NOVELTY FOOD ITEM AND METHOD

A novel food item in the form of cereal products which are differently coloured and intermingled is disclosed. The food item can take the form of loose bit size pieces (3) in a breakfast cereal packet (1) which preferably has a transparent panel (2) or a coalesced bar (5) such as a muesli bar. Typically two colours are used which can be the team colours of a sporting team. A method of selling such food items via sporting organizations is also disclosed.
Novelty Food Item and Method

Field of the Invention

The present invention relates to food and, in particular, to a novelty food item and a method of fabricating same.

Background Art

The breakfast cereal market is an enormous one and breakfast cereals are fabricated from a wide variety of grains including wheat, corn and rice and are fabricated in a wide variety of methods so as to produce bran, flakes, expanded grains (such as those sold as puffed wheat or rice bubbles (trade names)) and the like.

Consumers inevitably become jaded and therefore it is desirable from time to time to introduce novelty food items to provide consumers with an increased choice.

Summary of the Invention

In accordance with a first aspect of the present invention there is disclosed a novelty food item comprising a first plurality of edible cereal particles each coloured with a first food grade colouring agent of a first colour, and a second plurality of edible cereal particles each coloured with a second food grade colouring agent of a second colour, said first and second colours being different and said particles of said first plurality and said particles of said second plurality being intermingled.

In accordance with a second aspect of the present invention there is disclosed a method of fabricating a novelty food item, said method comprising the steps of:

(i) colouring a first plurality of edible cereal particles with a first food grade colouring agent of a first colour,

(ii) colouring a second plurality of edible cereal particles with a second food grade colouring agent of a second colour, and

(iii) intermingling said first and second pluralities of particles.

In accordance with a third aspect of the present invention there is disclosed a method of selling a multi-coloured food item, said method comprising the steps of:

(i) selecting a sporting team having colours corresponding to those of said
food item,

(ii) supplying a plurality of said food items to an organisation supporting said sporting team, and

(iii) permitting said organisation to on-sell said food items to individual supporters or groups of supporters of said sporting team as a fund-raising activity in support of said sporting team.

Brief Description of the Drawings

A preferred embodiment of the present invention will now be described with reference to the drawings in which:

Fig. 1 is a perspective view of a soft breakfast cereal package having at least a window which is transparent or translucent,

Fig. 2 is a perspective view of a bowl showing the breakfast cereal contained within the package of Fig. 1 positioned within the bowl, and

Fig. 3 is a perspective view of a solid, generally bar shaped food product.

Detailed Description

Most children are familiar with the story of Father Christmas and how he comes to bring presents for children at Christmas time. Father Christmas, or Santa Claus, is conveyed by means of a sled drawn by reindeer. Many families on Christmas Eve leave out items such as cake and/or milk to enable Santa Claus to be refreshed in the course of his travels.

The present invention has its genesis in the idea that the reindeer also should receive nourishment, particularly as they may have left hurriedly and not have had sufficient time to enable Santa Claus to feed the reindeer before commencing their travel. It is therefore thought desirable for young children to provide reindeer food to enable the reindeers to also receive some nourishment in the course of their travels. The object of the preferred embodiment is to provide reindeer food in the form of breakfast cereal coloured so as to represent Christmas.

In accordance with a first embodiment, the breakfast cereal is processed wheat bran, however, it could equally be flakes of corn, puffed wheat, bubbles formed from
rice grains, and the like. In accordance with the first embodiment such breakfast cereal particles are divided into two groups, one group being coloured, preferably red, by a conventional edible food colouring agent and the other group being coloured, preferably green, by a similar edible food colouring agent. Once the coloured particles are dry, they are intermingled so that a cereal formed from red particles and green particles is produced and there is no mixing of the colouring agents or dyes. The cereal is then packaged in the form of soft package 1 as illustrated in Fig. 1 which has a transparent window 2 through which the individual particles 3 can be seen in order to attract the attention of prospective consumers. In the drawings the particles are indicated to be different colours by means of shading lines to represent particles of one colour and the absence of shading lines to represent particles of another colour. In Fig. 2 the individual particles 3 are illustrated in a cereal bowl 4.

In a second embodiment as illustrated in Fig. 3, the differently coloured food particles can be coalesced to form a brick or bar shaped product 5 such as breakfast cereal blocks such as those sold under the trade marks WEETBIX or VITA-BRITS and snack food products including those known as MUESLI BARS, MUESLI BIX, MUESLI WRAPPS and the like. These latter products include ingredients in addition to cereals which tend to coalesce or hold together the brick or bar like form.

Suitable colouring agents include Tartrazine (102), Ponceau 4R (124) and Brilliant blue FCF (133) whilst the addition of Sodium benzoate (211) as a preservative and citric acid (330) as an antioxidant has been found advantageous. The number in brackets above refers to the Numerical list of Food Additives prepared by Food Standards Australia and New Zealand.

In addition to feeding the reindeer on Christmas Eve, the children may wish to eat reindeer food themselves for breakfast in the days and weeks leading up to Christmas.

Furthermore, the multi-coloured cereal can be fabricated in the colours of local football, or other sporting teams, so that the abovementioned red and green cereal
combination can be sold to supporters of the South Sydney Rugby League football team, for example.

However, selling to supporters of particular sporting teams represents a distribution and logistics problem in that, for example, not all supporters of South Sydney Rugby league football team live in the South Sydney district. As a consequence, supplying supermarkets in the South Sydney district with only red and green cereal would have two consequences. The first is that South Sydney supporters not living in the district would either not buy the cereal or would be obliged to travel to supermarkets within the district in order to purchase same. Secondly, customers of supermarkets within the South Sydney district which supported other teams would not buy the red and green cereal either since they will wish to purchase cereal coloured with their own team colours.

In order to overcome this difficulty, the cereal having colours of a specific team is sold to an organisation which supports that team. In respect of the South Sydney Rugby league football team, such organisations include the football club itself, the South Sydney Junior Rugby League Club, subdistrict football teams within the South Sydney area, and the like. By selling the multicoloured cereal in colours corresponding to the team colours of supporting organisations, this permits the supporting organisations to on-sell the cereal to the individual team supporters (or groups of same) as a fund-raising activity. Since most team supporting organisations are looking for fund-raising activities, they can be expected to embrace the opportunity to sell multi-coloured cereal enthusiastically. Furthermore, the cereal manufacturer has the advantage of a sales outlet which is independent of major grocery chains or major wholesalers, thereby making such manufacturers less dependent upon such traditional sales channels.

The foregoing describes only two embodiments of the present invention and modifications, obvious to those skilled in the food preparation arts, can be made thereto without departing from the scope of the present invention. For example, plastic promotional toys such as reindeer and sleds can be included in the package 1.
In addition, other food products such as spiral macaroni formed from durum wheat and particularly semolina derived therefrom, can be coloured and then intermingled.

In a further development, a reindeer drink or a drink for Santa Claus can be provided. This is preferably done with a cup having a central vertical membrane which keeps divided a, say, red drink in one part and a green drink in the other part. A dual straw is provided with a stem having two tubes lying along side each other but Y-shaped arms so that one straw end enters one cup portion and the other straw end the other cup portion. Thus sucking on the dual straw stem delivers substantially equal amounts of red and green liquid to the drinker’s mouth simultaneously.

The term “comprising” (and its grammatical variations) as used herein is used in the inclusive sense of “including” or “having” and not in the exclusive sense of “consisting only of”. 
CLAIMS

1. A novelty food item comprising a first plurality of edible cereal particles each coloured with a first food grade colouring agent of a first colour, and a second plurality of edible cereal particles each coloured with a second food grade colouring agent of a second colour, said first and second colours being different and said particles of said first plurality and said particles of said second plurality being intermingled.

2. The food item as claimed in claim 1 and packaged in a container at least a portion of which is transparent or translucent whereby said intermingled particles of different colours are visible from the outside of said container.

3. The food item as claimed in claim 2 and comprising a breakfast cereal.

4. The food item as claimed in claim 1 wherein said particles are coalesced into a brick or bar shaped product.

5. The food item as claimed in claim 4 wherein said brick or bar shaped product is a breakfast cereal.

6. The food item as claimed in claim 5 wherein said brick or bar shaped product is a snack food bar.

7. The food item as claimed in any one of claims 1-6 wherein said first and second colours are red and green respectively.

8. The food item as claimed in any one of claims 1-7 wherein said cereal particles are selected from the group consisting of particles of bran, corn, wheat, rice and macaroni.

9. A method of fabricating a novelty food item, said method comprising the steps of:
   (i) colouring a first plurality of edible cereal particles with a first food grade colouring agent of a first colour,
   (ii) colouring a second plurality of edible cereal particles with a second food grade colouring agent of a second colour, and
   (iii) intermingling said first and second pluralities of particles.

10. The method as claimed in claim 9 including the step of:
    (iv) packaging said intermingled particles in a container having at least a
portion which is transparent or translucent whereby said intermingled particles are visible from the exterior of said container.

11. The method as claimed in claim 10 wherein said intermingled cereal particles are breakfast cereal particles.

12. The method as claimed in claim 9 including the further step of:

(v) coalescing said particles into a brick or bar shaped product.

13. The method as claimed in claim 12 including the further step of:

(vi) forming said brick or bar shaped product from breakfast cereal particles.

14. The method as claimed in claim 12 including the further step of:

(vii) forming said brick or bar shaped product as a snack food bar.

15. The method as claimed in any one of claims 1-14 wherein said first and second colours are red and green respectively.

16. The method as claimed in any one of claims 9-15 wherein said cereal particles are selected from the group consisting of particles of bran, wheat, corn, rice and macaroni.

17. A method of selling a multi-coloured food item as claimed in claim 1, said method comprising the steps of:

(i) selecting a sporting team having colours corresponding to those of said food item,

(ii) supplying a plurality of said food items to an organisation supporting said sporting team, and

(iii) permitting said organisation to on-sell said food items to individual supporters or groups of supporters of said sporting team as a fund-raising activity in support of said sporting team.
# INTERNATIONAL SEARCH REPORT

**A. CLASSIFICATION OF SUBJECT MATTER**

<table>
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<th>Int. Cl.</th>
<th>A23L 1/164 (2006.01)</th>
<th>A23L 1/10 (2006.01)</th>
<th>A23L 1/27 (2006.01)</th>
<th>A23K 1/14 (2006.01)</th>
<th>A23L 1/16 (2006.01)</th>
<th>A23L 1/25 (2006.01)</th>
<th>G06Q 30/00 (2006.01)</th>
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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)

IPC8 A23L, A23K, A23B

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 practicable, search terms used)

FSTA, WIPS, BIOSIS, MEDLINE, JAPPO. See attached sheet for keywords.

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

<table>
<thead>
<tr>
<th>Category</th>
<th>Citation of document, with indication, where appropriate, of the relevant passages</th>
<th>Relevant to claim No.</th>
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<tr>
<td>Y</td>
<td>US 3,690,896 A (MAXWELL) 12 September 1972 See col 1 lines 43-62; col 2 lines 33-35; cols 3-5; Example 1 cols 5-6.</td>
<td>1-3, 7-11, 15-16; 4-6, 12-14;</td>
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<td>X</td>
<td>US 4,940,593 A (DUFFY) 10 July 1990 See particularly Figure 1A &amp; Example 1.</td>
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| X | Further documents are listed in the continuation of Box C | See patent family annex |

- **"** Special categories of cited documents:
  - "A" document defining the general state of the art which is not considered to be of particular relevance
  - "E" earlier application or patent but published on or after the international filing date
  - "L" document containing a technical teaching which may be considered to be of particular interest because of its content without being confused with the claimed invention
  - "O" document referring to an oral disclosure, use, exhibition or other special reason (as specified)
  - "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 principles or theory underlying the invention or document of particular relevance

- **"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

- **"S"** document member of the same patent family

**Date of the actual completion of the international search**

05 January 2006

**Date of mailing of the international search report**

11 JAN 2006

**Name and mailing address of the ISA/AU**

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Form PCT/ISA/210 (second sheet) (April 2005)
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<td>X</td>
<td>WO 1999/053776 A1 (GLASER) 28 October 1999 See page 5 para 3; p 9 lines 8-10; p12; p 16 para 1; Claims 11 &amp; 36.</td>
<td>1-3, 7-11, 15-16; 4-6, 12-14;</td>
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<td>Y</td>
<td>WO 2003/056937 A1 (GENERAL MILLS INC) 17 July 2003 See paragraphs 0011, 0021-0022, 0029, 0035; Example 1.</td>
<td>4-6, 12-14;</td>
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**Continuation of Box No: B: Fields Searched**

Keywords:

Cereal, breakfast, grain, bran, wheat, corn, rice, pasta, macaroni, popcorn, colour, color, multi, different, plural, two, red, green, dye, tartrazine, brilliant blue, snack, novelty, fun, child, dog/cat food,
**INTERNATIONAL SEARCH REPORT**

**Box No. II** Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. **X** Claims Nos.: 17

   because they relate to subject matter not required to be searched by this Authority, namely:
   
   Claim 17 relates to a method of doing business. Rule 39.1 lists the subject matter which under Article 17(2)(a) an international search is not required to be carried out. At item (iii) it specifies schemes, rules or methods of doing business, performing purely mental acts or playing games, as such matter.

2. □ Claims Nos.:

   because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. □ Claims Nos.:

   because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

**Box No. III** Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. □ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. □ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.

3. □ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. □ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**

□ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

□ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

□ No protest accompanied the payment of additional search fees.