

7 CONCEPTO DE OPOSICIÓN Comprobante de pago No 09-88940		☒ SI ☐ NO	Fecha: 26-Nov-2009
8 ANEXOS ☒ Comprobante de pago de la tasa. ☒ Poderes, si fuera el caso. ☒ Pruebas de los fundamentos de la oposición. ☐ Documentos que acrediten el legítimo interés , si fuere el caso. ☒ Documento que acrediten la existencia y representación legal de las partes, cuando sean personas jurídicas. ☐ Tasa de próroga ☒ Copias para traslado.		☒ SI ☐ NO	
9 Nombre y firma Nombre: Andrea Tobos Mateus Firma:  C.C. 52.223.325 Bogotá T.P. 148648			
Instrucciones para el diligenciamiento del presente formulario, ver reverso de esta página			

Doctora

Alix Carmenza Céspedes de Vergel

Jefe de División de Nuevas Creaciones

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO -SIC-

E. S. D.

Referencia: Oposición a solicitud de patente de Invención

Solicitante: Unilever N.V.

Expediente No. 08.019.252

Título: "Concentrado para preparar un caldo, sopa, salsa, jugo de carne o para uso como un condimento, el concentrado comprende particulados y xantan y goma de algarrobo"

Publicación: Gaceta 607 del 31 de agosto de 2009, página 335

OPOSICIÓN SEGÚN ARTÍCULO 42 DE LA DECISIÓN 486

ANDREA TOBOS MATEUS, mayor de edad y vecina de Bogotá, D.C., identificada según aparece al pie de mi firma, en mi condición de apoderada de la sociedad Quala S.A., domiciliada en Bogotá D.C., presento oportunamente oposición a la solicitud de patente de invención No. 08.019.252, en los siguientes términos:

I. INTERES

A mi representada, le asiste el legítimo interés para oponerse a la solicitud de patente de Unilever N.V. que se menciona en la referencia, por cuanto entre sus actividades principales se encuentran la elaboración, preparación, fabricación, procesamiento, compraventa, y en general comercialización de productos alimenticios de todo tipo. Precisamente, una de las líneas de producción de mi representada la constituyen los aderezos, caldos y concentrados alimenticios que justamente corresponde al campo de la solicitud de Unilever N.V.

II. HECHOS

2.1. El día 25 de febrero de 2008, la empresa Unilever N.V. presentó la fase nacional de la solicitud internacional No. PCT/EP2006/012061 en Colombia y se le asignó el número de radicación 08.019.252.

Al momento de la presentación, la solicitud contenía 16 reivindicaciones.

2.2. El día 17 de junio de 2008, la solicitante presentó un nuevo capítulo reivindicatorio en el cual se hicieron algunas modificaciones a las reivindicaciones 1 y 15, se adicionaron nuevas reivindicaciones 2 y 16 y finalmente, se eliminó la última reivindicación que se relacionaba con un uso.

2.3. La solicitud fue publicada en la Gaceta 607 del 31 de agosto de 2009.

2.4. El 5 de octubre de 2009, la Dra. Alicia Lloreda Ricaurte, apoderada de Unilever N.V., radicó la solicitud de elaboración del examen de patentabilidad para la invención.

III. FUNDAMENTOS DE LA OPOSICIÓN

3.1. Causales

La presente oposición se fundamenta en la falta de nivel inventivo de la invención de Unilever N.V. según lo establece el artículo 18 de la Decisión 486:

"Artículo 18.- Se considerará que una invención tiene nivel inventivo, si para una persona del oficio normalmente versada en la materia técnica correspondiente, esa invención no hubiese resultado obvia ni se hubiese derivado de manera evidente del estado de la técnica."

Las enseñanzas contenidas en los documentos US2003/044503 A1 "Controlled-viscosity food flavoring system" (6 de marzo de 2003), WO02/35944 "Jelly fruit drink" (10 de mayo de 2002), US 5.593.716 "Food product" (14 de enero de 1997) y US 5.385.747 "Process for making a fruit gel composition in squeeze container" (31 de enero de 1995) afectan el nivel inventivo de la presente solicitud, por cuanto la solución propuesta por Unilever en la invención ahora impugnada se deriva de manera evidente de la divulgación hecha en los documentos antes mencionados que constituyen arte previo relevante por cuanto la fecha de prioridad válidamente reclamada por la solicitante es 12 de diciembre de 2005.

3.2. Justificación

3.2.1. US 2003/0044503 A1 "Controlled-viscosity food flavoring system" (6 de marzo de 2003).

Esta publicación se relaciona con un producto compuesto, auto-sostenible, que es sustancialmente sólido a temperatura ambiente y comprende un gel comestible que tiene uno o más componentes saborizantes y/o texturizantes distribuidos uniformemente en el producto.

En particular, la publicación US 2003/0044503 A1 muestra un producto comestible compuesto que comprende:

- 15-80% en peso de agua u otros líquidos comestibles
- 0.3-20% en peso de un agente gelificante (ver párrafo 0025 de la publicación)

Dentro de esta proporción, se publica que el producto comestible puede tener:

- grasa sin exceder el 40% en peso y más preferiblemente de 5-40% en peso como se indica en la reivindicación 5;
- gomas en un rango de hasta 1% en peso (ver párrafo 0014);
- proteínas en un rango de 3 a 12% en peso (ver párrafo 0014) ; y
- almidón en un porcentaje de 3 a 20% en peso.

Ahora bien, el concentrado empacado que reclama Unilever en la reivindicación 1 de la solicitud colombiana precisamente comprende:

- 20 a 80% de agua; rango que cae dentro de lo reclamado en US 2003/0044503 A1,
- 0.5 a 60% en peso de hierbas, vegetales, frutas, carne, pescado, crustáceos o particulados de los mismos; que corresponde al contenido proteínico de 3 a 12% reportado en el documento del arte previo,
- 0.1 a 10% (con base en el contenido de agua) de un agente gelificante que comprende una combinación de xantan y goma de algarrobo (LBG). La anterioridad también reporta la inclusión de gomas en un porcentaje de hasta 1% en peso con base en el producto total. Unilever pretende proteger un rango de 0.1 a 10% calculado sobre el contenido de agua únicamente y no sobre todo el producto como se refleja en la anterioridad. Entonces, el rango que señala Unilever si cae dentro del rango ya reportado por US 2003/0044503. Así mismo, la anterioridad divulga que las gomas a ser utilizadas en la preparación del producto pueden ser entre otras *"gomas de xantan, guar y algarrobo, o mezclas de los mismos, son importantes para mantener la estabilidad de los particulados suspendidos..."* (ver párrafo 0031 de la anterioridad).

- 15-30% (% en peso con base en el contenido de agua del concentrado, más preferiblemente 15-26%) de sal. De igual manera, en la publicación US 2003/0044503, también supone la inclusión de sal en el producto (ver párrafo 0015).

De otra parte, la característica referida al contenido de grasa del concentrado en la reivindicación 12 siendo del 1 al 30%, tampoco satisface el requisito de nivel inventivo por cuanto el documento titulado "*Controlled-viscosity food flavoring system*" también previó la inclusión de grasa en el producto compuesto tal y como se refleja en la reivindicación 4 y en muchos apartes de la descripción, en un porcentaje de hasta 40% en peso.

La reivindicación 13 de la presente invención, tampoco proporciona nivel inventivo por cuanto las formas de presentación allí detalladas fueron anticipadas por la reivindicación 3 de la publicación US 2003/0044503 A1.

En conclusión, el concentrado empacado que pretende reclamar Unilever a través de las reivindicaciones 1 a 14 de la solicitud de patente No. 08.019.252 no cumple con el requisito de nivel inventivo debido a que sus características son derivables de manera evidente a partir de lo divulgado en US 2003/0044503 A1, para una persona versada en la preparación de caldos, concentrados y salsas.

Adicionalmente, el proceso reclamado en las nuevas reivindicaciones 15 a 17 de la invención de Unilever no contiene ningún paso o etapa particular que le imparta nivel inventivo por cuanto el documento US 2003/0044503 A1 también menciona los pasos de mezclar y calentar los ingredientes del concentrado para finalmente empacar, tal y como se muestra en los párrafos 0038 a 0042 de la publicación.

3.2.2. WO 02/35944 "*Jelly fruit drink*" (10 de mayo de 2002).

La reivindicación 1 del documento WO 02/35944 muestra una bebida gelatinosa que es no-newtoniana, un fluido tixotrópico que fluye una vez se haya cuajado, y retiene sus características viscoelásticas y comprende como agentes gelificantes goma xantan y goma de algarrobo.

La publicación WO 02/35944 revela un método para la preparación de una bebida gelatinosa que comprende los pasos de disolver y mezclar los ingredientes en agua, calentar y pasteurizar la mezcla para luego empacarla en un contenedor flexible (ver la página 4 de la publicación).

De esta manera, la característica que reclama Unilever como crucial para obtener la consistencia del producto correspondiente a la mezcla de gomas de xantan y algarrobo según lo muestra en las

reivindicaciones 1, 2, 7 y 8 ya fue divulgada por la publicación WO 02/35944 en las líneas 12 a 17 de la página 3 con lo cual le resta nivel inventivo a la solicitud No. 08.019.252.

3.2.3. US 5.593.716 "*Food product*" (14 de enero de 1997).

Este documento de invención relaciona un producto, que es una salsa líquida, sopa o caldo de carne que posee una fase acuosa y una fase aceitosa. La fase acuosa se caracteriza por comprender una fase dispersa y una fase continua. La fase dispersa es un microgel polisacárido (no-almidón) y la fase continua comprende una solución biopolimérica.

En la preparación del microgel polisacárido se utiliza un líquido en el que se ha disuelto un agente gelificante polimérico, que es química o térmicamente cuajado para darle una composición rígida al producto (Columna 1, líneas 60 a 65 de la publicación). El biopolímero del que se habla perteneciente a la fase continua del producto, es seleccionado del siguiente grupo: gelatina, carrageina, agar, pectina, alginatos, almidón solubilizado, producto de la hidrólisis del almidón (SHP, por sus siglas en inglés), gomas exudadas, como por ejemplo: goma arábiga, carayá y tragacanto; galactomananos, como: goma de guar y goma de algarrobo; exopolisacáridos, tales como: xantan y goma de gelana; o una mezcla de ellos (columna 2, líneas 45 a 50 de la publicación).

Específicamente, la publicación US 5.593.716 presenta un producto que se compone de la siguiente forma:

- 50-80% en peso de la fase dispersa de la fase acuosa (Columna 6, líneas 10 a 15 de la publicación).
- 0.3 a 15% en peso de la fase continúa de la fase acuosa (Columna 6, líneas 10 a 15 de la publicación).
- 0.6 a 25% en peso de la fase grasosa del producto (Columna 6, líneas 35 a 40 de la publicación).

De esta manera se puede observar que tanto el producto concentrado que presenta la solicitud de patente de Unilever, como el producto presentado en la patente US 5.593.716 en su preparación, utilizan agentes gelificantes entre otros como goma de algarrobo y goma de xantan, importantes para dar rigidez y consistencia al producto.

Así se demuestra que la utilización de este tipo de gomas u agentes gelificantes no es reciente, hecho que afecta la condición de nivel inventivo de la solicitud de patente No. 08.019.252. presentada por Unilever.

3.2.4. US 5.385.747 "*Process for making a fruit gel composition in squeeze container*" (31 de enero de 1995).

La publicación US 5.385.747 corresponde a la patente para el producto dulce comestible en forma de gelatina que se comercializa en la actualidad en empaques redondos-presionables para comer acceder al producto.

Esta patente revela un producto que en su composición incluye goma de xantan como agente espesante que facilita la suspensión de piezas de fruta en un medio gelatinoso así como para prevenir la separación de los ingredientes con diferentes densidades (ver columna 2, líneas 59 a 65).

Así mismo, reporta este documento que el uso de la goma de xantan minimiza la sinéresis (exudación resultante de líquido) y mejora las características del medio gelatinoso. Otro aspecto relevante de esta publicación es que se muestra que la goma de xantan por si misma no tiene un efecto gelificante, pero que en combinación con la goma de algarrobo tiene un efecto sinérgico en mejorar las características de la composición final.

Es así como lo revelado en el documento US 5.385.747 le resta nivel inventivo a la presente invención de Unilever por cuanto la característica de incluir una mezcla de gomas específicamente algarrobo y xantan a un concentrado para utilizar en sopas, caldos, etc. Podría haberse derivado de manera evidente de US 5.385.747.

IV. PETICIÓN

En atención a los hechos anteriormente expuestos y a las pruebas aportadas, considero que es manifiesta la falta de nivel inventivo de la solicitud de Unilever N.V. y por consiguiente, comedidamente solicito a ese Despacho rechazar dicha solicitud de patente.

V. PRUEBAS

- 5.1. ANEXO A. Copia de la publicación US2003/044503 A1 (6 de marzo de 2003).
- 5.2. ANEXO B. Copia de la publicación WO02/35944 (10 de mayo de 2002).
- 5.3. ANEXO C. Copia de la publicación US 5.593.716 (14 de enero de 1997).
- 5.4. ANEXO D. Copia de la publicación US 5.385.747 (31 de enero de 1995).

VI. DERECHOS

Adjunto el formulario único de presentación de oposición y un recibo por valor de \$287.000 correspondiente a la tramitación de la presente observación.

VII. TRASLADO

Presento con este memorial copia del presente escrito de observaciones, para su traslado al solicitante.

VIII. PERSONERÍA

Adjunto documento de poder otorgado a mi nombre por la sociedad Quala S.A., el cual me permite obrar en su representación dentro de este expediente.

IX. NOTIFICACIONES

Mi representada y yo recibiremos notificaciones en la Secretaría de la División de Propiedad Industrial, y en mi oficina situada en la Avenida 19 No. 118-30 Oficina 209 Bogotá D.C., Colombia. La sociedad demandada y su apoderado las recibirán en la dirección indicada por este último en la solicitud inicial.

Atentamente,



ANDREA TOBOS MATEUS

C.C. 52.223.325 de Bogotá

T.P. 148648



US 20030044503A1

(19) **United States**(12) **Patent Application Publication****Morgan et al.**(10) **Pub. No.: US 2003/0044503 A1**(43) **Pub. Date: Mar. 6, 2003**(54) **CONTROLLED-VISCOSITY FOOD
FLAVORING SYSTEM**(76) **Inventors: Ellen K. Morgan, Madison, WI (US);
Joseph L. Klemaszewski, Roscoe, IL
(US); Maurice O'sullivan, Tralee, (IE);
Irwin W. Immel, Green Oaks, IL (US)****Correspondence Address:****BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747 (US)**(21) **Appl. No.: 09/930,226**(22) **Filed: Aug. 16, 2001****Publication Classification**(51) **Int. Cl.⁷ A23L 1/05**(52) **U.S. Cl. 426/573**(57) **ABSTRACT**

Composite food having a gelling agent, possibly selected from gelatin, egg white, modified waxy maize starch, whey protein concentrate, modified potato starch, gellan gum, and rennet casein, and a flavoring and/or texturing component, uniformly distributed throughout, possibly selected from nonfat dry milk, butter, enzyme modified cheese, BBQ seasoning blend, cheddar cheese, sugars, milk protein concentrate, vinegar, and partially hydrogenated soybean oil, with the remainder of the composite made up primarily of water. The composite food product is substantially solid and self-sustaining at ambient temperature. Also, method for preparing a flavored and/or textured food item for service by providing a servable portion of an optionally cooked food item, removing a servable portion of the self-sustainable food product from the food product, contacting the servable food portion with the servable food item portion to form a flavored and/or textured food item combination, normally arranged with the product on top of the food item, and optionally (d) heating the flavored and/or textured food item combination to prepare the food item for service.

CONTROLLED-VISCOSITY FOOD FLAVORING SYSTEM

FIELD OF THE INVENTION

[0001] The present invention relates to the art of food-stuffs. More particularly, the present invention relates to gel-based products that can be used to enhance the flavor and/or texture of consumable food items.

BACKGROUND OF THE INVENTION

[0002] Reversible flavored gels have long been known for various applications in the food industry. Some relevant patent disclosures (in chronological order) are discussed below:

[0003] U.S. Pat. No. 2,561,333 discloses a reversible gel made from soybeans. A soybean material, e.g., soybean flakes, is treated to extract oil and alcohol solubles. It is said that the alcohol solubles are anti-gelling factors in the soybean flakes. The alcohol-extracted proteinaceous residue is then extracted with water to obtain a proteinaceous material suspended in aqueous solution. Insoluble fibrous material is then separated and in the remaining phase evaporated to dryness. That remaining material is capable of forming a reversible gel upon the addition of alcohol thereto. Suggested uses for the reversible gel are wines, cognacs, and so forth, as well as other flavors. At temperatures of approximately 30° C. or below, a stable gel forms. That gel will become liquid if reheated.

[0004] U.S. Pat. No. 4,016,278 describes a mozzarella cheese-like substitute of emulsified fat (with water) and a particular neutralized casein. The gel which is formed is remeltable to a stringy consistency at temperatures between about 20° F. and 130° F. This patent thus teaches that reversible gels can be made with protein emulsifiers, i.e., the particular neutralized casein, although the composition involved is one of a relatively high fat ratio.

[0005] U.S. Pat. No. 4,427,704 describes various gels based on a variety of gelling agents including alginates and gums. The particular invention of this patent is based on a combination of glucomannan and carrageenan.

[0006] U.S. Pat. No. 4,676,976 is directed to a reversible gel formed with konjak mannan and xanthane gum, although other gums are also mentioned. The reversible gel can be flavored and can exhibit a wide range of properties, including properties of a meltable cheese.

[0007] U.S. Pat. No. 5,567,454 discloses a nut butter (peanut butter) and jelly food slice. The peanut butter is contained between layers of the jelly, and the jelly has been gelled with conventional gelling agents, e.g., pectin, gelatin, and agar, so that it is not sticky and may conveniently be handled with the fingers.

[0008] U.S. Pat. No. 5,681,602 discloses a heat-reversible gelled pizza sauce in disk form, which can be applied to a pizza crust. The disk is solid at room temperature or below but flows when the pizza is heated to higher temperatures. Among the categories of gelling agents described are proteins, and of these gelatin is a preferred gelling agent.

[0009] U.S. Pat. No. 5,690,990 is directed to a gelled spice-containing composition where the gelling agent can be conventional gums and gelatin but also may be casein. The

spices are encapsulated in the composition and then used for providing flavors to various food products.

[0010] U.S. Pat. No. 5,858,426 discloses a meltable food product for applying seasonings to food or serving as a sauce for food. The product is designed to apply seasonings to food when it melts which occurs as the food is cooked. The product has a gel-like consistency and is comprised of water, a solidifying agent, a food base, and seasonings embedded in the product. Methods for making and using the product are also disclosed.

[0011] One feature that characterizes all of these disclosures is the application-specific nature of each gelled product. There is an unmet need for a broader, more flexible approach to gel-based products to enhance the flavor and/or texture of consumable food items.

SUMMARY OF THE INVENTION

[0012] The present invention provides a self-sustaining composite product comprising an edible gel having one or more flavoring and/or texturizing components distributed uniformly throughout. The products of this invention are substantially solid at ambient temperature and liquefy or otherwise change in texture at an elevated temperature.

[0013] A convenient configuration for the products of the present invention is a cylinder having size and consistency similar to that of canned jellied cranberry sauce. In another embodiment, the present products may have the form and consistency of slices of cheese. In both of these embodiments, the slices of product may be separated from one another by layers of paper or plastic, to facilitate handling. These products would not (necessarily) be initially "formed" on these separation layers.

[0014] The composite products of the present invention will preferably comprise 20-85 weight-% solids and 15-80 weight-% water or other edible liquids. Fats are optional ingredients, but when present will normally not exceed 40 weight-%. Gum content too is optional, but when present optimally ranges up to about 1 weight-%. Optimum pH for the composite products of the present invention ranges from 3 to 7. Low pH products should be used with caution. Protein content will preferably range from 3-12 weight-%, and starch content will preferably range from 3-20 weight-%. All of these ranges are optimum or preferred, rather than absolutely limiting of the present invention.

[0015] The present invention provides a composite food product comprising 0.3-20% (w/w) of at least one gelling agent selected from the group consisting of gelatin, egg white, egg white protein, albumin, wheat protein, whey protein, casein, soy protein, pea protein, starch, modified food starches, gellan gum, pectin, alginate, collagen, carrageenan, agar, and methylcellulose, and combinations of ingredients which combine to produce a gel, and 0.1-60% (w/w) of at least one flavoring component selected from the group consisting of sugars, salt, hydrolyzed proteins, spices, seasonings, vinegar, extracts, fruit juice, vegetable juice, juice concentrates, cheese, yogurt, cream cheese, sour cream, butter, smoke, malt, monosodium glutamate, enzyme modified cheeses, concentrated dairy products, natural flavors, artificial flavors, and high intensity sweeteners, and/or at least one texturing component selected from the group consisting of starches, modified food starches, guar gum,

locust bean gum, xanthan gum, carrageenan, gum Arabic, maltodextrin, cellulose gum, corn syrup solids, whey proteins, milk proteins, casein, soy proteins, wheat proteins, meat proteins, plasma proteins, fats, oils, dextrins, mono-glycerides, di-glycerides, lecithin, and sugars. When the flavoring and/or texturing agent is a basic ingredient such as salt or sugar, additional flavoring and/or texturing ingredients will be incorporated into the compositions of this invention.

[0016] The composite food product of the present invention may further comprise 5-40% (w/w) at least one fat and/or oil component selected from the group consisting of soybean, milk, coconut, cottonseed, corn, sunflower, canola, palm, peanut, tallow, lard, and butter. When this component is present, it is most preferably 10-30% (w/w) partially hydrogenated soybean oil.

[0017] This invention also provides a method for preparing a flavored and/or controlled texture food item for service. The method of this invention comprises the steps of: providing a servable portion of an optionally cooked food item, providing a servable portion of the self-sustaining composite food product of claim 1, and contacting said servable self-sustainable food product portion with said servable food item portion to form a flavored and/or textured food item combination. The method may further comprise the step of heating the flavored and/or textured food item combination to prepare the flavored and/or textured food item for service.

DETAILED DESCRIPTION OF THE INVENTION

[0018] Definitions

[0019] The terminology "self-sustaining" as applied herein to a product designates a product that requires no external support means. That differentiates the product of the present invention from the pizza sauce disk of U.S. Pat. No. 5,681,602, which is taught to be formed on a suitable non-edible surface or substrate. The terminology "distributed uniformly throughout" implies that a section taken from any portion sample of a product will have approximately the same composition as a sample taken from any other portion of that same sample. Thus the present product also differs from the sheet-shaped meltable product or wrap shown in U.S. Pat. No. 5,858,426. In that product, seasonings are sprinkled on a semisolid mixture so that they are embedded near its top surface, whereas in the present invention, the flavoring and/or texturizing agents are distributed substantially uniformly throughout the product. The terminology "functional amount" means an amount sufficient to effect a result, such as flavoring or texturing, that is discernable to consumers of the present products. It is noted that in some cases, a single component may have a discernable effect on two or more of flavor and/or texture and/or gelling.

[0020] Gelling

[0021] The product of the present invention may include an edible heat-reversible gelling agent which causes partial or complete gelling of the product at ambient temperature and allows melting of the gel structure when a food item topped with the product is heated. The gelling agent used in the product of this invention can be selected from any of various suitable substances, such as proteins, gums, polysac-

charides, starches, and the like, which enable formation of a heat-reversible gel structure within the product.

[0022] In other embodiments of the present invention, however, heat-reversible gelling is not desired. For instance, when the products of the present invention are to be used as cheese-like condiments for the preparation of products resembling cheeseburgers, one would choose gelling agents and other components to provide a product that would soften rather than melt at the preparation and serving temperatures of the burger. Similarly, when the products of the invention are similar to fried mozzarella sticks, the products would soften rather than melt. Thus, generically, for the present products, heating above ambient temperature results in a controlled change in texture.

[0023] Gelling Agent

[0024] The terminology "gelling agent" as used herein refers to components that form a solid or semi-solid matrix in the applications described herein. The gelling agent may be a single ingredient which interacts with water or it may consist of multiple ingredients which in themselves may not necessarily form a gel with water but do so when used in combination. The levels of gelling agents described herein are understood to be at least partially hydrated and functional.

[0025] Products of the present invention will generally comprise from 15-80 wt-% water and from 0.3-20 wt-% of at least one functioning gelling agent. The gelling agent should generally disperse readily in the other ingredients of the product to form a substantially uniform mixture. When the product is gelled, the gelling agent should provide the desired consistency and forming strength in the resulting composite product.

[0026] The Components

[0027] The type of fat used in the composite products of this invention, if any, is not critical. The melting point of the fat is not a significant issue, due to the incorporation of gelling agent into the composite products. Optimal fat melting points range from 90-115° F. Likewise, the flavor of the fat is not significant due to the seasoning level of the products of the invention. Typical edible fats suitable for use in the present invention include those derived from soybean, milk, coconut, cottonseed, corn, sunflower, canola, and palm.

[0028] Gelling-type proteins, including gelatin, collagen, plasma proteins, hydrolyzed meat proteins, egg protein, pea protein, wheat protein, and whey protein, can be used to make the composite products of this invention. Non gelling proteins, such as soybean, milk, and rice proteins, can also be used herein.

[0029] Gelling-type starches, including higher amylose starches and modified starches such as modified waxy maize and modified potato starch, can likewise be used to make the composite products of the present invention. Starches that are not gelling agents can still contribute to the viscosity of the system. The viscosity contributed by the starches is dependent on the type of starch and the concentration at which it is used and the processing conditions. Higher viscosity starches can prevent the floating or settling of spices and particulates. Useful starches of this type include potato, tapioca, modified tapioca, corn, and modified dent starches.

[0030] Combinations of proteins with starches can be important as gelling agents in the present invention. For instance, proteins such as wheat, egg, rice, pea, and beef proteins employed in combination with modified dent, modified potato, wheat, or rice starches are quite useful as gelling agents herein.

[0031] Gums that are gelling agents can also be used. Agar, for instance, can be used as a primary gelling agent. Gums that are not gelling agents can contribute to the overall viscosity of the system. Gums that impart medium to high hot viscosity—such as xanthan, guar, and locust bean gums and blends thereof, are important in maintaining the stability of suspended particulate flavoring and/or texturing agents.

[0032] Thus, specific examples of suitable gelling agents include gelatin, starch (e.g., modified food starch), alginate, pectin, collagen, carrageenan, agar, methylcellulose, and combinations of gums such as xanthan and locust bean gum. Suitable proteins include plasma proteins, hydrolyzed meat proteins, egg protein, pea protein, wheat protein, and whey protein concentrate. Finally, as discussed above, combinations of such gelling agents may also be employed. Specific examples of preferred gelling agents that can be used in the present invention are: gelatin, modified waxy maize starch, and rennet casein.

[0033] Specific examples of flavoring components that can be used in the present invention are: nonfat dry milk, butter, enzyme modified cheese, salt, garlic powder, vinegar, acesulfame potassium, sugars, lactic acid, BBQ seasoning blend, cheddar cheese, autolyzed yeast extract, and starter distillate. When simple flavoring agents such as salt and/or sugars are used, they are typically used in combination with additional flavoring agents.

[0034] Specific examples of texturing components that can be used in the present invention are: milk protein concentrate, nonfat dry milk, guar gum, xanthan gum, mono- and di-glycerides, tapioca dextrin, sodium caseinate, butter, sugars, cheddar cheese, and partially hydrogenated soybean oil.

[0035] Typical Combinations

[0036] A typical composite product of the present invention may contain the following ingredients:

Ingredient	% weight/weight
Partially hydrogenated soybean oil	15–30%
Butter	10–20%
Gelatin	3–7%
Milk protein concentrate	2–6%
Non-fat dry milk	2–6%
Modified waxy maize starch	2–6%
Salt	0–5%
Guar gum	<2%
Xanthan gum	<2%
Disodium phosphate	<2%
Garlic powder	<5%
Natural flavors	<2%
Food coloring	as needed
Water	20–65%
	100.000

[0037] Those skilled in the art will appreciate, however, that one advantage of the system taught herein is the ability

to vary both the nature and the amounts of the compositional components widely, to make a wide range of composite products comprising an edible gel having one or more flavoring and/or texturing components distributed uniformly throughout.

[0038] Manufacturing the Composite Product

[0039] In a typical manufacturing process, the gelling agent is mixed with the other ingredients in suitable amounts and the mixture is heated to the melting point of the gelling agent to cause activation thereof. The order of addition of the ingredients should be planned to allow for hydration of a functional amount of starches, proteins, and gums that may be included in the formulation.

[0040] The present product requires agitation in order to incorporate all of the ingredients and stabilize the emulsion. This is especially critical for products with a low hot viscosity. A wide range of conventional stirring equipment can be used. The best processing for all types of formulations is provided by high shear mixing equipment, such as a LIKWIFIER® mixer for batch processing. Formulas with low to medium viscosity at processing temperatures can be processed using a colloid mill in continuous or batch operations. A valve homogenizer (with pressures sufficient to achieve the desired emulsion) may be used for thin formulations. The amount of shear and agitation on products with spices or other particulates should be carefully controlled, inasmuch as high shear may deteriorate those components.

[0041] Processing temperature must be high enough to hydrate a functional amount of any starches and/or proteins in the composite formulation. Pasteurization temperatures should be the minimum processing temperatures necessary to treat microbially-susceptible products. The type of heating equipment is not critical to the system. However, lower moisture systems cannot be processed using direct steam heating since moisture addition is limited in these products. With low moisture products, indirect heating is optimal, unless the product is susceptible to burn-on. Cooling during processing can be used to prevent stratification of ingredients.

[0042] The heated mixture is cooled to a suitable temperature to effect formation of a three dimensional product. This self-sustaining gel product will preferably have medium hardness, low to medium brittleness, and medium to high elasticity, as compared to other gels and as measured using an instrument such as an Instron model 4201. The hardness of the gel is measure by determining the force required to cause rupture of the gel during compression. Brittleness is a measure of the amount the gel can be squeezed before it breaks. Elasticity is a measure of the amount the gel springs back after being squeezed. Once the desired gel structure has been achieved, the composite product may be bagged, canned, or even frozen for extended shelf life if desired.

[0043] Using the Composite Product

[0044] Another aspect of the present invention contemplates a method for preparing a flavored and/or textured food item for service. The inventive method includes the steps of: (a) providing a servable portion of an optionally cooked food item, (b) removing a servable portion, e.g., a disk or a cube, of the self-sustainable food product described above from the food product, (c) contacting the servable food portion with the servable food item portion to form a flavored and/or textured food item combination, normally arranged with the product on top of the food item, and (d)

heating, for instance in a microwave oven, said flavored and/or textured food item combination to prepare the food item for service. The present method differs significantly from that disclosed in U.S. Pat. No. 5,858,426, which describes a meltable food product for applying seasonings to foods such as (whole) chicken.

[0045] In some cases where the step (a) food portion retains sufficient heat from cooking, step (d) is not necessary. The heat from the cooked food item can provide the necessary energy to modify the texture of the self-sustainable food product of this invention. Alternatively to step (b), the servable portion of the self-sustainable food product of this invention can be prepared initially as a disk or a cube. It should be noted that the term "cube" is used herein to designate a three-dimensional product of a dicing operation. It is not intended to indicate an object having precisely equal length, width, and height.

EXAMPLES

[0046] The following non-limiting Examples are presented solely for the purpose of illustrating various aspects of the present invention.

Example 1

[0047] Butter Garlic

<u>BUTTER GARLIC</u>	
Ingredient	% weight/weight
Water	35.0
Partially hydrogenated soybean oil	25.0
Butter	15.0
Gelatin	5.0
Milk protein concentrate	5.0
Modified waxy maize starch	5.0
Nonfat dry milk	4.0
Salt	2.0
Garlic powder	1.5
Disodium phosphate	1.0
Guar gum	0.5
Xanthan gum	0.5
Natural flavors	0.5
Food coloring	as needed

Example 2

[0048] Barbecue

<u>BARBECUE</u>	
Ingredient	% weight/weight
Water	34.3
Vinegar	20.0
BBQ seasoning blend	15.0
Partially hydrogenated soybean oil	10.0
Sugars	10.0
Gelatin	5.0
Tapioca dextrin	4.0
Mono- and di-glycerides	1.0
Xanthan gum	0.5
Acesulfame potassium solution	0.5
Preservatives	as needed

Example 3

[0049] Diced Cheddar

<u>DICED CHEDDAR</u>	
Ingredient	% weight/weight
Water	35
Partially hydrogenated soybean oil	20.0
Rennet casein	15.0
Cheddar cheese	10.0
Modified waxy maize starch	6.0
Milk protein concentrate	5.0
Sodium caseinate	2.5
Enzyme modified cheeses	2.5
Salt	2.0
Autolyzed yeast extract	1.0
Sodium citrate	1.0
Disodium phosphate	0.7
Lactic acid	0.5
Natural flavors	0.3
Preservatives	as needed
Food coloring	as needed

[0050] The present invention has been described in detail with reference to particular specific embodiments. It will be understood by those skilled in the art, however, that numerous modifications thereof and alternatives thereto can be effective within the spirit and scope of this invention.

What is claimed is:

1. A self-sustaining composite food product comprising an edible gel that is substantially solid at ambient temperature, said food product comprising at least one flavoring and/or texturing component uniformly distributed throughout.

2. The composite food product of claim 1, in the form of a three dimensional shape.

3. The composite food product of claim 2, in the form of a cylinder, disk, slice, cube, or shred.

4. The composite food product of claim 1, comprising

0.3-20% (w/w) of at least one gelling agent selected from the group consisting of gelatin, egg white, egg white protein, albumin, wheat protein, whey protein, casein, soy protein, pea protein, starch, modified food starches, gellan gum, pectin, alginate, collagen, carrageenan, agar, and methylcellulose, and combinations of ingredients which combine to produce a gel, and

0.1-60% (w/w) of at least one flavoring component selected from the group consisting of hydrolyzed proteins, spices, seasonings, vinegar, extracts, fruit juice, vegetable juice, juice concentrates, cocoa, cocoa butter, chocolate liquor, cheese, yogurt, cream cheese, sour cream, butter, smoke, malt, monosodium glutamate, enzyme modified cheeses, concentrated dairy products, natural flavors, artificial flavors, and high intensity sweeteners, and/or at least one texturing component selected from the group consisting of starches, modified food starches, guar gum, locust bean gum, xanthan gum, carrageenan, gum Arabic, maltodextrin, cellulose gum, corn syrup solids, whey proteins, milk proteins, casein, soy proteins, wheat proteins, meat proteins, plasma proteins, fats, oils, dextrins, mono-glycerides, di-glycerides, and lecithin.

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5. The composite food product of claim 4, further comprising 5-40% (w/w) at least one fat and/or oil component selected from the group consisting of soybean, milk, coconut, cottonseed, corn, sunflower, canola, palm, peanut, tallow, lard, and butter.

6. The composite food product of claim 5, comprising 20-85% (w/w) solids comprising said gelling agent, said flavoring and/or texturing component, and said fat and/or oil component and 15-80% (w/w) water.

7. The composite food product of claim 6, comprising 10-30% (w/w) partially hydrogenated soybean oil.

8. The composite food product of claim 4, wherein the gelling agent is selected from the group consisting of gelatin, egg white, egg white protein, albumin, wheat protein, whey protein, casein, soy protein, and pea protein, used alone or in combination.

9. The composite food product of claim 8, comprising 3-12% (w/w) of said gelling agent.

10. The composite food product of claim 4, wherein the gelling agent is selected from the group consisting of starch, modified food starches, gellan gum, pectin, alginate, collagen, carrageenan, agar, and methylcellulose, used alone or in combination.

11. The composite food product of claim 10, comprising 3-20% (w/w) of said gelling agent.

12. The composite food product of claim 4, wherein the gelling agent is a combination of locust bean gum and carrageenan, used alone or in combination with a second gelling agent.

13. The composite food product of claim 6, having a pH of 3-8.

14. The composite food product of claim 13, comprising 25-75% water and having a pH of 3-6.

15. The composite food product of claim 13, comprising 40-75% water and having a pH of 3-5.

16. The composite food product of claim 13, comprising 25-75% water and having a pH of 5-8.

17. The composite food product of claim 13, comprising 40-75% water and having a pH of 5.5-7.5.

18. A method for preparing a flavored and/or controlled texture food item for service, which comprises the steps of:

providing a servable portion of an optionally cooked food item,

providing a servable portion of the self-sustaining composite food product of claim 1, and

contacting said servable self-sustainable food product portion with said servable food item portion to form a flavored and/or textured food item combination.

19. The method of claim 18, further comprising the step of:

heating said flavored and/or textured food item combination to prepare the flavored and/or textured food item for service.

20. The method of claim 18, wherein said servable portion of the self-sustainable food product is a disk or a cube that has been separated from a non-servable form of the self-sustaining food product or from an inedible support material.

* * * * *

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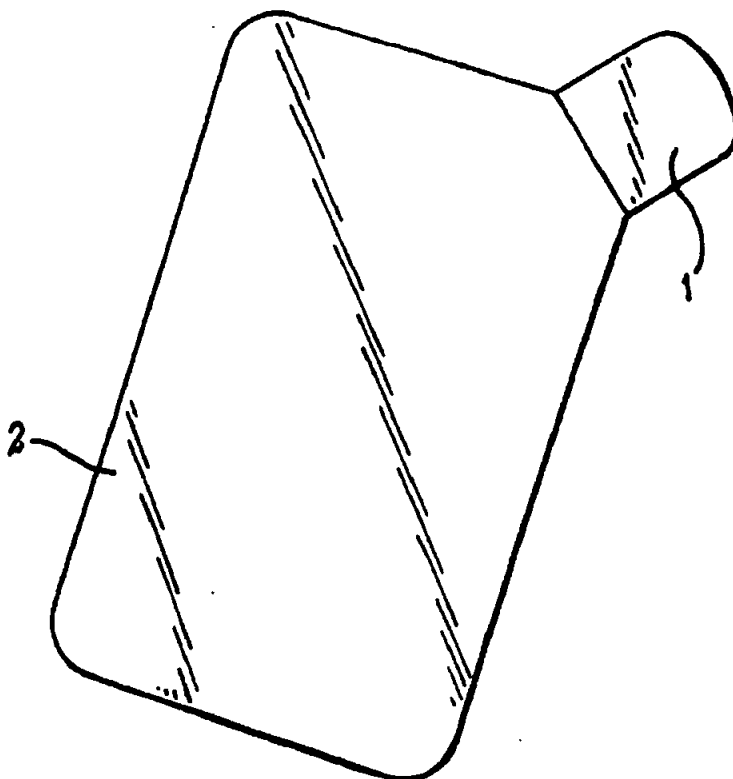
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[Continued on next page]

(54) Title: **JELLY FRUIT DRINK**



(57) Abstract: A non-newtonian, thixotropic jelly drink (1) comprising fruit juice, sweeteners, acidity regulators and preservatives and gelling agents has a pH in the range of pH 2.5 to pH 4.5 and can be stored in good condition for a reasonable length of time. The jelly drink is typically provided in a flexible container (2). A method is also described of producing a jelly drink.

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1 Jelly fruit drink

2

3 This invention relates to consumable gels, their method
4 of manufacture and the method of packaging said gels. In
5 particular, this invention relates to jelly fruit drinks.

6

7 Consumable jellies are available in many flavours shapes
8 and forms. These jellies often have fruity flavours and
9 bright colours and are particularly appealing to
10 children. However, the majority of consumable jellies do
11 not come in a "ready to eat" form. Many consumable
12 jellies are concentrated gels to which hot water must be
13 added to melt the concentrate and then the mix allowed to
14 cool and re-set, while other jellies take the form of
15 gelatine power which again requires the addition of water
16 and time to set.

17

18 In order to provide "ready to eat" jellies, a number of
19 set jelly products can now be found in pots. While not
20 requiring the addition of water or any setting time, the
21 pots are not conducive to easy eating and a utensil is
22 required. Pots of jelly are therefore not a convenient
23 "ready to eat" option.

1
2 US Patent number 5,385,747 entitled "Process for making a
3 fruit gel composition in a squeeze container" describes a
4 consumable gel packaged in a flexible container, where
5 when the container is squeezed the gel is extruded
6 through a discharge opening. The problem with this
7 consumable gel is that in forming the composition, the
8 gel and flavourant systems are separately mixed and this
9 need for two separate systems means that producing the
10 consumable gel is a complicated process. A second
11 problem is that the gel developed by this process is of a
12 firm semi-solid texture which must be squeezed from the
13 container in order for it to be consumed and the
14 squeezing process often results in spillage.

15
16 This invention realises that it would be useful to
17 provide a convenient "ready to eat" jelly drink which has
18 a simple method of manufacture and does not require a
19 utensil for consumption. The invention also realises
20 that it would be useful if the jelly drink was of a
21 liquid consistency which allows the jelly drink to be
22 obtained from the packaging using suction.

23
24 The first objection of this invention is to provide a
25 simplified method for producing a "ready to eat"
26 consumable jelly drink.

27
28 A further object of this invention is to provide a
29 consumable jelly drink which may be easily consumed
30 without the need for a utensil.

31

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1 Another object of this invention is to provide a method
2 of manufacturing a consumable jelly drink which fulfils
3 the previous objectives.

4

5 A further object of this invention is to provide a method
6 of packaging a consumable jelly drink which fulfils the
7 previous objective.

8

9 A yet further object of this invention is to provide a
10 consumable jelly drink which has low manufacturing costs.

11

12 According to a first aspect of the present invention
13 there is provided a jelly drink which is a non-newtonian,
14 thixotropic fluid which flows when set, retains
15 viscoelastic properties and comprises xanthan gelling
16 agent and locust bean gum gelling agent (also referred to
17 as carob gum).

18

19 Preferably the jelly drink includes flavourings.

20

21 Most preferably the jelly drink comprises fruit
22 flavourings.

23

24 Preferably the fruit flavourings take the form of fruit
25 juice.

26

27 Preferably the jelly drink comprises sugars and/or
28 sweeteners, acidity regulators and preservatives.

29

30 Most preferably 5% of the jelly drink comprises fruit
31 juice as well as sweeteners, acidity regulators and
32 preservative.

33

1 Preferably the jelly drink may have a pH in the range
2 from pH 2.5 to pH 4.5.

3

4 Most preferably the jelly drink has a pH of 3.6.

5

6 According to a second aspect of the invention, there is
7 provided a method of manufacturing a jelly drink as
8 described in the first aspect of this invention; wherein
9 the ingredients are dissolved in water and mixed, taken
10 through a heating cycle to activate, pasteurise and de-
11 aerate the gel and then packaged in a flexible container.

12

13 Preferably the ingredients are dissolved in 500 litres of
14 water for an 800 litre batch.

15

16 Most preferably the xanthan gum and locust bean gum (also
17 known as carob gum) are dry mixed prior to use.

18

19 Preferably the ingredients are added in the following
20 order:

21

22 Water

23 Sweeteners and preservative

24 Food grade acid

25 Fruit juice and additional flavourings

26 Locust bean gum and xanthan gum

27 Water

28 Acidity regulator

29

30 Preferably a mixer is used to mix the ingredients,
31 wherein the mixer is at a speed which dissolves and mixes
32 the product, but does not destroy the gel.

33

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1 Most preferably the ingredients are mixed for 30 minutes
2 to allow hydration of the gel prior to the addition of an
3 acidity regulator.
4
5 Usually once the product has been mixed it undergoes a
6 heating cycle.
7
8 Preferably the product is circulated for 10 minutes
9 through the heating cycle to improve the product flow.
10
11 Preferably the product is preheated to 40°C.
12
13 Preferably after the preheat the product is de-aerated.
14
15 Preferably the gel is activated and the product
16 pasteurised in a heating section by heating to a suitable
17 high temperature.
18
19 Most preferably the gel is activated and the product
20 pasteurised by heating to 93°C.
21
22 Preferably the high temperature is held for a period of
23 time to sterilise and protect the gel complex.
24
25 Most preferably the high temperature is held for 10
26 seconds.
27
28 According to a third aspect of this invention, there is
29 provided a method of packaging a jelly drink as in the
30 first aspect of this invention.
31

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162

1 Preferably the jelly drink is packaged into a flexible
2 container made of any suitable water impermeable
3 material.

4

5 Optionally the flexible container may be made of plastic.

6

7 Preferably the flexible container is provided with a pre-
8 formed opening covered with a suitable cap.

9

10 Most preferably the flexible container does not have a
11 pre-formed opening, but is produced from a material which
12 can be easily torn or cut to provide an opening.

13

14 Preferably the jelly drink is packaged after the heating
15 cycle when the temperature has cooled slightly.

16

17 Most preferably the jelly drink is packaged at a
18 temperature of 76°C.

19

20 Preferably the packaged jelly drink is maintained at the
21 packaging temperature for a prolonged period of time to
22 allow for sterilisation of the container.

23

24 Most preferably the packaged jelly drink is maintained at
25 the packaging temperature for 2.5 minutes.

26

27 In order to provide a better understanding of the
28 invention, embodiments of the invention will now be
29 described by way of example only, and with reference to
30 the following figure, in which:

31

24
163

1 Figure 1 is a jelly drink according to this invention
2 which is packaged in a flexible container that is open to
3 allow the jelly drink to be squeezed out; and

4

5 Figure 2 is a jelly drink according to this invention,
6 which is packaged in a flexible container that is closed
7 so that the jelly drink cannot be squeezed out.

8

9 According to the first aspect of this invention, there is
10 provided a non-newtonian, thixotropic jelly drink 1
11 comprising 5% fruit juice, sweeteners, acidity regulators
12 and preservative. The jelly drink 1 also comprises
13 gelling agents, xanthan gum and locust bean gum (also
14 known as carob gum). The jelly drink 1 has a pH of 3.6
15 and is pasteurised to ensure that it can be stored in
16 good condition for a reasonable length of time.

17

18 In order to provide an easy way of consuming the jelly
19 drink 1, it is provided in a flexible container 2. The
20 flexible container 2 is provided either with a removable
21 lid or stopper at one end, or with region that can easily
22 form an opening. When pressure is applied to the outside
23 of the flexible container 2, this causes the jelly drink
24 1 to be pushed through the opening in the flexible
25 container 2. Alternatively the jelly drink 1 may be
26 obtained from the flexible container 2 by applying
27 suction to the opening, as the jelly drink 1 is in the
28 form of a liquid.

29

30 The second aspect of this invention is the method of
31 producing a jelly drink 1. Approximately 500 litres of
32 cold water are added to a mixing tank. The sweeteners
33 and preservatives are then added to the mixing tank and

25
16/1

1 allowed to dissolve. Citric acid is then added to the
2 mix until the product is clear and then fruit juice and
3 flavours are added.

4

5 The xanthan gum and locust bean gum (or carob gum) is dry
6 mixed in a separate container. In order to ensure the
7 gelling agents are mixed correctly, the container for
8 mixing is dried prior to use. The dry mixed gelling
9 agents are then added to the liquid mix with mixers or
10 via a kelco funnel. The mixer that is used is powerful
11 enough to dissolve and mix the product, but not so
12 powerful that it destroys the gel properties of the mix.

13

14 Once the dry mixed gelling agents have been added, the
15 tank is immediately topped up to the final level and the
16 product mixed for 30 minutes to allow hydration of the
17 gel. During the mixing period a trisodium citrate
18 solution is made up. The trisodium citrate solution is
19 then added to the mixed solution and the pH levels of the
20 mixed gel solution are checked and adjusted accordingly
21 so that they are pH 3.6. The product, which is a jelly
22 drink, can then be checked.

23

24 Once the jelly drink has been mixed it is then
25 pasteurised so that it is safe for consumption and can be
26 stored in hygienic conditions for a reasonable amount of
27 time. The product is transferred to a balance tank and
28 is allowed to circulate around the heating system for at
29 least 10 minutes prior to the start of production to
30 improve product flow. The product is preheated to at
31 least 40°C.

32

26
165

1 The product is de-aerated and then fed into the
2 regeneration section of the tank which allows for some
3 energy saving. The product is then heated to a minimum
4 of 91°C which allows the sterilisation of the gel product
5 without destroying the gel complex. The temperature is
6 held for 10 seconds, which is critical for the
7 sterilisation and protection of the complex. The product
8 is then again passed to the regeneration section.

9

10 The third aspect of the invention relates to the method
11 of packaging the jelly drink of the first aspect of the
12 invention which has been produced using the method
13 described in the second aspect. After pasteurisation,
14 the jelly drink product 1 is allowed to cool to
15 approximately 76°C which is a critical temperature to
16 allow both sterilisation of the container 2 and
17 protection of the product. The jelly drink product 1 is
18 then hot filled into flexible containers 2 and the
19 temperature is maintained for a minimum of 2.5 minutes.
20 The temperature hold time is critical for the
21 sterilisation of the container. The flexible containers
22 are provided in a material that is able to withstand the
23 hot filling and which allows the thixotropic properties
24 of the jelly drink to be utilised.

25

26 The jelly drink product 1, packaged in a flexible
27 container 2, can then be cooled in a water bath if
28 required and is then ready for storage or distribution.

29

30 It can be seen that there are a number of advantages to
31 this jelly drink, the method of producing it and the
32 method of packaging it. The production and packaging
33 methods provide a consumable jelly drink which can be

27
16/6

1 easily and relatively cheaply produced (as the materials
2 used can cost up to 10 times less than other materials
3 which produce similar characteristics). The
4 pasteurisation means that the product can be stored for a
5 reasonable amount of time. Also, the jelly drink is easy
6 to consume as it is provided in a flexible container
7 which expels the drink when squeezed, so there is no
8 requirement for an eating utensil.

9
10 The embodiments disclosed above are merely exemplary of
11 the invention, which may be embodied in different forms.
12 Therefore, the details disclosed herein are not to be
13 interpreted as limiting, but merely as a basis for the
14 Claims and for teaching one skilled in the art as to the
15 various uses of the present invention in any appropriate
16 manner.

1 CLAIMS

2

3 1. A jelly drink which is non-newtonian, thixotropic
4 fluid which flows when set, retains viscoelastic
5 properties and comprises xanthan gelling agent and
6 locust bean gum gelling agent.

7

8 2. A jelly drink as claimed in Claim 1, which includes
9 flavourings.

10

11 3. A jelly drink as claimed in Claim 2, wherein the
12 flavourings are fruit flavourings.

13

14 4. A jelly drink as claimed in Claims 2 to 3, wherein
15 the fruit flavourings take the form of fruit juice.

16

17 5. A jelly drink as claimed in any one of the preceding
18 Claims, comprising sugars and/or sweeteners, acidity
19 regulators and preservatives.

20

21 6. A jelly drink as claimed in any one of the preceding
22 Claims, comprising fruit juice as well as
23 sweeteners, acidity regulators and preservative.

24

25 7. A jelly drink as claimed in any one of the preceding
26 Claims, having a pH in the range of pH 2.5 to pH
27 4.5.

28

29 8. A jelly drink as claimed in any one of the preceding
30 Claims, having a pH of 3.6.

31

32 9. A method of manufacturing a jelly drink as claimed
33 in Claims 1 to 8, wherein the ingredients are

29
168

- 1 dissolved in water and mixed, taking through a
2 heating cycle to activate, pasteurise and de-aerate
3 the gel and then packaged in a flexible container.
4
- 5 10. A method as claimed in Claim 9, wherein the
6 ingredients are dissolved in 500 litres of water for
7 an 800 litre batch.
8
- 9 11. A method as claimed in Claims 9 to 10, wherein the
10 xanthan gum and locust bean gum are dry mixed prior
11 to use.
12
- 13 12. A method as claimed in any one of Claims 9 to 11,
14 wherein the ingredients are added in the order:
15
- 16 Water
17 Sweeteners and Preservatives
18 Food grade acid
19 Fruit juice and additional flavourings
20 Locust bean gum and xanthan gum
21 Water
22 Acidity regulator
23
- 24 13. A method as claimed in any one of Claims 9 to 12,
25 wherein the mixer is used to mix the ingredients.
26
- 27 14. A method as claimed in Claim 13, wherein the mixer
28 is at a speed which dissolves and mixes the product,
29 but does not destroy the gel.
30
- 31 15. A method as claimed in any one of the Claims 9 to
32 14, wherein the ingredients are mixed for 30 minutes

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- 1 to allow hydration of the gel prior to the addition
2 of an acidity regulator.
3
- 4 16. A method as claimed in any one of Claims 9 to 15,
5 wherein once the product has been mixed it undergoes
6 a heating cycle.
7
- 8 17. A method as claimed in any one of Claims 9 to 16,
9 wherein the product is circulated for 10 minutes
10 through the heating cycle to improve the product
11 flow.
12
- 13 18. A method as claimed in any one of Claims 9 to 17,
14 wherein the product is preheated to 40°C.
15
- 16 19. A method as claimed in any one of Claims 9 to 18,
17 wherein after the product is preheated to 40°C, the
18 product is de-aerated.
19
- 20 20. A method as claimed in any one of Claims 9 to 19,
21 wherein the gel is activated and the product
22 pasteurised in a heating section by heating to a
23 suitable high temperature.
24
- 25 21. A method as claimed in any one of Claims 9 to 20,
26 wherein the gel is activated and the product
27 pasteurised by heating to 93°C.
28
- 29 22. A method as claimed in any one of the Claims 9 to
30 21, wherein the high temperature is held for a
31 period of time to sterilise and protect the gel
32 complex.
33

- 1 23. A method as claimed in any one of Claims 9 to 22,
2 wherein the high temperature is held for 10 seconds.
3
- 4 24. A method of packaging a jelly drink, as claimed in
5 Claims 1 to 8.
6
- 7 25. A method as claimed in Claim 24, wherein the method
8 comprises packaging a jelly drink into a flexible
9 container made of any suitable water and impermeable
10 material.
11
- 12 26. A method as claimed in any one of Claims 24 to 25,
13 wherein the flexible container is made of plastic.
14
- 15 27. A method as claimed in any one of Claims 24 to 26,
16 wherein the flexible container is provided with a
17 pre-formed opening covered with a suitable cap.
18
- 19 28. A method as claimed in any one of Claims 24 to 27,
20 wherein the flexible container is produced from a
21 material which can be easily torn or cut, providing
22 an opening.
23
- 24 29. A method a claimed in any one of Claims 24 to 28,
25 wherein the jelly drink is packaged after the
26 heating cycle when the temperature has cooled
27 slightly.
28
- 29 30. A method as claimed in any one of Claims 24 to 29,
30 wherein the jelly drink is packaged at a temperature
31 of 76°C.
32

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- 1 31. A method as claimed in any one of Claims 24 to 30,
2 wherein the packaged jelly drink is maintained at
3 the packaging temperature for a prolonged period of
4 time to allow sterilisation of the container.
5
- 6 32. A method as claimed in any one of Claims 24 to 31,
7 wherein the packaged jelly drink is maintained at
8 the packaged temperature for 2.5 minutes.

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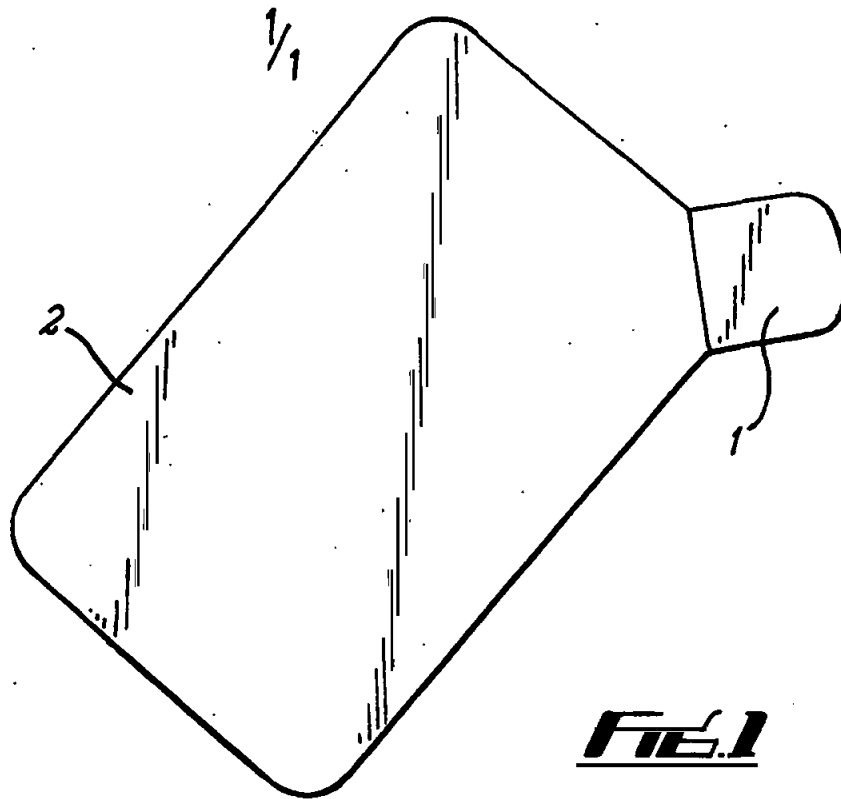


FIG. 1

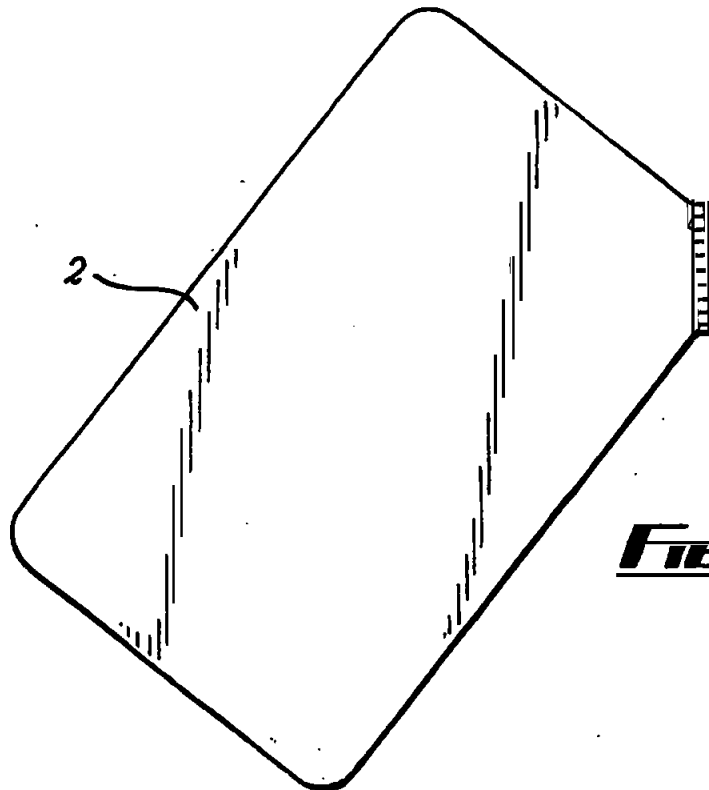


FIG. 2

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 01/04812

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A23L1/0526 A23L1/054 A23L1/06 A23L1/068 A23L2/00
 A23L2/02 A23L2/38 A23L2/52 A23L2/84

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A23L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, FSTA, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	FR 2 655 241 A (MILLERY JACQUES;CHAMBRUN JOEL) 7 June 1991 (1991-06-07) page 3, line 1 -page 6, line 37; claims; figure 2	1-32
X	WO 00 30468 A (JOLSON JEROME BERNARD ;STRUNIN SAMUEL WOLF (AU); JSP NOMINEES PTY) 2 June 2000 (2000-06-02) page 3, line 4 -page 4, line 26 page 13, line 4 - line 10; claims 1,4,5,7,8,10-16,18,19,21-23,27,28	1-32
P,Y	US 6 171 633 B1 (CARLOTTI RONALD J ET AL) 9 January 2001 (2001-01-09) claims 1,2,6,9,12-17,20-22,26	1-23
	-/--	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

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O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the International search

2 April 2002

Date of mailing of the International search report

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 01/04812

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 0 605 097 A (RHONE POULENC SPEC CHIM) 6 July 1994 (1994-07-06) page 3, line 33 - line 44 page 4, line 20 - line 52; claims 1-9	1-23
A	KOVACS P: "USEFUL INCOMPATIBILITY OF XANTHAN GUM WITH GALACTOMANNANS" FOOD TECHNOLOGY, INSTITUTE OF FOOD TECHNOLOGISTS. CHICAGO, US, vol. 27, no. 3, March 1975 (1975-03), pages 26-28,30, XP001057341 ISSN: 0015-6639 the whole document	1-32
A	WEI Y P ET AL: "FLOW PROPERTIES OF FRUIT FILLINGS" FOOD RESEARCH INTERNATIONAL, ELSEVIER APPLIED SCIENCE, BARKING, GB, vol. 34, no. 5, 2001, pages 377-381, XP001057343 ISSN: 0963-9969 the whole document	1-32
A	WO 96 22701 A (BUSH BOAKE ALLEN INC) 1 August 1996 (1996-08-01) claims 1,4,10-14,23-25	1-32

INTERNATIONAL SEARCH REPORT

information on patent family members

International Application No

PCT/GB 01/04812

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
FR 2655241	A	07-06-1991	FR 2655241 A1	07-06-1991
			CA 2022638 A1	15-02-1991
WO 0030468	A	02-06-2000	AU 1538100 A	13-06-2000
			WO 0030468 A1	02-06-2000
			CN 1332610 T	23-01-2002
			EP 1135030 A1	26-09-2001
US 6171633	B1	09-01-2001	NONE	
EP 0605097	A	06-07-1994	US 5387427 A	07-02-1995
			BR 9305239 A	05-07-1994
			CA 2109968 A1	01-07-1994
			EP 0605097 A1	06-07-1994
			MX 9400019 A1	29-07-1994
WO 9622701	A	01-08-1996	US 5576039 A	19-11-1996
			AU 697426 B2	08-10-1998
			AU 4751396 A	14-08-1996
			CA 2211446 A1	01-08-1996
			CN 1180996 A	06-05-1998
			CZ 9702383 A3	18-02-1998
			EP 0861035 A1	02-09-1998
			JP 10512757 T	08-12-1998
			NZ 301965 A	27-04-1998
			WO 9622701 A1	01-08-1996

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US005593716A

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12/6**United States Patent** [19]**Appelqvist et al.**[11] **Patent Number:** **5,593,716**[45] **Date of Patent:** **Jan. 14, 1997**[54] **FOOD PRODUCT**[75] Inventors: **Ingrid A. Appelqvist**, Northampton;
Charles R. Brown, Bedford; **Ian T. Norton**, Northampton, all of United Kingdom[73] Assignee: **Van den Bergh Foods Co. Division of Conopco, Inc.**, Lisle, Ill.[21] Appl. No.: **501,820**[22] Filed: **Jul. 14, 1995**[30] **Foreign Application Priority Data**

Jul. 15, 1994 [EP] European Pat. Off. 94305213

[51] Int. Cl.⁶ **A23L 1/05; A23L 1/39**[52] U.S. Cl. **426/589; 426/601; 426/603**[58] Field of Search **426/589, 601, 426/603**[56] **References Cited****U.S. PATENT DOCUMENTS**4,720,390 1/1988 Bächler et al. 426/589
5,011,701 4/1991 Baer et al. 426/5895,137,742 8/1992 Bakal et al. 426/589
5,153,020 10/1992 Singer 426/589
5,158,798 10/1992 Fung et al. 426/589
5,324,531 6/1994 Hoefler et al. 426/589
5,360,624 11/1994 Okura et al. 426/589**FOREIGN PATENT DOCUMENTS**355908 2/1990 European Pat. Off. .
432835 6/1991 European Pat. Off. .
558113 9/1993 European Pat. Off. .
602991 6/1994 European Pat. Off. .
63-251051 10/1988 Japan .
01277460 11/1989 Japan .*Primary Examiner*—Jeanette Hunter*Attorney, Agent, or Firm*—Gerard J. McGowan, Jr.

[57]

ABSTRACT

A liquid saucc, soup or gravy product having high temperature, shear and storage stability and having a smooth texture comprising an aqueous phase and an oil phase. The aqueous phase includes;

(a) a dispersed phase of non-starch polysaccharide microgel; and

(b) a continuous phase comprising a biopolymer solution.

9 Claims, No Drawings

FOOD PRODUCT

FIELD OF THE INVENTION

The present invention relates to a liquid sauce, soup or gravy product having high temperature, shear and storage stability and having a smooth texture.

BACKGROUND TO THE INVENTION

Traditional chef sauces, soups and gravies are based on starch as a thickening agent. Within the process of preparation, the starch grains are swollen and allowed to interact. With such chef sauces, the sauce is used shortly after preparation and therefore the natural starches used cause no problems.

However, in manufactured sauces the starch has to survive extremes in terms of processing (ie. high temperatures and high shear) and then remain stable (no loss of smoothness etc.) for long periods of storage time. Storage may be under frozen, chill or ambient conditions. The sauce, soup or gravy then needs to be stable on re-heating for consumption. Because of these requirements manufactured sauces use chemically modified (cross-linked and derivatised) starches.

The use of such modified starches causes a number of problems and concerns such as;

- (a) they give a starchy taste and texture, probably due to some (limited) retrogradation on storage;
- (b) they are seen by consumers as chemicals; and
- (c) the final sauces are not as smooth as home-made sauces. This is probably due to limited swelling or retrogradation of the starch polymers which results in hard included particles.

It is therefore desirable to be able to replace the modified starch thickening agent in sauces, soups and gravies.

We have now found that the starch granules may be replaced by non-starch polysaccharide microgel. This microgel has none of the problems associated with granular starch allowing a liquid sauce, soup or gravy product to be provided which has a high temperature, shear and storage stability and has a smooth texture.

Furthermore sauces manufactured using the microgel system disclosed below have the following advantages;

- (a) the sauce has the same breakdown properties (ie perception of thickness on eating) as a starch-containing system.
- (b) the sauce has improved taste properties, having an excellent creamy taste with no starch off-flavour.
- (c) the sauce has a glossy appearance; and
- (d) the sauce has a smooth, non-slimy texture.

DESCRIPTION OF THE INVENTION

Accordingly the invention provides a liquid sauce, soup or gravy product comprising an aqueous phase and an oil phase characterised in that the aqueous phase includes

- (a) a dispersed phase of non-starch polysaccharide microgel; and
- (b) a continuous phase comprising a biopolymer solution.

Non-Starch Polysaccharide Microgel

The non-starch polysaccharide microgel is prepared according to one of the 2 processes disclosed in EP 432 835 and EP 355 908. In these processes a liquid containing a dissolved polymeric gelling agent is thermally or chemically set, whilst subjecting the liquid to sufficient shear to obtain a substantially less rigid composition than would have been

obtained by chemically setting the liquid under quiescent conditions.

The term thermoreversible microgel refers to non-starch polysaccharide microgels which melt upon heating and which re-take their gel structure upon cooling. Examples of thermoreversible microgels of polysaccharides are disclosed in EP 355 908.

The term chemically set microgels refers to non-starch polysaccharide microgels which do not reversibly melt upon increasing the temperature. They derive their gel structure from a chemical interaction of the polysaccharide with appropriate ions, for example, Ca^{2+} ions. Examples of chemically set microgels of polysaccharides are disclosed in EP 432 835.

The non-starch polysaccharide microgel so prepared needs to be stable on storage and at temperatures appropriate to the handling and consumption of the sauce, soup or gravy. Thus the melting temperature of the gel that forms the basis of the non-starch polysaccharide microgel is preferably above 70° C. Accordingly, suitable gelling agents may be selected from alginate or any edible derivative thereof; agar; calcium pectin; iota carrageenan; kappa carrageenan; gellan; furcelleran; and mixtures thereof.

The processes given above and disclosed in more detail in EP 432 835 and EP 355 908 provide non-starch polysaccharide microgels having substantially no free water. In order to manufacture the sauce, soup or gravy product according to the invention, the non-starch polysaccharide microgel dispersion is diluted to the preferred viscosity. The viscosity is selected according to the desired thickness of the final sauce. The preferred viscosity in the aqueous phase is from 0.2 to 3.5 Pas. The preferred final sauce viscosity values, measured by Bohlin VOR or Haake Roto visco RV20 rheometers at 60° C. and 50 sec⁻¹ using a concentric geometry are 0.2 Pas to 5 Pas, more preferred is 0.5 Pas to 2.0 Pas, most preferred is 1.0 to 1.5 Pas.

The Aqueous Phase

The aqueous phase preferably comprises

- (a) from 50 to 80%, most preferably approximately 70%, by weight of the aqueous phase non-starch polysaccharide microgel; and
- (b) from 0.3 to 15% by weight of the aqueous phase continuous phase biopolymer.

The biopolymer in the continuous phase is selected from gelatin; carrageenan; agar; pectin; alginate; solubilised starch; starch hydrolysis product (SHP); exudate gums, for example Gum Arabic, Karaya and tragacanth; Galactomannans, for example Guar Gum, and Locust Bean Gum; Bacterial exopolysaccharides, for example Xanthan and Gellan; and mixtures thereof.

Preferably the biopolymer in the continuous phase is selected from gelatin, carrageenan, agar, pectin, alginate and mixtures thereof.

The aqueous phase may optionally comprise additional ingredients such as milk proteins; oil-in-water promoting emulsifiers, for example sodium caseinate; culinary products such as herbs, spices, salt and pepper, vegetable pieces, colourings, flavourings.

The Oil Phase

The oil phase comprises an edible oil, such as a vegetable oil, for example sunflower oil, olive oil; an emulsion, for example cream, butter, yellow fat spread; or mixtures thereof.

The sauce, soup or gravy product comprises from 0.6 to 25 wt % by weight of the final product, preferably 3 to 20 wt %, most preferably 5 to 15 wt % oil phase.

General Process for Preparation

The continuous phase biopolymer is dispersed in water and any optional additional ingredients of the aqueous phase added. This mixture is then heated with stirring such that the biopolymer is fully solubilised. The non-starch polysaccharide microgels are then added to the biopolymer solution, the biopolymer solution being at a temperature not higher than the thermal stability limit of the non-starch polysaccharide microgel. The thus prepared aqueous phase is added with stirring to the oil phase. The product is then subjected to shearing such that intimate mixing and the required oil droplet size (substantially less than 20 μm , preferably less than 10 μm) is achieved.

The temperature at which the prepared aqueous phase is added to the oil phase is the lower of the temperature of the thermal stability of the non-starch polysaccharide microgel and the temperature of the thermal stability of any emulsion.

Alternatively the aqueous phase may be prepared in a single step process.

EXAMPLES OF SUCH A SINGLE STEP PROCESS ARE;

- (a) one or more gelling agent is present in the liquid composition for preparation of the non-starch polysaccharide microgel and the conditions of the setting are such that one gelling agent forms a non-starch polysaccharide microgel in a solution of the remaining gelling agents; and
- (b) one or more gelling agent is present in the liquid composition for preparation of the non-starch polysaccharide microgel and the conditions of the setting are such that all gelling agents form a non-starch polysaccharide microgel, at least one gelling agent being chosen such that on reheating to the sauce serving temperature (60° C.), the so chosen gelling agent melts to form a continuous solution.

EXAMPLES

Example 1

A white sauce having the formulation shown in Table 1 was prepared as follows;

TABLE 1

Ingredient	Amount (% w/w on product)
<u>Continuous aqueous phase</u>	
Gelatin	4.00
Sodium caseinate	0.50
Duchi B Alt flavour	1.00
Deionised water	40.40
Seasoning to taste	—
<u>Disperse aqueous phase</u>	
Sodium alginate	0.808
Calcium chloride	0.08
Potassium sorbate	0.052
Deionised water	38.16
<u>Oil Phase</u>	
Sunflower oil	15.00

A batch size of 500 g was prepared.

Preparation of the Continuous Aqueous Phase

A continuous aqueous phase was prepared by dispersing 20 g gelatin in cold (25° C.) deionised water (200 g) together with 2.5 g sodium caseinate and 5.0 g Duchi B Alt flavour using a Silverson laboratory mixer fitted with tubular attachments (1.9 cm od). The gelatin dispersion was heated to 95° C. with continuous stirring to allow the caseinate to solubilise. The solution was then cooled to 60° C..

Preparation of the Dispersed Aqueous Phase

2.0% w/w sodium alginate (Manugel DMB, Kelco) and 1.32% w/w calcium chloride solution, both at 95° C., were combined via a proportioning pump into a scraped surface heat exchanger line comprising 2 high speed A-units and 2 standard A-units connected in series. The jacket temperatures were set to -15, -5, 0 and 0° C. respectively and the rotor speeds set to 4000 rpm for the HSA and 1000 rpm for the standard A-units.

With stock pump settings of 85% for alginate and 15% for CaCl_2 , a fine gel particle conversion factor of 90% and alginate concentration of 1.70% w/w was achieved. Throughput was 50 g. min⁻¹.

The resultant non-starch polysaccharide microgel dispersion was heated to 60° C. and combined with the continuous aqueous phase in a volume to weight ratio of 1 to 1.14 with gentle mixing. This procedure produced an effective phase volume of microgel on total aqueous phase of about 0.50.

The aqueous phase was added to sunflower oil (75.0 g) and mixed for 3 minutes at 95° C. using a Silverson Laboratory mixer at its maximum rpm. The sauce was cooled to 45° C. and then acidified from pH 6.5 to pH 5.5 using 1.2 ml white wine vinegar. Finally the sauce was sealed in 250 g sachets and frozen at -18° C.

Example 2

Example 1 was repeated but with the continuous aqueous phase containing 5.5% amylopectin (Amioca) rather than gelatin.

Example 3

A white sauce having the formulation shown in Table 2 was prepared as follows;

TABLE 2

Ingredient	Amount (% w/w on product)
<u>Continuous aqueous phase</u>	
Iota carrageenan	1.00
Sodium caseinate	0.50
Duchi B ALT flavour	1.00
Deionised water	39.50
<u>Disperse aqueous phase</u>	
Agar (Luxara 1253	0.86
Branwell, UK)	
Potassium sorbate	0.056
De-ionised water	42.084
<u>Oil Phase</u>	
Sunflower oil	15.00

Preparation of the Continuous Aqueous Phase

A continuous aqueous phase was prepared by dispersing iota-carrageenan (5.0 g) in cold (25° C.) deionised water (197.5 g) together with 2.5 g sodium caseinate and 5.0 g Duchi B Alt using a Silverson Laboratory mixer fitted with

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tubular attachments (1.9 cm od). The iota-carrageenan dispersion was heated to 95° C. with continuous stirring to allow the caseinate to solubilise. The solution was then cooled to 60° C.

Preparation of the Dispersed Aqueous Phase

Agar (1.75% w/w on water) and potassium sorbate (0.2% w/w on water) were dissolved in water at 95° C. with stirring. The solution was pumped directly to the micro-votator line of Example 1 with jacket temperatures set to +5, +5, +10, +10° C. respectively. Throughput was 56 g/min. The agar solution temperature was kept above 65° C. up until the inlet of the first A-unit.

The resultant non-starch polysaccharide microgel dispersion was combined with the continuous aqueous phase in a volume to weight ratio of 1:1.02. The aqueous phase was then added to sunflower oil again as detailed in Example 1.

The sauces prepared in Examples 1 to 3 on thawing and reheating were excellent, having a smooth appearance and texture with excellent mouthfeel and breakdown properties.

Example 4

TABLE 3

Ingredient	Amount (% w/w on product)
<u>Continuous aqueous phase</u>	
Guar gum	0.70
Sodium Caseinate	0.50
Duchi B Alt flavour	1.00
Deionised water	43.70
<u>Disperse aqueous phase</u>	
Sodium alginate	0.808
Calcium chloride	0.080
Potassium sorbate	0.052
Deionised water	38.160
<u>Oil phase</u>	
Sunflower oil	15.00

Preparation of the Continuous Aqueous Phase

A continuous aqueous phase was prepared by dispersing guar gum (3.5 g) in cold deionised water (218.5 g) at 25° C. together with 2.5 g sodium caseinate and 5.0 g Duchi B Alt using a Silverson laboratory mixer fitted with tubular attachments (1.9 cm o.d.). The guar gum dispersion was heated to 95° C. with continuous stirring to allow the caseinate to solubilise. The solution was then cooled to 60° C.

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Preparation of the Dispersed Aqueous Phase

A microgel dispersion was prepared as detailed in Example 1.

The resultant non-starch microgel dispersion was heated to 60° C. and combined with the continuous aqueous phase in a volume to weight ratio of 1:1.17 with gentle mixing.

We claim:

1. A liquid sauce, soup or gravy product comprising an aqueous phase and an oil phase wherein the aqueous phase comprises:

(a) from 50 to 80% by weight of the aqueous phase of a dispersed phase of non-starch polysaccharide microgel made from a chemically-or thermally-setting gelling polysaccharide; and

(b) from 0.3 to 15% by weight of the aqueous phase of continuous phase biopolymer.

2. The liquid sauce, soup or gravy product according to claim 1 wherein the non-starch polysaccharide microgel is made from a gelling polysaccharide selected from the group consisting of alginate or any edible derivative; agar; calcium pectin; iota carrageenan; kappa carrageenan; gellan; furcelleran; and mixtures thereof.

3. A liquid sauce, soup or gravy product according to claim 1 wherein the biopolymer in the continuous phase is selected from the group consisting of gelatin; carrageenan; agar; pectin; alginate; solubilised starch; starch hydrolysis product; Exudate gums, for example Gum Arabic, Karaya, tragacanth; Galactomannans, for example Guar gum and Locust Bean gum; Bacterial exopolysaccharides, for example xanthan and gellan; and mixtures thereof.

4. A liquid sauce, soup or gravy product according to claim 1 wherein the biopolymer in the continuous phase is selected from the group consisting of gelatin, carrageenan, agar, pectin, alginate and mixtures thereof.

5. A liquid sauce, soup or gravy product according to claim 1 wherein the oil phase comprises an edible oil; an emulsion, or mixtures thereof.

6. A liquid sauce, soup or gravy product according to claim 1 wherein the product comprises from 0.6 to 25 wt % by weight of the total product oil phase.

7. A liquid sauce, soup or gravy product according to claim 1 wherein the product comprises from 3 to 20% by weight of the total product oil phase.

8. A liquid sauce, soup or gravy product according to claim 1 wherein the product comprises from 5 to 15% by weight of the total product oil phase.

9. The liquid sauce according to claim 5 wherein said emulsion is selected from the group consisting of cream, butter and yellow fat spreads.

* * * * *



US005385747A

United States Patent [19]

Katz et al.

[11] Patent Number: **5,385,747**[45] Date of Patent: **Jan. 31, 1995**[54] **PROCESS FOR MAKING A FRUIT GEL COMPOSITION IN SQUEEZE CONTAINER**

[75] Inventors: Sumner N. Katz, Norwood Park Township, Cook County; Thomas L. O'Connor, Chicago, both of Ill.

[73] Assignee: Mama Tish's Italian Specialties, Inc., Chicago, Ill.

[21] Appl. No.: 918,234

[22] Filed: Jul. 23, 1992

[51] Int. Cl.⁶ A23L 1/0526; A23L 1/0528; A23L 1/0532; A23L 1/068

[52] U.S. Cl. 426/573; 426/115; 426/394; 426/410

[58] Field of Search 426/573, 115, 394, 410

[56] References Cited

U.S. PATENT DOCUMENTS

2,541,731	2/1949	Walker .	
2,803,548	8/1957	Hagerty .	
3,615,718	10/1971	Weinstein .	
3,658,556	4/1972	Klein .	
3,804,951	4/1974	Rapp .	
3,962,482	6/1976	Comer et al. .	
4,051,267	9/1977	Jongeling .	
4,197,325	4/1980	Ono et al. .	
4,205,093	5/1980	Blake .	
4,282,262	8/1981	Blake .	
4,297,379	10/1981	Topalian et al. .	
4,312,891	1/1982	Eisfeldt .	
4,341,810	7/1982	Shank .	
4,427,704	1/1984	Cheney et al. .	
4,444,799	4/1984	Vanderveer et al. .	
4,526,790	7/1985	Samala .	426/115
4,542,035	9/1985	Huang et al. .	
4,569,838	2/1986	de Vries .	424/49
4,582,712	4/1986	Gonsalves et al. .	
4,650,683	3/1987	Guittard et al. .	
4,752,489	6/1988	Wallace et al. .	
4,847,098	7/1989	Langler .	
4,853,236	8/1989	Langler .	
4,943,444	7/1990	Nozaki et al. .	
4,952,413	8/1990	LaBarge et al. .	
4,957,764	9/1990	Okonogi et al. .	426/573
5,013,321	5/1991	MacVane .	426/115
5,063,073	11/1991	Kratochvil .	
5,089,285	2/1992	Nozaki et al. .	

5,098,728 3/1992 Singer et al. .

OTHER PUBLICATIONS

FMC Application Bulletin, No. B-58, Dated 1990.

FMC Bulletin No. 420, Dated 1992.

FMC Product Information Bulletin, No. 510, Dated 1988.

FMC Quick Reference Guide A-2, Dated 1989.

FMC Introductory Bulletin A-1, Dated 1991.

Photocopy of squeeze container for Mama Tish's Gourmet Italian Ices.

Marine Colloids Product Information Bulletin No. 621 for Gelcarin 425B.

Marine Colloids Product Information Bulletin No. 510 for Gelcarin 654B.

Photograph of cover of "Jelly Cup" gelled dessert product with listing of ingredients from package.

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Assistant Examiner—Mary S. Mims

Attorney, Agent, or Firm—Emrich & Dithmar

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ABSTRACT

A packaged food product includes a flexible container filled with an edible gel composition having a firmness and elasticity such that when the container is squeezed the composition is extruded through the discharge opening therein and retains its extruded shape. The composition includes a gel medium comprising water, carrageenan, locust bean gum and a potentiator for the carrageenan, in which is uniformly dispersed and suspended a flavoring system including fruit pieces or fruit juice, a sweetening agent, a food grade acid and xanthan gum. A vitamin and a flavorant may be included in the flavoring system and preservatives and a buffering agent may be included in the gel system. In forming the composition, the gel and flavorant systems are separately mixed and heated for sterilizing the flavoring system and activating the gel system, the two systems are then combined after having being cooled to temperatures such that the gel system stays above the gel point temperature and the combined composition will be only slightly above the gel point temperature. The composition is then cooled below the gel point temperature.

8 Claims, No Drawings

PROCESS FOR MAKING A FRUIT GEL COMPOSITION IN SQUEEZE CONTAINER

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to food products and, more particularly, to edible gel dessert compositions and to methods of preparation thereof and packaging therefor.

2. Description of the Prior Art

A number of different gel dessert compositions have heretofore been provided, including compositions having fruit particles or pieces distributed in the gel. Such products have customarily been provided in closed containers, such as cans, lidded plastic containers and the like. Such products are "ready to eat" in the sense that they require no cooking or other preparation by the consumer, but they have the disadvantage that they cannot be conveniently eaten without the use of a utensil, such as a spoon or the like. Furthermore, in the preparation and packaging of such gel dessert compositions, the compositions are either added to the container at a sterilizing temperature or are heated to a sterilizing temperature while in the container, requiring the use of container materials which can withstand sterilizing temperatures. Also, many such gel dessert compositions must be maintained refrigerated until used in order to prevent degradation of the gel and, even while refrigerated, many such products are subject to syneresis.

It is also known to provide dessert products, such as flavored ices and the like, in squeeze tube or sleeve containers, such that the product can be extruded from the container by squeezing it so that the product can be eaten without the use of a utensil. However, such products are intended to be eaten frozen and, therefore, must be kept frozen until used.

SUMMARY OF THE INVENTION

It is a general object of the present invention to provide an improved gel dessert product which avoids the disadvantages of prior products which affording additional advantages.

An important feature of the invention is the provision of a gel dessert product which can be eaten without the use of a utensil.

In connection with the foregoing feature, another feature of the invention is the provision of an edible gel composition which is extrudable from a squeeze container and will retain its extruded shape.

In connection with the foregoing features, yet another feature of the invention is the provision of a gel composition of the type set forth in which the gel medium does not degrade at room temperature.

Still another feature of the invention is the provision of a packaged food product including a flexible squeeze container filled with a composition of the type set forth.

Yet another feature of the invention is the provision of a composition of the type set forth which has fruit pieces substantially uniformly distributed and suspended therein.

A still further feature of the invention is the provision of a process for making a composition of the type set forth.

These and other features of the invention are attained by providing an edible gel composition which is extrudable and retains its extruded shape, the composition comprising: a fruit material substantially uniformly dis-

persed in a gelatinous medium, the medium including xanthan gum and carrageenan and a source of ions of a metal to which the carrageenan is sensitive, the source of ions being present in an amount sufficient to impart to the composition a firmness such that it will be extrudable and will retain its extruded shape.

The invention consists of certain novel features and a combination of parts hereinafter fully described, illustrated in the accompanying drawings, and particularly pointed out in the appended claims, it being understood that various changes in the details may be made without departing from the spirit, or sacrificing any of the advantages of the present invention.

DETAILED DESCRIPTION OF THE INVENTION

The present invention is a fruit gel composition which is packaged in a flexible container, the composition having a strength, firmness and elasticity such that it can be extruded from the container by squeezing the container, and will retain its extruded shape. The product is shelf-stable without refrigeration, i.e., it will not physically degrade, such as by syneresis, at room temperature.

The composition includes fruit material such as fruit juice or fruit pieces substantially uniformly dispersed and suspended in a gelatinous medium. More specifically, the composition includes water and gelling agents including carrageenan, locust bean gum and xanthan gum and an activator or potentiator for the carrageenan, which is a source of ions of a metal to which the carrageenan is sensitive. Preferably, the carrageenan includes a blend of kappa or potassium-sensitive carrageenan and iota or calcium-sensitive carrageenan and suitable potentiators therefor. In the preferred embodiment the gelling agents may include commercially available blends of gelling agents, such as those sold by the Marine Colloids Division of FMC Corporation under the trade names Gelcarin 654B and Gelcarin 425B. Gelcarin 654B includes carrageenan, clarified locust bean gum and tripotassium citrate as a potentiator. Gelcarin 425 includes carrageenan, locust bean gum, dextrose and potentiators including disodium phosphate, potassium citrate and calcium sulfate. While potentiators are included in the Gelcarin 654B and 425B products, it is an aspect of the invention that an additional source of potassium ions, such as potassium citrate, as a potentiator is utilized to give the gel medium the desired firmness and elasticity so that the composition will be extrudable and will hold its extruded shape.

Since the fruit material may not provide adequate flavor, the composition also includes, in addition to the fruit material, a natural or artificial flavorant, along with a sweetening agent and a food grade acid to provide tartness. If desired, a nutritive vitamin or the like, as well as a colorant and preservative agents may be included.

It is a significant aspect of the invention that the composition includes xanthan gum which serves as a thickening agent to facilitate suspension of fruit pieces in the gelatinous medium so as to prevent separation of ingredients with different densities. The xanthan gum also serves to minimize syneresis, i.e., it serves to prevent separation of water from the finished composition. Additionally, the xanthan gum functions as a gelling agent in that it improves the characteristics of the gelatinous medium. While xanthan gum, by itself, will not

gel, when combined with the locust bean gum in the Gelcarin products it has a synergistic effect to improve the characteristics of the gel composition.

Formulations which provide the foregoing effects and which have been found to produce excellent results are set forth in the following examples:

EXAMPLE I

Gelled Strawberry Fruit Product		
Ingredient	Function	Amount in % by Weight
Water	Suspension Medium, Solvent	77.824
Sucrose	Sweetener	10.461
Strawberries	Fruit	5.000
High fructose corn syrup (HFCS)	Sweetener	4.911
Gelcarin 425B	Gelling agent	0.438
Gelcarin 634B	Gelling agent	0.438
Malic acid	Acidulant, preservative	0.319
Strawberry flavor	Flavorant	0.226
Ascorbic acid	Vitamin	0.127
Xanthan gum	Thickener, suspending agent, anti-syneresis agent, gelling agent	0.103
Potassium citrate	Potentiator, buffering agent	0.099
Sodium benzoate	Preservative	0.024
Potassium sorbate	Preservative	0.024
FD&C Red #40	Colorant	0.008

The potassium sorbate decreases the potential for molding. Sodium benzoate and potassium sorbate decrease the growth of yeast. The potassium citrate serves as a source of potassium ions to act as a potentiator for the carrageenans in the Gelcarin products and also serves as a buffer to minimize the effect of acid on the gel. Disodium phosphate and/or calcium sulfate could be used in conjunction with the potassium citrate as potentiators for the carrageenans in the Gelcarin products. Also, potassium benzoate could be substituted for the potassium citrate as a potentiator, but would not have the same acid buffering effect. Other vitamins could be substituted for ascorbic acid for desired nutritive effects. The malic acid is a food grade acid which, in addition to serving as a flavor enhancer, also has a preservative effect.

EXAMPLE II

Gelled Cherry Fruit Product

This composition is similar to Example I, except that cherries are substituted for strawberries and cherry flavor is substituted for strawberry flavor. The cherry flavor is present in an amount of 0.045% by weight, and, accordingly, the percentages by weight of water and red colorant are adjusted to 78.000 and 0.011, respectively.

EXAMPLE III

Gelled Grape Fruit Product

This composition is similar to Example I, except that grape juice from concentrate is substituted for strawberries, purple colorant (a blend of red cabbage extract and Blue #1) is substituted for the red colorant, and grape flavor is substituted for the strawberry flavor. The grape flavor is present in an amount of 0.078% by weight, while the purple colorant is 0.047% by weight. Accordingly, the percentages by weight of certain other ingredients are adjusted as follows: water - 78.548, sucrose - 10.007, HFCS - 4.700, ascorbic acid - 0.226 and xanthan gum - 0.052. In this example the xanthan gum is

not needed as a suspending agent, but it does still serve as a gelling agent and as an anti-syneresis agent.

The carrageenans in the Gelcarin products tend to degrade in the presence of acid at a high temperature. Accordingly, it is a fundamental aspect of the invention that, in forming the fruit gel composition, the ingredients are separated into two systems, with the acid in one system and the Gelcarin products in the other system, so as to minimize the exposure of the carrageenans to acid at a high temperature before the gel has set.

System A includes the fruit or fruit juice, sugar, corn syrup, acids and colorant which are added to a vessel. System A also includes the xanthan gum, which is separately blended with hot water in a blender to disperse it in the water and then it is added to the other ingredients of system A in the vessel. System A is then mixed until it becomes homogeneous and is cooked at a sterilization temperature of at least 185° F., and preferably between 185° and 240° F., minutes and it is then cooled to 160° F. This cooking may be accomplished in an open vessel, or may be done aseptically in a closed system. In the latter case the flavorant, which is also a part of system A, can be added to the vessel along with the other ingredients in system A. In the case of open-vessel cooking, however, the flavorant is not added until after the system has been cooled to 160°, otherwise its flavoring value will diminish.

System B includes the sodium benzoate, potassium citrate, potassium sorbate, and the Gelcarin products, which are all in powdered form, and are pre-blended in water and heated to a temperature of approximately 185°-190° F. while being agitated, at which temperature the gelling agents become hydrated. Heating is continued until the system is solubilized, as determined visually in an open vessel system. Under aseptic manufacture, this heating will be done in a closed tank. The system B is then cooled to a temperature slightly above the gel point temperature of the system, which is approximately 115° F.

Preferably both systems A and B, after heating, are cooled to approximately the same temperature, which is slightly above the gel point temperature, and are then combined and mixed together to uniformly distribute the fruit pieces in the gel medium. However, it is not essential that both systems A and B be at the same temperature, as long as neither system B nor the composition resulting from the combination of systems A and B falls below the gel point temperature. Thus, for example, at the time of combination, system B could be at 140° F. and system A at 100° F. Preferably the temperatures of systems A and B at combination are selected so that the combined composition has a temperature which exceeds the gel point temperature by only a slight amount, preferably no more than about 10° F. This will ensure that the composition can be cooled to the gel point temperature to set the gel very rapidly, thereby minimizing the degrading effect of the acid on the gelling agents, and also obviating other mechanical cooling stages.

Just before the composition has set, it is used to fill a flexible container through an opening therein, which is then covered with a suitable cap. The container may be in the nature of a flexible, open-top tube, cone or the like, and may be formed of any suitable water-impermeable material, such as plastic, coated paper or the like. It is a significant aspect of the invention that, when the cap or cover is removed, the container can be manually

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squeezed to extrude the fruit gel composition through the opening, the composition being such that it will retain its extruded shape and will not collapse, fold over, spill or melt. The extruded portion of the composition can then be eaten without the use of a utensil, the composition having a consistency such that it is chewable.

Another significant aspect of the invention is that the packaged fruit gel product is designed to maintain its physical stability over a substantial time period up to four to six months without refrigeration. However, if desired, the product may be refrigerated to minimize the chance of spoilage and/or because of consumer preference for a chilled product.

From the foregoing, it can be seen that there has been provided an improved packaged fruit gel product which includes a fruit gel composition which can be extruded from a squeeze container while retaining its extruded shape, and which has good shelf-life stability without refrigeration.

We claim:

1. A process for preparing an edible gel composition comprising the steps of: mixing together a fruit material and a sweetener and at least one food grade acid in an amount sufficient to impart a tart taste simulating that of fresh fruit to provide a first system, heating the first system to a sterilizing temperature for sufficient time to effect sterilization, combining in water a powdered food gelling agent including carrageenan and a source of ions of a metal to which the carrageenan is sensitive to provide a second system, agitating the second system independently of the first system while heating it to a temperature in the range from about 185° F. to about 190°

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F. for a time sufficient to solubilize the second system, cooling the first and second systems respectively to first and second predetermined temperatures wherein the second temperature is at least the gel point temperature of the second system and then combining the first and second systems to form said composition, said first predetermined temperature being such that the temperature of the combined composition will be no greater than about 10° F. above the gel point temperature of the second system, and cooling the composition to below the gel point temperature of the second system.

2. The process of claim 1, and further comprising mixing a sweetening agent in said first system.

3. The process of claim 1, wherein said food grade acid includes malic acid.

4. The process of claim 1, and further comprising the step of providing xanthan gum in said first system.

5. The process of claim 4, and further comprising the step of blending the xanthan gum with hot water prior to mixing it together with the other ingredients of the first system.

6. The process of claim 5, and further comprising the steps of cooling the heated first system to a temperature of about 160° F., and then adding a flavorant thereto.

7. The process of claim 1, and further comprising the step of mixing a flavorant in the first system prior to heating thereof, said step of heating the first system being carried out in a closed aseptic environment.

8. The process of claim 1, and further comprising the step adding a preservative agent to the second system prior to the heating thereof.

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Poder de Abogado

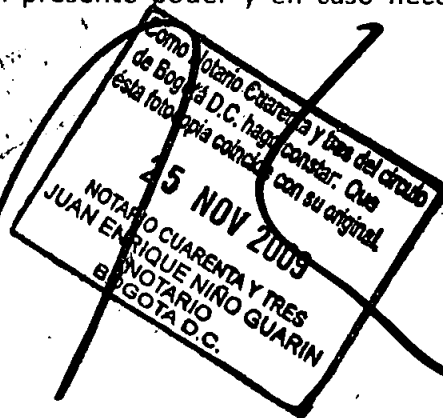
La abajo firmada, **QUALA S.A.**, sociedad organizada y existente de conformidad con las leyes de Colombia, domiciliada en Carrera 68D No. 39F-51 Sur, Bogotá D.C., Colombia, otorga a **ANDREA TOBOS MATEUS**, tpa 148648, de la firma Martínez y Tobos S.A.S., domiciliada en la Avenida 19 No. 118-30 oficina 209, Bogotá D.C., Colombia, poder amplio y suficiente para que nos represente ante la Superintendencia de Industria y Comercio, en todo lo concerniente a los siguientes asuntos:

a) Presentación y tramitación de oposiciones, a cuyo efecto la faculta para presentar solicitudes, peticiones y demandas, interponer recursos, reclamos, pagar impuestos y tasas, recibir, transigir y desistir, incluyendo facultades para entrar en acuerdos amigables, conciliaciones y transacciones, y en general, a dar ante las autoridades competentes todos los pasos necesarios para la presentación y tramitación de oposiciones.

Asimismo, se concede a la mencionada mandataria poder suficiente para recibir notificaciones a nombre de la compañía, otorgar poderes a quienes vayan a representar a la compañía judicial y extrajudicialmente, responder en juicio a todas las reclamaciones o demandas que por motivo de las oposiciones se presentaren y hacer cuanto fuere necesario ante las autoridades administrativas o judiciales de cualquier orden para el cumplimiento de este mandato, dándoles igualmente facultad para sustituir el presente poder y en caso necesario, revocar dichas sustituciones.

Dado y firmado hoy noviembre de 2009

En Bogota
Por EDGAR IVAN AREVALO
REPRESENTANTE LEGAL
QUALA S.A
C.C 79423566



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PODER

Edger Ivan Aranda

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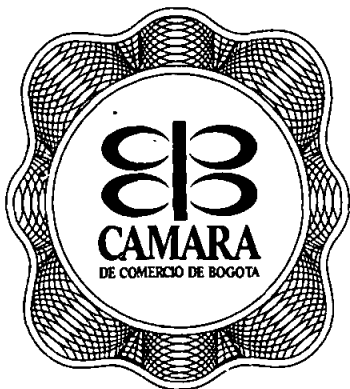


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DIRECCIÓN DE REGISTRO Y
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Cam. Notario Cuarenta y tres del círculo
Bogotá D.C. hago constar que
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CAMARA DE COMERCIO DE BOGOTA

SEDE CEDRITOS

25 DE NOVIEMBRE DE 2009

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PAGINA: 1 de 4

CERTIFICADO DE EXISTENCIA Y REPRESENTACION LEGAL O INSCRIPCION DE DOCUMENTOS

LA CAMARA DE COMERCIO DE BOGOTA, CON FUNDAMENTO EN LAS MATRICULAS E INSCRIPCIONES DEL REGISTRO MERCANTIL

CERTIFICA:

NOMBRE : QUALA S A

N.I.T. : 860074450-9

DOMICILIO : BOGOTA D.C.

CERTIFICA:

MATRICULA NO: 00130709 DEL 13 DE FEBRERO DE 1980

CERTIFICA:

DIRECCION DE NOTIFICACION JUDICIAL : CR 68 D NO. 39F-51 SUR

MUNICIPIO : BOGOTA D.C.

EMAIL DE NOTIFICACION JUDICIAL : quala@quala.com.co

DIRECCION COMERCIAL : CR 68 D NO. 39F-51 SUR

MUNICIPIO : BOGOTA D.C.

EMAIL COMERCIAL : quala@quala.com.co

CERTIFICA:

CONSTITUCION: ESCRITURA PUBLICA NO.226, NOTARIA 6 DE BOGOTA, EL 24 DE ENERO DE 1.980, INSCRITA EL 13 DE FEBRERO DE 1.980, BAJO EL,NO. 81364 DEL LIBRO IX SE CONSTITUYO LA SOCIEDAD LIMITADA DE-NOMINADA "QUALA LIMITADA"

CERTIFICA:

QUE POR ESCRITURA NO. 5387 OTORGADA EN LA NOTARIA 18 DE BOGOTA EL 26 DE DICIEMBRE DE 1.984, ACLARADA POR LA ESCRITURA PUBLICA NO. - 0390 OTORGADA EN LA MISMA NOTARIA EL 14 DE FEBRERO DE 1.985, INSCRITAS EN ESTA CAMARA DE COMERCIO EL 28 DE DICIEMBRE DE 1.984, Y EL 27 DE MAYO DE 1.985 BAJO LOS NUMEROS 163.355 Y 170.593 DEL LIBRO IX, LA SOCIEDAD SE TRANSFORMO DE LIMITADA EN ANONIMA BAJO EL NOMBRE DE " QUALA S.A. "

CERTIFICA:

QUE POR ESCRITURA PUBLICA NO. 5465 DEL 29 DE OCTUBRE DE 2001. DE LA NOTARIA SEXTA DE BOGOTA D.C., INSCRITA EL 07 DE NOVIEMBRE DE 2001 BAJO EL NO. 801318 DEL LIBRO IX, LA SOCIEDAD DE LA REFERENCIA SE FUSIONO CON LA SOCIEDAD SOL NACIENTE S. A. ABSORVIENDOLA.

CERTIFICA:

REFORMAS:

ESCRITURAS NO.	FECHA	NOTARIA	INSCRIPCION
1832	29-IV-1.981	6 BTA	NO.100922 1-VI-1.981
3304	9-VII-1.981	6 BTA	NO.104268 14-VIII-81
7223	23-XII-1.983	6 BTA	NO.144964 30-XII- 83
10135	9-XII-1.986	27 BTA	NO.202426 15-XII- 86
10764	28-XII-1.989	5A.BTA.	NO.284544 17- I -1990
1040	25-II -1.993	18 STAFE BTA.	NO.408663 9-VI -1993

3490

19- X-1.995 32 STAFE BTA NO.514395 31- X-1995

82

14- I-1.992 18 STAFE BTA NO.520908 26-XII-1995

CERTIFICA:

REFORMAS:

E. P. NO.	FECHA	NOTARIA	CIUDAD	FECHA	NO. INSC.
0005465	2001/10/29	0006	BOGOTA D.C.	2001/11/07	00801318
0006035	2002/12/06	0006	BOGOTA D.C.	2003/01/30	00864109
0000508	2004/03/08	0032	BOGOTA D.C.	2004/03/16	00925005

CERTIFICA:

VIGENCIA: QUE LA SOCIEDAD NO SE HALLA DISUELTA. DURACION HASTA EL 26 DE DICIEMBRE DE 2064 .

CERTIFICA:

OBJETO SOCIAL: LA SOCIEDAD TENDRA COMO OBJETO SOCIAL PRINCIPAL, LA ELABORACION, PREPARACION, FABRICACION, PROCESAMIENTO, COMPRA VENTA, DISTRIBUCION Y EN GENERAL COMERCIALIZACION Y MERCADEO DE PRODUCTOS DE CONSUMO MASIVO, TALES COMO PRODUCTOS ALIMENTOS DE TODO TIPO, PRODUCTOS COSMETICOS, DETERGENTES, DENTRIFICOS (SIC). PERFUMES, ARTICULOS DE TOCADOR Y CUALQUIER OTRO TIPO DE PRODUCTOS DE CONSUMO DURABLE Y PERECEDERO DE COMERCIO LICITO. LA RELACION QUE SE HACE ES POR VIA ENUMERATIVA SOLAMENTE, PERO NO ES LIMITATIVA. EN DESARROLLO DE SU OBJETO SOCIAL LA EMPRESA TAMBIEN PODRA IMPORTAR Y EXPORTAR DICHOS PRODUCTOS, CELEBRAR CONTRATOS, ADQUIRIR, CONSERVAR, USAR, CEDER Y VENDER TODO TIPO DE BIEN OBJETO DE PROPIEDAD INDUSTRIAL E INTELECTUAL, ADQUIRIR, CONSERVAR Y GRAVAR TODO TIPO DE TITULOS VALORES Y DEMAS DOCUMENTOS CIVILES Y COMERCIALES, TOMAR INTERESES COMO ACCIONISTA, FUNDADOR O NO EN OTRAS COMPAÑIAS, FUSIONARSE CON ELLAS, INCORPORARSE EN ELLAS, TOMAR Y DAR DINERO EN MUTUO, CON GARANTIAS REALES O SIN ELLAS, EN GENERAL CELEBRAR LOS CONTRATOS DE CAMBIO Y CUENTA CORRIENTE EN TODAS SUS MODALIDADES Y LLEVAR A CABO TODO ACTO QUE SE RELACIONE CON EL OBJETO PRINCIPAL DE LA SOCIEDAD. LA RELACION QUE SE HACE ES POR VIA ENUMERATIVA SOLAMENTE, PERO NO ES LIMITATIVA.

CERTIFICA:

CAPITAL:

** CAPITAL AUTORIZADO **

VALOR	: \$10,200,000,000.00
NO. DE ACCIONES	: 102,000,000.00
VALOR NOMINAL	: \$100.00

** CAPITAL SUSCRITO **

VALOR	: \$9,023,456,900.00
NO. DE ACCIONES	: 90,234,569.00
VALOR NOMINAL	: \$100.00

** CAPITAL PAGADO **

VALOR	: \$9,023,456,900.00
NO. DE ACCIONES	: 90,234,569.00
VALOR NOMINAL	: \$100.00

CERTIFICA:

** JUNTA DIRECTIVA: PRINCIPAL (ES) **

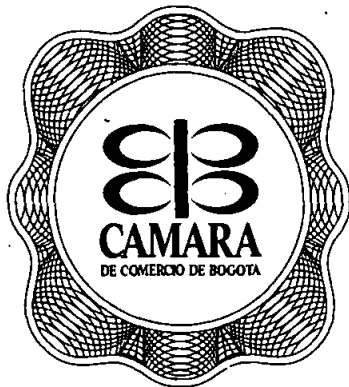
QUE POR ACTA NO. 0000040 DE JUNTA DE SOCIOS DEL 31 DE MARZO DE 2008, INSCRITA EL 29 DE ABRIL DE 2008 BAJO EL NUMERO 01209902 DEL LIBRO IX, FUE (RON) NOMBRADO (S):

NOMBRE	IDENTIFICACION
PRIMER RENGLON	
LEAL FERNANDEZ ANDRES	

C.C. 000000080421193

CERTIFICA:

FACULTADES DEL REPRESENTANTE LEGAL: A.- ADMINISTRAR LOS NEGOCIOS DE LA SOCIEDAD Y SUS BIENES Y REPRESENTAR A ESTA JUDICIAL Y EXTRAJUDICIALMENTE ANTE CUALESQUIERA PERSONAS, CONSTITUIR MANDATARIOS A GENERALES O ESPECIALES Y DELEGAR TEMPORALMENTE ALGUNA O ALGUNAS DE SUS FUNCIONES PARA CASOS CONCRETOS Y ESPECIFICOS PREVIA AUTORIZACION DE LA JUNTA DIRECTIVA, B.- CELEBRAR LIBREMENTE TODA CLASE DE NEGOCIOS QUE NO REQUIERAN AUTORIZACION DE LA ASAMBLEA DE ACCIONISTAS O DE LA JUNTA DIRECTIVA DE ACUERDO CON LOS ESTATUTOS; C.- LEGALIZAR Y EJECUTAR LOS ACTOS JURIDICOS PREVISTOS EN LOS ORDINALES E, F, G, H, I, Y L DEL ARTICULO TREINTA Y UNO (31); D.- NOMBRAR Y REMOVER LOS EMPLEADOS NECESARIOS PARA EL BUEN FUNCIONAMIENTO DE LA SOCIEDAD, CON EXCEPCION DE AQUELLOS CUYOS NOMBRAMIENTOS CORRESPONDE A LA JUNTA DIRECTIVA DE ACUERDO CON LOS ORDINALES H Y N DEL ARTICULO TREINTA UNO (31) DE ESTOS ESTATUTOS; E.- CONVOCAR A LA ASAMBLEA GENERAL DE ACCIONISTAS A SUS SESIONES ORDINARIAS Y EXTRAORDINARIAS Y A LAS REUNIONES DE LA JUNTA DIRECTIVA; F.- EJECUTAR LAS DECISIONES DE LA ASAMBLEA GENERAL Y DE LA JUNTA DIRECTIVA Y RENDIR A UNA Y A OTRA LOS INFORMES QUE LES SOLICITEN; G.- AUTORIZAR CON SU FIRMA LOS TITULOS DE ACCIONES; H.- RENDIR CUENTAS COMPROBADAS DE SU GESTION CUANDO SE LO EXIJA LA ASAMBLEA GENERAL DE ACCIONISTAS O LA JUNTA DIRECTIVA Y AL FINAL DE CADA AÑO Y CUANDO SE RETIRE DE SU CARGO; I.- COMO REGLA GENERAL EL GERENTE PODRA CON SUJECION A LAS LIMITACIONES Y REQUISITOS PREVISTOS EN ESTOS ESTATUTOS, REALIZAR LOS ACTOS Y CONTRATOS QUE COMPETEN A LA SOCIEDAD. COLOCAR PEDIDOS, CONTRATAR TRABAJADORES PARA EL SERVICIO DE LA SOCIEDAD, EXIGIR, COBRAR Y PERCIBIR CUALESQUIERA CANTIDADES DE DINERO O DE OTRAS ESPECIES QUE SE ADEUDEN A LA SOCIEDAD; PAGAR A LOS ACREEDORES DE LA SOCIEDAD LLEGAR A ARREGLOS CON ELLOS SOBRE TERMINOS DE PAGO SOBRE SUS ACREENCIAS, GIRAR, ENDOSAR, PROTESTAR, ACEPTAR, Y AFIANZAR TODA CLASE DE GIROS COMERCIALES GIRAR Y ENDOSAR CHEQUES, SUSCRIBIR, RECIBIR Y AFIANZAR PAGARES COMERCIALES, CONSTITUIR UY ACEPTAR DEPOSITOS EN DINERO, REALIZAR TODA CLASE DE TRANSACCIONES BANCARIAS TRANSIGIR CUALESQUIERA LITIGIOS RECLAMOS, Y OTROS CONFLICTOS QUE SE PROMUEVAN CON RESPECTO A LOS DERECHOS U OBLIGACIONES DE LA SOCIEDAD Y PRESENTARLA EN CUALESQUIERA ACTUACIONES O LITIGIOS JUDICIALES O ADMINISTRATIVOS EN QUE LA SOCIEDAD HA DE SER DIRECTA O INDIRECTAMENTE REPRESENTADA ACTIVA O PASIVAMENTE O A NOMBRE DE TERCERA PERSONA SEA PARA INICIAR, PROMOVER O TERMINAR TALES GESTIONES DESISTIR DE CUALESQUIERA JUICIOS O DE CUALESQUIERA RECURSOS APELACIONES U OTROS ACTOS JUDICIALES, REPRESENTAR A LA SOCIEDAD ANTE CUALQUIERA JUNTA DE ACREEDORES DE CARACTER JUDICIAL O EXTRAJUDICIAL, OIR, ACEPTAR, O RECHAZAR EN ELLAS LAS PROPUESTAS DE ARREGLO QUE SE HAGAN, CONFERIR A TERCEROS PODERES ESPECIALES PARA QUE REPRESENTEN VALIDAMENTE A LA SOCIEDAD CUANDO SEA NECESARIA Y REVOCAR TALES PODERES Y FINALMENTE, ACTUAR CUANDO QUIERA QUE FUERE NECESARIO EN DEFENSA DE LOS INTERESES DE LA SOCIEDAD. PARAGRAFO: CORRESPONDE A LA JUNTA DIRECTIVA AUTORIZAR AL GERENTE PARA ADQUIRIR O ENAJENAR BIENES INMUEBLES, PARA CONSTITUIR GRAVAMENES REALES SOBRE ELLOS O PRENDAS SOBRE BIENES INMUEBLES, GARANTIZAR O AFIANZAR OBLIGACIONES DE TERCEROS Y CAUCIONAR CON LOS BIENES SOCIALES OBLIGACIONES DISTINTAS DE LAS PROPIAS DE LA SOCIEDAD. AUTORIZAR AL GERENTE PARA REALIZAR TODOS LOS ACTOS, CONTRATOS E INVERSIONES



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CAMARA DE COMERCIO DE BOGOTA

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EN BIENES DE CAPITAL O MEJORAS DE LOS MISMOS, QUE IMPLIQUEN UNA EROGACION QUE EXCEDA EL EQUIVALENTE EN PESOS COLOMBIANOS DE SEIS MIL (6000) SALARIOS MINIMOS MENSUALES LEGALES Y VIGENTES AL MOMENTO DE LA OPERACION, ASI COMO AUTORIZARLO PARA CONTRAER PRESTAMOS QUE SUPEREN EL EQUIVALENTE EN PESOS COLOMBIANOS DE SEIS MIL (6000) SALARIOS MINIMOS MENSUALES VIGENTES AL MOMENTO DE LA OPERACION.

CERTIFICA:

QUE POR ESCRITURA PUBLICA NO. 461 DE LA NOTARIA 32 DE BOGOTA D.C., DEL 25 DE FEBRERO DE 2003, INSCRITA EL 11 DE FEBRERO DE 2004 BAJO EL NO. 8793 DEL LIBRO V, COMPARECIO EL DOCTOR JORGE ALBERTO PINZON VARGAS, IDENTIFICADO CON CEDULA DE CIUDADANIA NO. 19.458.199, DE BOGOTA EN SU CALIDAD DE REPRESENTANTE LEGAL DE LA SOCIEDAD QUALA S.A., POR MEDIO DE LA PRESENTE ESCRITURA PUBLICA, CONFIERE PODER GENERAL A LOS DOCTORES SAIDA ANDREA QUINTERO MARTINEZ, IDENTIFICADA CON CEDULA CIUDADANIA NO. 51.856.332 DE BOGOTA Y TARJETA PROFESIONAL NUMERO 51.379 DEL CONSEJO SUPERIOR DE LA JUDICATURA, COMO PRINCIPAL, Y GLORIA ISABEL VARGAS TORRES, IDENTIFICADA CON CEDULA DE CIUDADANIA NO. 43.732.569 DE ENVIGADO Y TARJETA PROFESIONAL NUMERO 79.096 DEL CONSEJO SUPERIOR DE LA JUDICATURA, COMO SUSTITUTA, PARA QUE ACTUEN EN NOMBRE DE LA SOCIEDAD Y LA REPRESENTEN EN TODOS LOS ACTOS PROPIOS DEL DERECHO DE TRABAJO (ASUNTOS LABORALES), EN QUE LA EMPRESA DEBA INICIAR ACCIONES, COMPARECER POR SU PROPIA INICIATIVA A ACTUAR COMO DEMANDADA O CITADA ANTE CUALESQUIERA AUTORIDAD ADMINISTRATIVA, PRIVADA O JURISDICCIONAL DENTRO DEL TERRITORIO NACIONAL (I.S.S., E.P.S., ENTIDADES ADMINISTRADORAS DE RIESGOS PROFESIONALES, SENA., I.C.B.F., FONDOS DE PENSIONES, CAJAS DE COMPENSACION, ENTIDADES U ORGANISMO PRIVADOS, ADMINISTRATIVOS, DESCENTRALIZADOS, AUTONOMOS, MINISTERIOS, TRIBUNALES, NOTARIOS, CONSEJO DE ESTADO, CORTE SUPREMA DE JUSTICIA, ETC.), CON EL FIN DE CUMPLIR CUALQUIERA DE LAS SIGUIENTES ACTUACIONES, PRESENTACION, NOTIFICACION Y CONTESTACION, DE TODA CLASE DE RECLAMACIONES, RECURSOS Y DEMANDAS; INICIACION DE INVESTIGACIONES O COMPARECENCIA EN ELLAS COMO DEMANDANTE O DEMANDADO, ABSOLUCION DE INTERROGATORIOS DE PARTE CON LA FACULTAD DE CONFESAR, CONFERIR, TODA CLASE DE PODERES ESPECIALES DENTRO DE LOS TERMINOS DEL PRESENTE MANDATO A CRITERIO DEL MANDATARIOS (SIC) GENERAL, INTERPONER RECURSOS Y DESISTIR, CONCILIAR, TRANSIGIR, Y EN GENERAL TODAS AQUELLAS ACTUACIONES PROPIAS E INHERENTES AL MANDATO CONFORME A LAS ATRIBUCIONES LA LEY Y DEL PRESENTE PODER. DE LA MISMA MANERA, PARA REPRESENTAR A LA SOCIEDAD EN TODO LO RELACIONADO CON LOS TRABAJADORES DIRECTA E INDIRECTAMENTE, CON SUS ORGANIZACIONES SINDICALES Y LAS NEGOCIACIONES COLECTIVAS DE TRABAJO. LA RELACION QUE SE HACE ES

POR VIA ENUMERATIVA SOLAMENTE.

CERTIFICA : _

QUE POR ESCRITURA PUBLICA NO. 1775 DE LA NOTARIA 32 DE BOGOTA D.C., DEL 19 DE JULIO DE 2004, INSCRITA EL 18 DE AGOSTO DE 2004 BAJO EL NO. 9149 DEL LIBRO V, MODIFICADA POR ESCRITURA PUBLICA 2372 DEL 21 DE SEPTIEMBRE DE 2006 DE LA MISMA NOTARIA, INSCRITA EL 02 DE OCTUBRE DE 2006 BAJO EL NUMERO 11160 DEL LIBRO V, COMPARECIO EL DOCTOR JORGE ALBERTO PINZON VARGAS, IDENTIFICADO CON CEDULA DE CIUDADANIA NO. 19. 458. 199, DE BOGOTA EN SU CALIDAD DE REPRESENTANTE LEGAL DE LA SOCIEDAD QUALA S. A ., POR MEDIO DE LA PRESENTE ESCRITURA PUBLICA, MANIFESTO : PRIMERO : QUE OTORGA PODER GENERAL A FAVOR DE LAS SIGUIENTES PERSONAS : ELIANA PATRICIA DIAZ SANCHEZ, IDENTIFICADA CON LA CEDULA DE CIUDADANIA NUMERO 52. 117. 359 EXPEDIDA EN BOGOTA Y AL SEÑOR LUIS JAVIER JARAMILLO MONTOYA, IDENTIFICADO CON LA CEDULA DE CIUDADANIA NUMERO 10. 026. 249 EXPEDIDA EN PEREIRA, QUIEN OCUPARA EL CARGO DE ADMINISTRADORA DEL DISTRITO DE BARRANQUILLA, PARA QUE EN NOMBRE Y REPRESENTACION DE LA SOCIEDAD REALICEN LOS SIGUIENTES ACTOS ; A. ACEPTAR A NOMBRE DE QUALA S .A ., LA CONSTITUCION DE HIPOTECAS Y PRENDAS SIN TENENCIA A FAVOR DE LA MISMA, QUE OTORGUEN LOS CLIENTES DE LA EMPRESA PARA GARANTIZAR EL PAGO DE LAS OBLIGACIONES QUE CONTRAIGAN CON ELLA. SEGUNDO : EL PRESENTE PODER PERDERA SU VIGENCIA PARA CADA APODERADO CONSIDERADO INDIVIDUALMENTE EN EL MOMENTO EN QUE DEJE DE PRESTAR SUS SERVICIOS A LA SOCIEDAD QUALA S.A., O S (SIC) LA SOCIEDAD TOMA LA DECISION DE TRASLADAR EL EMPLEADO PARA DESEMPEÑAR CARGO DIFERENTES AL DE ADMINISTRADOR DE DISTRITO.

CERTIFICA : _

QUE POR ESCRITURA PUBLICA NO. 2218 DE LA NOTARIA 32 DE BOGOTA D.C., DEL 12 DE SEPTIEMBRE DE 2005, INSCRITA EL 11 DE OCTUBRE DE 2005 BAJO EL NO. 10075 DEL LIBRO V, COMPARECIO JORGE ALBERTO PINZON VARGAS, IDENTIFICADO CON LA CEDULA DE CIUDADANIA NO. 19.458.199 DE BOGOTA, OBRANDO COMO REPRESENTANTE LEGAL DE LA SOCIEDAD DE LA REFERENCIA POR MEDIO DE LA PRESENTE ESCRITURA PUBLICA OTORGA PODER GENERAL A FAVOR DEL SEÑOR ANDRES FERNANDO CORTES ROMERO, IDENTIFICADO CON LA CEDULA DE CIUDADANIA NUMERO 80.426.499 DE BOGOTA, QUIEN SE DESEMPEÑA COMO ADMINISTRADOR DEL DISTRITO DE BOGOTA, PARA QUE EN NOMBRE Y REPRESENTACION DE LA SOCIEDAD REALICE LOS SIGUIENTES ACTOS: A) ACEPTAR A NOMBRE DE QUALA S.A., LA CONSTITUCION DE HIPOTECAS Y PRENDAS SIN TENENCIA A FAVOR DE LA MISMA, QUE OTORGUEN LOS CLIENTES DE LA EMPRESA, PARA GARANTIZAR EL PAGO DE LAS OBLIGACIONES QUE CONTRAIGAN CON ELLA. SEGUNDO: EL PRESENTE PODER PERDERA SU VIGENCIA PARA EL APODERADO, EN EL MOMENTO EN QUE DEJE DE PRESTAR SUS SERVICIOS A LA SOCIEDAD QUALA S.A., O LA SOCIEDAD TOMA LA DECISION DE TRASLADAR AL EMPLEADO PARA DESEMPEÑAR CARGO DIFERENTE AL DE ADMINISTRADOR DE DISTRITO.

CERTIFICA : _

QUE POR ESCRITURA PUBLICA NO. 2372 DE LA NOTARIA 32 DE BOGOTA D.C., DE 21 DE SEPTIEMBRE DE 2006, INSCRITA EL 02 DE OCTUBRE DE 2006, BAJO EL NO. 11161 DEL LIBRO V, COMPARECIO JORGE ALBERTO PINZON VARGAS IDENTIFICADO CON CEDULA DE CIUDADANIA NO. 19.458.199, DE BOGOTA, EN SU CALIDAD DE REPRESENTANTE LEGAL DE LA SOCIEDAD DE LA REFERENCIA, POR MEDIO DE LA PRESENTE ESCRITURA PUBLICA, CONFIERE PODER GENERAL A MARIA XIMENA BELTRAN GAITAN IDENTIFICADA CON CEDULA DE CIUDADANIA NO. 63. 483. 866 DE



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CAMARA DE COMERCIO DE BOGOTA

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BUCARAMANGA, QUIEN SE DESEMPEÑA COMO ADMINISTRADORA DEL DISTRITO BUCARAMANGA, PARA QUE EN NOMBRE Y REPRESENTACION DE LA SOCIEDAD REALICE LOS SIGUIENTES ACTOS: A) ACEPTAR A NOMBRE DE QUALA S.A., LA CONSTITUCION DE HIPOTECAS Y PRENDAS SIN TENENCIA A FAVOR DE LA MISMA, QUE OTORGUEN LOS CLIENTES DE LA EMPRESA, PARA GARANTIZAR EL PAGO DE LAS OBLIGACIONES QUE CONTRAIGAN CON ELLA. EL PRESENTE PODER PERDERA SU VIGENCIA PARA CADA APODERADO CONSIDERADO INDIVIDUALMENTE, EN EL MOMENTO EN QUE DEJE DE PRESTAR SUS SERVICIOS COMO EMPLEADO A LA SOCIEDAD QUALA S.A., O SI LA SOCIEDAD TOMA LA DECISION DE TRASLADAR AL EMPLEADO PARA DESEMPEÑAR CARGOS DIFERENTES AL DE ADMINISTRADOR DE DISTRITO.

CERTIFICA:

QUE POR ESCRITURA PUBLICA NO. 2372 DE LA NOTARIA 32 DE BOGOTA D.C., DE 21 DE SEPTIEMBRE DE 2006, INSCRITA EL 02 DE OCTUBRE DE 2006, BAJO EL NO. 11162 DEL LIBRO V, COMPARECIO JORGE ALBERTO PINZON VARGAS, IDENTIFICADO CON CEDULA DE CIUDADANIA NO. 19.458.199, DE BOGOTA, EN SU CALIDAD DE REPRESENTANTE LEGAL DE LA SOCIEDAD DE LA REFERENCIA, POR MEDIO DE LA PRESENTE ESCRITURA PUBLICA, CONFIERE PODER GENERAL A OMAR DARIO QUIJANO REYES, IDENTIFICADO CON CEDULA DE CIUDADANIA NO. 94.507.853 DE CALI, QUIEN OCUPA EL CARGO DE ADMINISTRADOR DEL DISTRITO CALI, EN REEMPLAZO DE LA SEÑORITA MARIA XIMENA BERNAL GAITAN. PARA QUE EN NOMBRE Y REPRESENTACION DE LA SOCIEDAD REALICE LOS SIGUIENTES ACTOS: A) ACEPTAR A NOMBRE DE QUALA S.A., LA CONSTITUCION DE HIPOTECAS Y PRENDAS SIN TENENCIA A FAVOR DE LA MISMA, QUE OTORGUEN LOS CLIENTES DE LA EMPRESA, PARA GARANTIZAR EL PAGO DE LAS OBLIGACIONES QUE CONTRAIGAN CON ELLA. SEGUNDO: EL PRESENTE PODER PERDERA SU VIGENCIA PARA CADA APODERADO CONSIDERADO INDIVIDUALMENTE, EN EL MOMENTO EN QUE DEJE DE PRESTAR SUS SERVICIOS COMO EMPLEADO A LA SOCIEDAD QUALA S.A., O SI LA SOCIEDAD TOMA LA DECISION DE TRASLADAR AL EMPLEADO PARA DESEMPEÑAR CARGOS DIFERENTES AL DE ADMINISTRADOR DE DISTRITO. TERCERO: REVOCAR PARCIALMENTE EL PODER OTORGADO A LA SEÑORITA MARIA XIMENA BERNAL GAITAN IDENTIFICADA CON LA CEDULA DE CIUDADANIA NO. 63.483.866 EXPEDIDA EN BUCARAMANGA, MEDIANTE ESCRITURA PUBLICA NUMERO MIL SETECIENTOS SETENTA Y CINCO (1.775) DEL VEINTIDOS (22) DE JULIO DE DOS MIL CUATRO (2.004), OTORGADA EN LA NOTARIA TREINTA Y DOS (32) DE BOGOTA, PARA ACTUAR COMO ADMINISTRADORA DEL DISTRITO CALI.

CERTIFICA:

** REVISOR FISCAL **

QUE POR ACTA NO. 0000034 DE ASAMBLEA DE ACCIONISTAS DEL 21 DE FEBRERO DE 2003, INSCRITA EL 27 DE MARZO DE 2003 BAJO EL NUMERO 00872625 DEL LIBRO IX, FUE (RON) NOMBRADO (S):

NOMBRE

IDENTIFICACION

REVISOR FISCAL

CABADELPA COLOMBIA S.A. N.I.T. 000008300507951
QUE POR DOCUMENTO PRIVADO DEL 26 DE MARZO DE 2003, INSCRITA EL 27 DE
MARZO DE 2003 BAJO EL NUMERO 00872627 DEL LIBRO IX, FUE (RON) NOMBRADO
(S):

NOMBRE	IDENTIFICACION
REVISOR FISCAL PRINCIPAL	
DELGADO ROMERO HECTOR GUSTAVO	C.C. 000000019396732
REVISOR FISCAL SUPLENTE	
PARDON DE DELGADO REINA	C.C. 000000051671496

QUE POR DOCUMENTO PRIVADO NO. DE REVISOR FISCAL DEL 29 DE ABRIL DE
2009, INSCRITA EL 5 DE MAYO DE 2009 BAJO EL NUMERO 01294326 DEL LIBRO
IX, FUE (RON) NOMBRADO (S):

NOMBRE	IDENTIFICACION
REVISOR FISCAL SEGUNDO SUPLENTE	
CASTRO DIAZ CARLOS JAVIER	C.C. 000000011200284

CERTIFICA:
QUE POR DOCUMENTO PRIVADO DE DEL 30 DE SEPTIEMBRE DE 2003, INSCRITA EL
4 DE NOVIEMBRE DE 2003 BAJO EL NUMERO 00904905 DEL LIBRO IX, COMUNICO
LA SOCIEDAD MATRIZ:

- QUALA INC.

DOMICILIO: (FUERA DEL PAIS)

QUE SE HA CONFIGURADO UNA SITUACION DE CONTROL CON LA SOCIEDAD DE LA
REFERENCIA.

CERTIFICA:
QUE LA SOCIEDAD TIENE MATRICULADOS LOS SIGUIENTES ESTABLECIMIENTOS:
NOMBRE : QUALA
MATRICULA NO : 00130710 DE 13 DE FEBRERO DE 1980
RENOVACION DE LA MATRICULA : EL 13 DE MARZO DE 2009
ULTIMO AÑO RENOVADO : 2009

CERTIFICA:
DE CONFORMIDAD CON LO ESTABLECIDO POR LA LEY 962 DE 2005, LOS ACTOS DE
REGISTRO AQUI CERTIFICADOS QUEDAN EN FIRME CINCO (5) DIAS HABILES
DESPUES DE LA FECHA DE INSCRIPCION, SIEMPRE QUE NO SEAN OBJETO DE
RECURSOS EN LA VIA GUBERNATIVA.

* * * EL PRESENTE CERTIFICADO NO CONSTITUYE PERMISO DE * * *
* * * FUNCIONAMIENTO EN NINGUN CASO * * *

EL SECRETARIO DE LA CAMARA DE COMERCIO,
VALOR : \$ 3,500
DE CONFORMIDAD CON EL DECRETO 2150 DE 1995 Y LA AUTORIZACION IMPARTIDA
POR LA SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO, MEDIANTE EL OFICIO
DEL 18 DE NOVIEMBRE DE 1996, LA FIRMA MECANICA QUE APARECE A
CONTINUACION TIENE PLENA VALIDEZ PARA TODOS LOS EFECTOS LEGALES



SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 800176089-2

RECIBO OFICIAL DE CAJA : 09 - 88,940

FECHA : NOVIEMBRE 26 DE 2009

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 08-019252-00006-0000

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***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	No. PAGO	FECHA PGO	Vr. PAGO
MARTINEZ Y TOBUS S A S	CONSIGNACION	BANCO DE BOGOTA	062754387	173396241	26/11/2009	1,722,000.00

***** CONCEPTO *****

CANT.	RENTISTICO	CONCEPTO	TOTAL CONCEPTO
1	50005-01-04	PRESENTACION DE OBSERVACIONES	
		12 MARCAS Y LEHAS COMERCIALES	287,000.00
		TOTAL :	\$ 287,000.00

SON: DOSCIENTOS OCHENTA Y SIETE MIL PESOS

RESPONSABLE .

RECIBO DE CAJA APLICADO AL EXPEDIENTE No. _____

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

N.º : 2001/10089-2

RECIBO OFICIAL DE PAGO : 07 - 222.940

FECHA : NOVIEMBRE 28 DE 2009

***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	N.º PAGO	FECHA PAGO	MT. PAGO
MARTINEZ Y LOPEZ S P S	CONSIGNACION	BANCO DE YUGOSLAVIA	000/0410	111000141	28/11/2009	1,722,000.00

***** CANCELACION *****

ANT. RECIBIDA	CONCEPTO	TOTAL CONCEPTO
1	2000-11-01 PRESENTACION DE OBSERVACIONES	227,000.00
	12 HONORARIOS Y GASTOS COMERCIALES	227,000.00
	TOTAL :	454,000.00

SOM: NOVECIENTOS CINCUENTA Y CINCO MIL PESOS

RESPONSABLE: _____

RECIBO DE PAGO RELACIONADO AL EXPEDIENTE N.º _____

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2020
Bogotá, D.C.,

Doctora:
Alicia Lloreda Ricaurte
Apoderada

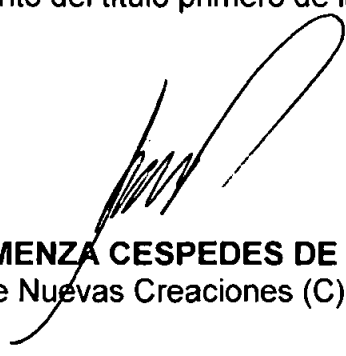
Oficio N° 2564

ASUNTO: Radicación PCT N° 08-19252
Trámite 011
Evento 379
Actuación 440
Folios 051

Con fundamento en lo previsto por el artículo 43 de la Decisión 486 de la Comisión de la Comunidad Andina, se le comunica que la oposición presentada por la doctora Andrea Tobos Mateus, en su calidad de apoderada de Quala S.A., reúne los requisitos formales exigidos por la ley al momento de su presentación.

En cumplimiento de lo dispuesto en la citada norma, se le concede el término de sesenta (60) días hábiles siguientes a la fecha de notificación del presente oficio, para que haga valer sus argumentaciones y presente pruebas.

Notifíquese el presente oficio conforme a lo dispuesto en el numeral 5.2, literal e), del capítulo quinto del título primero de la Circular Única N° 10 de 2001.


ALIX CARMENZA CESPEDES DE VERGEL
Directora de Nuevas Creaciones (C).

El anterior oficio fue notificado por fijación en lista de fecha, 26 FEB. 2010.

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