN 4.5 KG (10 LB)

2,400 or less .....	13	2
2,401–15,000 .....	21	3
15,001–24,000 .....	29	4
24,001–42,000 .....	48	6
42,001–72,000 .....	84	9
72,001–120,000 .....	126	13
Over 120,000 .....	200	19

NET WEIGHT GREATER THAN 4.5 KG (10 LB)

600 or less .....	13	2
601–2,000 .....	21	3
2,001–7,200 .....	29	4
7,201–15,000 .....	48	6
15,001–24,000 .....	84	9
24,001–42,000 .....	126	13
Over 42,000 .....	200	19

<sup>1</sup> *n* = number of primary containers in sample

<sup>2</sup> *c* = acceptance number

(3) If the quality of canned grapefruit 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 grapefruit falls below standard with respect to only one of the factors of quality specified by paragraph (b)(1) (i), (ii), or (iii) 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 grapefruit fail to meet:

- (i) “Contains extraneous material”.
- (ii)(a) “Excessive tough membrane”.
- (b) “Excessive seeds”.
- (iii) “Excessive blemished units”.

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

(i) The fill of grapefruit 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 grapefruit ingredient is not less than 50 percent of

## § 145.170

the water capacity of the container, as determined by the method prescribed in paragraph (c)(2) of this section and the general method for water capacity of containers prescribed in §130.12(a) of this chapter.

(2) Drained weight 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 previously been weighed. The diameter of the sieve is 20.3 centimeters (8 inches) if the quantity of contents of the container is less than 1.4 kilograms (3 pounds) and 30.5 centimeters (12 inches) if such quantity is 1.4 kilograms (3 pounds) or more. The bottom of the sieve is woven-wire cloth that complies with the specifications for the No. 8 sieve set forth in the "Definitions of Terms and Explanatory Notes" of the AOAC, 13th Ed. (1980), Table 1, which is incorporated by reference. The availability of this incorporation by reference is given in paragraph (a)(3)(iii) of this section. Without shifting the material on the sieve, incline the sieve at an angle of 17° to 20° to facilitate drainage. Two minutes after the drainage begins, weigh the sieve and drained grapefruit. The weight so found, less the weight of the sieve, shall be considered to be the weight of the drained grapefruit.

(3)(i) A container that falls below the requirement for minimum fill prescribed in paragraph (c)(1)(i) of this section shall be considered a "defective". The food will be deemed to fall below the standard of fill when the number of defectives exceeds the acceptance number (c) in the sampling plans prescribed in paragraph (b)(2) of this section.

(ii) Canned grapefruit will be deemed to fall below the standard of fill when the average drained weight of all containers analyzed when sampled according to the sampling plans prescribed in paragraph (b)(2) of this section is less than that prescribed in paragraph (c)(1)(ii) of this section.

(4) If canned grapefruit falls 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

## 21 CFR Ch. I (4-1-14 Edition)

§130.14(b) of this chapter, in the manner and form therein specified.

[42 FR 14414, Mar. 15, 1977, as amended at 47 FR 11830, 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]

### § 145.170 Canned peaches.

(a) *Identity*—(1) *Ingredients*. Canned peaches is the food prepared from one of the fresh, frozen, or previously canned optional peach ingredients *Prunus persica* L., of commercial canning varieties, but excluding nectarine varieties, specified in paragraph (a)(2) of this section, which may be packed as a solid pack or 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.

(iv) Peach pits, except in the cases of peeled whole peaches, in a quantity not more than 1 peach pit to each 227 grams (8 ounces) of finished canned peaches.

(v) Peach kernels, except in the cases of peeled whole peaches and except when the optional ingredient in paragraph (a)(1)(iv) of this section is used.

(vi) Ascorbic acid in an amount no greater than necessary to preserve color. 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 peach ingredients referred to in paragraph (a)(1) of this section are prepared from mature peaches of the following optional varietal and color types and styles of peach ingredients; namely:

(i) *The optional varietal types*. (a) Freestone is the distinct varietal type where the pit separates readily from the flesh.

(b) Clingstone is the distinct varietal type where the pit adheres to the flesh.

(ii) *The optional color types*—(a) *Yellow*—the varietal types in which the predominant color ranges from pale yellow to rich red orange.