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(54) Title: WARMING COMPOSITIONS AND DELIVERY SYSTEMS THEREFOR

(57) Abstract: The present invention includes compositions for imparting a controlled-release warming sensation to the oral receptor areas of a user. The oral, controlled-release warming compositions include a warming agent and a hydrated or swollen food-grade polymer which forms a matrix with the warming agent. Also included are oral delivery systems for the warming compositions, methods for preparing same, and methods for imparting and sustaining a warming sensation in the mouth and upper portion of the gastrointestinal tract of the user.



WO 2006/020686 A1

## **WARMING COMPOSITIONS AND DELIVERY SYSTEMS THEREFOR**

### **FIELD**

The present invention includes compositions for imparting a controlled-release warming sensation to the oral receptor areas of a user, i.e., a mammal. In particular, the oral, controlled-release warming compositions of the present invention include a warming agent  
5 and a hydrated or swollen food-grade polymer which forms a matrix with the warming agent. The present invention also relates to oral delivery systems and methods for preparing same, as well as methods for imparting and sustaining a warming sensation in the mouth, throat and upper portion of the gastrointestinal tract of a user.

### **BACKGROUND**

A variety of compounds which provide a sensation of warmth on application are known, and are commonly referred to as "warming agents." Warming agents are added to a variety of manufactured products, including both topical and ingestible products, to produce a warming effect, which is pleasing to the user.

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When incorporated into ingestible products, however, such agents typically exhibit insufficient warming effects. In particular, although conventional ingestible products may provide a warming sensation in the mouth of the user, this sensation is perceived only briefly and most often never reaches the receptors in the throat. In order to extend the warming  
20 sensation into the throat area, higher concentrations of the warming compounds may be required. This approach often results in undesirable stinging or burning sensation in the mouth.

There is a need, therefore, for new oral warming compositions, which incorporate  
25 warming agents and provide the desired warming sensation not only in the mouth but also in the throat and upper portion of the gastrointestinal tract of the user. There is also a need for warming compositions that extend the length of time that warmth is perceived by the user. Further, there is a need for delivery systems for such warming compositions and methods of preparing same.

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**SUMMARY**

In some embodiments there is an oral, controlled-release warming composition, including: a warming agent; and a hydrated food-grade polymer which forms a non-particulate matrix with the warming agent.

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In some embodiments there is an oral, controlled-release warming composition, including: a warming agent; and a swollen food-grade polymer which forms a non-particulate matrix with the warming agent.

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In some embodiments, an oral, controlled-release warming composition includes: a warming agent; a food-grade polymer which forms a non-particulate matrix with the warming agent; and a carrier selected from a wet carrier and a swelling agent.

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In some embodiments, an oral, controlled-release warming composition includes: a warming agent; and a saccharide which forms a non-particulate matrix with the warming agent.

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In some embodiments, an oral warming composition includes a homogenous matrix of a blend of a hydrated food-grade polymer and a warming agent.

In some embodiments, an oral warming composition includes a warming agent dispersed in a hydrated food-grade polymer.

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In some embodiments, an oral warming composition includes a warming agent dispersed in a hydrated food-grade polymer blend containing a hydrophilic polymer and a hydrophobic polymer.

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In some embodiments, a warming composition includes a warming agent and a hydrated food grade polymer that increases the viscosity of the saliva of a mammal.

In some embodiments, there is a comestible including: an oral warming composition including a warming agent and a hydrated food-grade polymer which forms a non-particulate matrix with the warming agent; a flavor agent; and a carrier.

In some embodiments, a lozenge composition includes a glassy polymer matrix having a warming agent dispersed therein.

In some embodiments, a lozenge composition includes a warming agent dispersed in a hydrated food-grade polymer, wherein the polymer contains pectin present in an amount sufficient to produce a warming sensation in the mouth and upper gastrointestinal tract of a mammal extending from about 2 seconds to about 30 minutes without imparting a burning sensation thereto.

In some embodiments, a chewing gum composition includes: an oral warming composition including a warming agent and a hydrated food-grade polymer which forms a non-particulate matrix with the warming agent; a flavor agent; and a gum base, wherein the food-grade polymer is present in an amount sufficient to produce a warming sensation in the mouth and upper gastrointestinal tract of a mammal extending from about 2 seconds to about 1 hour.

In some embodiments, there is a method of imparting a warming sensation to oral receptor areas of a mammal, including the steps of: orally administering a warming composition including a warming agent and a hydrated food-grade polymer which forms a non-particulate matrix with the warming agent; and stimulating the oral receptor areas within about 2 to about 45 seconds to produce a warming sensation in the mouth and upper gastrointestinal tract of the mammal.

In some embodiments, a method of sustaining a warming sensation in the mouth and upper gastrointestinal tract of a mammal includes the steps of: orally administering a comestible including a warming agent and a hydrated food-grade polymer which forms a non-particulate matrix with the warming agent; and stimulating oral receptor areas of the mammal to produce a warming sensation in the mouth and upper gastrointestinal tract, wherein the polymer is present in an amount sufficient to produce a warming sensation in the mouth and upper gastrointestinal tract extending from about 2 seconds to about 30 minutes.

In some embodiments, there is a method of preparing a comestible having controlled-release warming properties, including the steps of: heating a carrier with an aqueous solution of a food-grade polymer until the carrier changes from a crystalline phase to an amorphous or

a glassy phase; dispersing a warming agent in the polymer to form a non-particulate matrix; and forming a comestible from the combination of components in the glassy phase.

### **BRIEF DESCRIPTION OF THE DRAWINGS**

5            Fig. 1 is a graphical representation of the mouth and tongue warming intensity of lozenges containing various amounts of pectin.

            Fig. 2 is another graphical representation of the mouth and tongue warming intensity of the lozenges of Fig. 1.

10           Fig. 3 is a graphical representation of the throat warming intensity of the lozenges of Fig. 1.

            Fig. 4 is another graphical representation of the throat warming intensity of the lozenges of Fig. 1.

            Fig. 5 is a graphical representation of the mouth and tongue warming intensity of lozenges containing various amounts of pectin.

20           Fig. 6 is a graphical representation of the throat warming intensity of the lozenges of Fig. 5.

            Fig. 7 is another graphical representation of the throat warming intensity of the lozenges of Fig. 5.

### **DETAILED DESCRIPTION**

            As used herein the transitional term “comprising,” (also “comprises,” etc.) which is synonymous with “including,” “containing,” or “characterized by,” is inclusive or open-ended and does not exclude additional, unrecited elements or method steps, regardless of its use in the preamble or the body of a claim.

            As used herein, the terms “bubble gum” and “chewing gum” are used interchangeably and are both meant to include any gum compositions.

The term "food-grade polymer," as used herein, encompasses any polymer that is acceptable for use in edible compositions.

### Warming Compositions

Embodiments described herein provide an oral, controlled release warming composition that stimulates the oropharyngeal receptor areas of a user. The compositions thereby impart a warming sensation to the mouth, throat and upper gastrointestinal tract of the user. The compositions include a warming agent, and a hydrated or swollen food-grade polymer which forms a matrix with the warming agent.

The term "matrix" refers to a medium whereby the warming agent and the food-grade polymer are dispersed allowing potential chemical and/or physical interactions between these two components. For instance, polymers, such as, but not limited to, pectin, interact with warming agents, both chemically and/or physically to permit sustained, or controlled, release of the warming agent from the composition. The matrix may be non-particulate, such that the warming agent is dispersed in the polymer, in contrast to encapsulation of particulate spheres of a warming agent. For example, in some embodiments the warming agent may be embedded in the polymer. The dispersion of the warming agent in the polymer may be homogenous, or uniform, or it may be a non-uniform dispersion of components.

With respect to some embodiments, the matrix may be described as a "glassy candy matrix," or "glassy matrix." Such terms interchangeably refer to the glassy phase of components used to prepare a lozenge or similar hard candy product of the present invention. The glassy matrix is a dispersion of the warming agent in the food-grade polymer and a carrier used to make the manufactured product.

The food-grade polymer and warming agent matrix provides for a sustained, or controlled release of the warming agent from the warming composition. This extends the warming sensation in both time and location. In particular, the warming agent is released at a slower rate than conventional warming agents, thereby extending the length of warming sensation perceived by the user. The warming agent also reaches a greater amount of oral receptor areas innervated by the trigeminal nerves. The polymer matrix enables the warming agent to reach receptors in not only the mouth but also the throat of the user. Stimulation of these oropharyngeal receptor areas provides a warming sensation in both the mouth and

upper portion of the gastrointestinal tract, a result of the innervation of the pharynx and perhaps the larynx branches of the glossopharyngeal and vagus nerves. Some individuals may even perceive warmth down to their stomach, presumably due to high permeability of the mucosa and possible differences in the spatial distribution of the fibers they stimulate.

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The food-grade polymer, which interacts with the warming agent to provide control of release into the oral cavity, may be any conventional polymer used in edible compositions, which is hydrated or swollen. In some embodiments of the present invention, a carrier is included, which may be a wet carrier or a swelling agent. Wet carriers desirably provide a sufficient amount of moisture or liquid to hydrate and/or dissolve the food-grade polymer. Swelling agents desirably provide a sufficient amount of moisture or liquid to swell the food-grade polymer. For example, for simple sugars, such as glucose and sucrose, the wet carrier or swelling agent is present in amounts of about 5% to about 95% by weight of the hydrated or swollen food-grade polymer component. For large polymers, such as pectins and carboxymethyl cellulose, the wet carrier or swelling agent is present in amounts of about 20% to about 99.9% by weight of the hydrated or swollen food-grade polymer component. For pectins, as well as other hydrocolloids and polysaccharides, for example, the wet carrier may be water present in amounts of about 85% to about 99.5% by weight of the hydrated food-grade polymer component. Suitable wet carriers or swelling agents include, but are not limited to, water, organic solvents and plasticizers, such as, for example, low melting fats. Desirably, the wet carrier hydrates the polymer to form a gel or like semi-solid consistency.

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General categories of suitable polymers include, for example, saccharides, proteins, glycoproteins, oligoproteins, fats and waxes. Combinations of polymers also may be employed.

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Saccharides include di-saccharides, oligo-saccharides and polysaccharides. Mono-saccharides, though not polymers, may even be used in some embodiments. Suitable examples of saccharides include, but are not limited to: ribose; mannose; galactose; polydextrose; corn syrup; dextrans; honey; carob powder; molasses; date sugar; rice syrup; agave syrup; fructo-oligosaccharides, such as insulin; starches, both modified and natural, and starch fractions including amylose and amylopectin; pectins, such as low and high molecular weight methoxy pectins; alginates, such as sodium and potassium; natural and synthetic gums, such as gum arabic, gellan gum, welan gum, gum tragacanth, xanthan gum,

guar gum, and locust bean gum; celluloses, such as carboxymethyl cellulose, hydroxypropyl cellulose, hydroxymethyl cellulose, hydroxybutyl carboxymethyl cellulose, hydroxypropylethyl cellulose and methylethyl cellulose; carrageenans, such as alpha-, gamma-, iota-, kappa- and lambda carrageenans; and combinations thereof.

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Useful proteins may be selected from a wide variety of materials. Suitable proteins include, for example: gelatin; caseins and caseinates; whey proteins; soy proteins; wheat proteins; corn proteins; barley proteins; egg proteins; muscle proteins; proteins from other legumes and tubers; and combinations thereof. Glycoproteins include, for example, chondroitins, glucosaminoglycans and lectins. Glycolipids also may be employed.

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Fats include both saturated and unsaturated fats. Waxes include, for example, bees wax, carnauba wax, low melting paraffins, shellac, candelilla wax, microcrystalline and synthetic waxes.

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Some embodiments of the present invention employ polyvinyl pyrrolidone, polyvinyl alcohol, anionic polymer of methacrylic acid and methacrylate, polyvinyl acetate, polyethylene oxide and/or polyethylene as the food-grade polymer.

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Combinations of food-grade polymers also may be employed in some embodiments. For example, blends of a hydrophilic polymer and a hydrophobic polymer may be employed. Hydrophilic polymers allow for a rapid impact of the warming sensation in the oral cavity, while hydrophobic polymers may provide a more delayed impact but may also provide a longer lasting sensation. Combinations of the two polymers, therefore, may be employed to balance these properties, i.e., achieve rapid impact as well as sustained warming sensation. Suitable combinations include, for example, hydrophilic proteins with hydrophobic waxes.

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Polymer viscosity and molecular weight also may affect the impact of the warming sensation. In general, the viscosity of the food-grade polymer ranges from about 2 cP to about 100,000 cP. For example, the viscosity of pullulan is about 2 cP, the viscosity of carboxymethyl cellulose can reach as high as 20,000 cP, the viscosity of xanthan gum ranges from about 10 cP to about 100,000 cP, and the viscosities of pectin and welan gum can be as high as thousands cP. Polymer viscosity varies with a number of properties, such as, concentration in solution, shear rate to which the polymer solution is subjected as well as its

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behavior under shear (Newtonian, non-Newtonian, viscoelastic, etc.), temperature and presence of ions, among others. Lower viscosity polymers generally provide relatively shorter impact of the warming sensation, whereas polymers having higher viscosities provide relatively longer lasting impact. In accordance therewith, some embodiments of the present invention combine low and high viscosity polymers to balance the properties of the warming composition, including the impact and duration of the warming sensation.

Certain food grade polymers, particularly those described above, can increase the viscosity of the saliva, thereby increasing the warming agent's residence time in the oropharyngeal area, in particular in the throat. In accordance therewith, some embodiments of the present invention incorporate food grade polymers that increase the viscosity of saliva. Particularly suitable polymers include pectins, alginates, fructo-oligosaccharides, proteins and the like.

Molecular weight of the food-grade polymer may range anywhere from about 180 up to several million Daltons for high-molecular weight polymers. Molecular weight of pullulan, for example, ranges from 95,000 up to 124,000 (for pullulan P100 and pullulan P1200, respectively). Pectins' molecular weights range from 90,000 Daltons for citrus pectins up to 135,000 Daltons for red tomato pectins, or even higher. Proteins' molecular weights can range from few hundreds (simple peptides) up to million Daltons (e.g., myosin). High molecular weight polymers, particularly pectin, generally provide slower release of the warming agent into the oral cavity.

Glass transition temperature is another property that affects the release of the warming agent. The hydrated food-grade polymers used in embodiments of the present invention generally have a glass transition temperature of about -50°C to about 80°C.

The food-grade polymer may be present in the warming composition in amounts sufficient to extend the warming sensation in the mouth, throat and upper gastrointestinal tract from about two seconds to about thirty minutes. In some embodiments, the warming sensation may be almost immediate. In some embodiments, the warming sensation is perceived from less than about one minute to about ten minutes. More specifically, oral receptor areas are stimulated by the release of the warming agent within about two to forty-five seconds, more specifically, about thirty to forty-five seconds. Within less than one

minute, therefore, a warming sensation is felt in the mouth and upper gastrointestinal area, which extends for about thirty minutes. The warming sensation may be sustained for about one to three minutes, or even longer in some embodiments, after the composition is substantially consumed without imparting a burning sensation. In accordance therewith, the polymer is present in amounts of about 0.05% to about 99% by weight of the warming composition. In some embodiments, the polymer is present in amounts of about 1% to about 10% by weight of the composition.

The warming agents may be selected from a wide variety of compounds known to provide the sensory signal of warming to the individual user. These compounds offer the perceived sensation of warmth, particularly in the oral cavity, and often enhance the perception of flavors, sweeteners and other organoleptic components. Useful warming agents include those having at least one allyl vinyl component, which may bind to oral receptors. Examples of suitable warming agents include, but are not limited to: vanillyl alcohol n-butylether (TK-1000, supplied by Takasago Perfumery Company Ltd., Tokyo, Japan); vanillyl alcohol n-propylether; vanillyl alcohol isopropylether; vanillyl alcohol isobutylether; vanillyl alcohol n-aminoether; vanillyl alcohol isoamylether; vanillyl alcohol n-hexylether; vanillyl alcohol methylether; vanillyl alcohol ethylether; gingerol; shogaol; paradol; zingerone; capsaicin; dihydrocapsaicin; nordihydrocapsaicin; homocapsaicin; homodihydrocapsaicin; ethanol; isopropyl alcohol; iso-amylalcohol; benzyl alcohol; glycerine; chloroform; eugenol; cinnamon oil; cinnamic aldehyde; phosphate derivatives thereof; and combinations thereof.

The warming agent generally may be present in amounts of about 0.1% to about 96% by weight of the warming composition. In some embodiments, the warming agent is present in amounts of about 5% to about 25% by weight of the composition.

In some embodiments of the present invention, the warming agent may be dispersed in pectin to form the non-particulate matrix. In such embodiments, pectin may be present in amounts of about 0.05% to about 99% by weight, more desirably about 0.05% to about 10% by weight. The warming agent may be present in amounts of about 0.005% to about 96% by weight, more desirably about 0.005% to about 10% by weight.

In some particular embodiments, the warming composition may include a warming agent present in amounts of about 0.1% to about 99.9% by weight of the composition and a hydrated pectin matrix present in amounts of about 0.1% to about 99.9% by weight of the composition.

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In some embodiments, the warming composition may include a mixture of a warming agent and carrier (alcohol, oil and/or aqueous solvents) present in amounts of about 0.1% to about 99.9% by weight of the composition and a hydrated food-grade polymer present in amounts of about 0.1% to about 99.9% by weight of the composition.

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In some embodiments, the warming composition may include optional additives such as flavor agents (flavors, flavorings), sweetening agents (sweeteners), coloring agents (colorants, colorings), enhancement components, and the like, and mixtures thereof.

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Enhancement components may be added to enhance the perception of warmth to the user. The addition of enhancement components allows the warming agent to be present at lower levels without compromising the intensity of warmth. Such components include, for example, ionic enhancement components and/or physiological cooling agents. Ionic enhancement components include mineral cations, such as, magnesium, sodium, calcium, potassium, aluminum; phosphorous and combinations thereof. The ionic enhancement component functions by changing the ionic concentration of the user's saliva and subsequently enhancing diffusion through the mucosal membranes. Because oral receptors are highly ion sensitive, the message of warmth is delivered to the brain more rapidly than in the absence of such ionic components.

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Physiological cooling agents also may enhance the sensation of warmth perceived by the user. A variety of well-known cooling agents may be employed. For example, among the useful cooling agents are included menthol, xylitol, erythritol, menthane, menthone, menthyl acetate, menthyl salicylate, N,2,3-trimethyl-2-isopropyl butanamide (WS-23), N-ethyl-p-menthane-3-carboxamide (WS-3), menthyl succinate, 3,1-menthoxypropane 1,2-diol and glutarate esters, among others, and combinations thereof. These and other suitable cooling agents are further described in the following U.S. patents, all of which are incorporated in their entirety by reference hereto: U.S. 4,230,688 and 4,032,661 to Rowsell et al.; 4,459,425 to Amano et al.; 4,136,163 to Watson et al.; and 5,266,592 to Grub et al.

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### **Delivery Systems**

Some embodiments of the present invention provide delivery systems for the oral warming compositions described above. The delivery systems (also referred to as “comestibles”) generally encompass any edible or consumable compositions, such as foods and beverages. More particularly, the comestible may be selected from forms such as, but not limited to, hard candy, soft candy, cotton candy, pressed tablets, chewing gum, film, lozenges, center-filled confectioneries, such as gel or liquid filled confectioneries in any shape, liquid beverages, powdered beverages, and the like. Such comestibles include an oral warming composition, a flavor agent and a carrier.

As described in detail above, the oral warming composition includes a warming agent and a hydrated or swollen food-grade polymer which forms a matrix therewith. The food-grade polymer may be selected from those described above. In general, the food-grade polymer is present in amounts of about 0.01% up to 98% by weight of the comestible. In some embodiments, the polymer is present in amounts of about 0.2% to about 0.4% by weight. It may be desirable to vary the amount of polymer depending on the comestible form being prepared.

As described above, the glass transition temperature of the hydrated food-grade polymer ranges from about -50°C to about 80°C.

The oral warming composition also includes a warming agent, as described above. The warming agent generally is present in amounts of about 0.001% to about 10% by weight of the comestible. In some embodiments, the warming agent is present in amounts of about 0.4% to about 0.6% by weight. Depending upon the type of comestible being prepared, it may be desirable to vary the amount of warming agent incorporated therein as certain forms are consumed more rapidly than others.

The carrier component may be selected from a variety of well-known carriers in the art. Selection of suitable carriers depends upon the type of comestible being prepared.

For example, some embodiments are directed to a comestible in the form of a lozenge or candy, also commonly referred to as confectioneries. The carrier in confectionery

compositions may include bulk sweeteners such as sugars, sugarless bulk sweeteners, or the like, or mixtures thereof. Bulk sweeteners generally are present in amounts of about 0.05% to about 99% by weight of the composition.

5           Suitable sugar sweeteners generally include mono-saccharides, di-saccharides and poly-saccharides such as but not limited to, sucrose (sugar), dextrose, maltose, dextrin, xylose, ribose, glucose, mannose, galactose, fructose (levulose), invert sugar, fructo oligo saccharide syrups, partially hydrolyzed starch, corn syrup solids and mixtures thereof.

10           Suitable sugarless bulk sweeteners include sugar alcohols (or polyols) such as, but not limited to, sorbitol, xylitol, mannitol, galactitol, maltitol, hydrogenated isomaltulose (ISOMALT), lactitol, erythritol, hydrogenated starch hydrolysate, stevia and mixtures thereof.

15           Suitable hydrogenated starch hydrolysates include those disclosed in U.S. Pat. Nos. 25,959, 3,356,811, 4,279,931 and various hydrogenated glucose syrups and/or powders which contain sorbitol, hydrogenated disaccharides, hydrogenated higher polysaccharides, or mixtures thereof. Hydrogenated starch hydrolysates are primarily prepared by the controlled catalytic hydrogenation of corn syrups. The resulting hydrogenated starch hydrolysates are  
20           mixtures of monomeric, dimeric, and polymeric saccharides. The ratios of these different saccharides give different hydrogenated starch hydrolysates different properties. Mixtures of hydrogenated starch hydrolysates, such as LYCASIN, a commercially available product manufactured by Roquette Freres of France, and HYSTAR, a commercially available product manufactured by Lonza, Inc., of Fairlawn, N.J., are also useful.

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          In some embodiments, high-intensity sweeteners also may be included in the confectionery compositions. Without being limited to particular sweeteners, representative categories and examples include:

30           (a) water-soluble sweetening agents such as dihydrochalcones, monellin, steviosides, glycyrrhizin, dihydroflavonol, and sugar alcohols such as sorbitol, mannitol, maltitol, and L-aminodicarboxylic acid aminoalkenoic acid ester amides, such as those disclosed in U.S. Pat. No. 4,619,834, which disclosure is incorporated herein by reference, and mixtures thereof;

          (b) water-soluble artificial sweeteners such as soluble saccharin salts, i.e., sodium or

calcium saccharin salts, cyclamate salts, the sodium, ammonium or calcium salt of 3,4-dihydro-6-methyl-1,2,3-oxathiazine-4-one-2,2-dioxide, the potassium salt of 3,4-dihydro-6-methyl-1,2,3-oxathiazine-4-one-2,2-dioxide (Acesulfame-K), the free acid form of saccharin, and mixtures thereof;

5 (c) dipeptide based sweeteners, such as L-aspartic acid derived sweeteners, such as L-aspartyl-L-phenylalanine methyl ester (Aspartame) and materials described in U.S. Pat. No. 3,492,131, L-alphaaspartyl-N-(2,2,4,4-tetramethyl-3-thietanyl)-D-alaninamide hydrate (Alitame), N-[N-(3,3-dimethylbutyl)-L-aspartyl]-L-phenylalanine 1-methyl ester (Neotame), methyl esters of L-aspartyl-L-phenylglycerine and L-aspartyl-L-2,5-dihydrophenyl-glycine,  
10 L-aspartyl-2,5-dihydro-L-phenylalanine; L-aspartyl-L-(1-cyclohexen)-alanine, and mixtures thereof;

(d) water-soluble sweeteners derived from naturally occurring water-soluble sweeteners, such as chlorinated derivatives of ordinary sugar (sucrose), e.g., chlorodeoxysugar derivatives such as derivatives of chlorodeoxysucrose or  
15 chlorodeoxygalactosucrose, known, for example, under the product designation of Sucralose; examples of chlorodeoxysucrose and chlorodeoxygalactosucrose derivatives include but are not limited to: 1-chloro-1'-deoxysucrose; 4-chloro-4-deoxy-alpha-D-galactopyranosyl-alpha-D-fructofuranoside, or 4-chloro-4-deoxygalactosucrose; 4-chloro-4-deoxy-alpha-D-galactopyranosyl-1-chloro-1-deoxy-beta-D-fructo-f uranoside, or 4,1'-dichloro-4,1'-  
20 dideoxygalactosucrose; 1',6'-dichloro 1',6'-dideoxysucrose; 4-chloro-4-deoxy-alpha-D-galactopyranosyl-1,6-dichloro-1,6-dideoxy-beta-D- fructofuranoside, or 4,1',6'-trichloro-4,1',6'-trideoxygalactosucrose; 4,6-dichloro-4,6-dideoxy-alpha-D-galactopyranosyl-6-chloro-6-deoxy-beta-D- fructofuranoside, or 4,6,6'-trichloro-4,6,6'-trideoxygalactosucrose; 6,1',6'-trichloro-6,1',6'-trideoxysucrose; 4,6-dichloro-4,6-dideoxy-alpha-D-galacto-pyranosyl-1,6-  
25 dichloro-1,6-dideox y-beta-D-fructofuranoside, or 4,6,1',6'-tetrachloro4,6,1',6'-tetradeoxygalacto-sucrose; and 4,6,1',6'-tetradeoxy-sucrose, and mixtures thereof;

(e) protein based sweeteners such as thaumaococcus danielli (Thaumatococcus I and II); and

(f) the naturally occurring sweetener monatin (2-hydroxy-2-(indol-3-ylmethyl)-4-aminoglutaric acid) and its derivatives.

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The intense sweetening agents may be used in many distinct physical forms well-known in the art to provide an initial burst of sweetness and/or a prolonged sensation of sweetness. Without being limited thereto, such physical forms include free forms, such as spray dried, powdered, beaded forms, encapsulated forms, and mixtures thereof.

In general, an effective amount of intense sweetener may be utilized to provide the level of sweetness desired, and this amount may vary with the sweetener selected. The intense sweetener may be present in amounts from about 0.001% to about 3%, by weight of the lozenge or candy composition, depending upon the sweetener or combination of sweeteners used. The exact range of amounts for each type of sweetener may be selected by those skilled in the art.

The confectionery composition also includes a flavor agent. Flavor agents which may be used include those flavors known to the skilled artisan, such as natural and artificial flavors. These flavorings may be chosen from synthetic flavor oils and flavoring aromatics and/or oils, oleoresins and extracts derived from plants, leaves, flowers, fruits, and so forth, and combinations thereof. Nonlimiting representative flavor oils include spearmint oil, cinnamon oil, oil of wintergreen (methyl salicylate), peppermint oil, clove oil, bay oil, anise oil, eucalyptus oil, thyme oil, cedar leaf oil, oil of nutmeg, allspice, oil of sage, mace, oil of bitter almonds, and cassia oil. Also useful flavorings are artificial, natural and synthetic fruit flavors such as vanilla, and citrus oils including lemon, orange, lime, grapefruit, and fruit essences including apple, pear, peach, grape, strawberry, raspberry, cherry, plum, pineapple, apricot and so forth. These flavoring agents may be used in liquid or solid form and may be used individually or in admixture. Commonly used flavors include mints such as peppermint, menthol, spearmint, artificial vanilla, cinnamon derivatives, and various fruit flavors, whether employed individually or in admixture.

Other useful flavorings include aldehydes and esters such as cinnamyl acetate, cinnamaldehyde, citral diethylacetal, dihydrocarvyl acetate, eugenyl formate, p-methylamisol, and so forth may be used. Generally any flavoring or food additive such as those described in Chemicals Used in Food Processing, publication 1274, pages 63-258, by the National Academy of Sciences, may be used. This publication is incorporated herein by reference.

Further examples of aldehyde flavorings include but are not limited to acetaldehyde (apple), benzaldehyde (cherry, almond), anisic aldehyde (licorice, anise), cinnamic aldehyde (cinnamon), citral, i.e., alpha-citral (lemon, lime), neral, i.e., beta-citral (lemon, lime), decanal (orange, lemon), ethyl vanillin (vanilla, cream), heliotrope, i.e., piperonal (vanilla,

cream), vanillin (vanilla, cream), alpha-amyl cinnamaldehyde (spicy fruity flavors), butyraldehyde (butter, cheese), valeraldehyde (butter, cheese), citronellal (modifies, many types), decanal (citrus fruits), aldehyde C-8 (citrus fruits), aldehyde C-9 (citrus fruits), aldehyde C-12 (citrus fruits), 2-ethyl butyraldehyde (berry fruits), hexenal, i.e., trans-2 (berry  
5 fruits), tolyl aldehyde (cherry, almond), veratraldehyde (vanilla), 2,6-dimethyl-5-heptenal, i.e., melonal (melon), 2,6-dimethyloctanal (green fruit), and 2-dodecenal (citrus, mandarin), cherry, grape, strawberry shortcake, and mixtures thereof.

10 In some embodiments, the flavor agent may be employed in either liquid form and/or dried form. When employed in the latter form, suitable drying means such as spray drying the oil may be used. Alternatively, the flavor agent may be absorbed onto water soluble materials, such as cellulose, starch, sugar, maltodextrin, gum arabic and so forth or may be encapsulated. The actual techniques for preparing such dried forms are well-known.

15 In some embodiments, the flavor agents may be used in many distinct physical forms well-known in the art to provide an initial burst of flavor and/or a prolonged sensation of flavor. Without being limited thereto, such physical forms include free forms, such as spray dried, powdered, beaded forms, encapsulated forms, and mixtures thereof.

20 The amount of flavor agent employed herein may be a matter of preference subject to such factors as the type of final comestible, such as a lozenge, candy composition or chewing gum composition; the individual flavor; the carrier employed; and the strength of flavor desired. Thus, the amount of flavoring may be varied in order to obtain the result desired in the final product and such variations are within the capabilities of those skilled in the art  
25 without the need for undue experimentation. In lozenge or candy compositions, the flavor agent is generally present in amounts from about 0.02% to about 5%, and more specifically from about 0.1% to about 2%, and even more specifically, from about 0.8% to about 1.8%, by weight of the composition.

30 A variety of traditional ingredients also may be included in the confectionery compositions in effective amounts such as coloring agents, antioxidants, preservatives, and the like. Coloring agents may be used in amounts effective to produce the desired color. The coloring agents may include pigments which may be incorporated in amounts up to about 6%, by weight of the composition. For example, titanium dioxide may be incorporated in



amounts up to about 2%, and preferably less than about 1%, by weight of the composition. The colorants may also include natural food colors and dyes suitable for food, drug and cosmetic applications. These colorants are known as F.D.& C. dyes and lakes. The materials acceptable for the foregoing uses are preferably water-soluble. Illustrative nonlimiting  
5 examples include the indigoid dye known as F.D.& C. Blue No.2, which is the disodium salt of 5,5-indigotindisulfonic acid. Similarly, the dye known as F.D.& C. Green No.1 comprises a triphenylmethane dye and is the monosodium salt of 4-[4-(N-ethyl-p-sulfoniumbenzylamino) diphenylmethylene]-[1-(N-ethyl -N-p-sulfoniumbenzyl)-delta-2,5-cyclohexadieneimine]. A full recitation of all F.D.& C. colorants and their corresponding  
10 chemical structures may be found in the Kirk-Othmer Encyclopedia of Chemical Technology, 3rd Edition, in volume 5 at pages 857-884, which text is incorporated herein by reference.

Other conventional additives known to one having ordinary skill in the art also may be used in the confectionery compositions.

15 Enhancement components, as described above, also may be included in the confectionery compositions. Addition of an enhancement component, such as an ionic enhancer or a physiological cooling agent, allows for lower levels of warming agents to be included in the compositions without compromising the intensity of the warming sensation.  
20 For example, some confectionery embodiments include about 0.01% to about 1% warming agent by weight, accompanied by an enhancement component.

In some embodiments, and particularly in confectionery compositions, the food-grade polymer employed is desirably pectin. Pectins are water-soluble polysaccharides  
25 conventionally used in a variety of food products as gelling agents. It has been discovered that high molecular weight pectins, for example about 9,000 Daltons to about 160,000 Daltons, are highly effective in sustaining the release of warming agents in the oral cavity.

Accordingly, pectin may be incorporated in the confectionery composition in amounts  
30 sufficient to extend the release of the warming agent such that a warming sensation is perceived by the user within about two seconds to about thirty minutes. In general, a lozenge or candy is substantially consumed by the user within about fifteen minutes. Lozenges and candies, however, may be adapted to be small or larger to alter consumption times. During consumption, the user perceives a warming sensation in the mouth, throat and upper

gastrointestinal tract within about 2-45 seconds. The user may continue to perceive this warming sensation for up to about four minutes, or even longer, e.g., up to about fifteen minutes, after the confectionery is substantially consumed, i.e., aftertaste sensation.

5 To achieve such controlled release of the warming agent, pectin may be incorporated into some confectionery embodiments in amounts of about 0.2% to about 0.4% by weight. Using amounts of pectin less than about 0.2% by weight, e.g. about 0.1%, or greater than about 0.4% by weight, also may have the effect of sustaining release of the warming agent, however such amounts tend not to extend the aftertaste sensation as effectively. For example,  
10 as seen in Figs. 1-7, use of pectin in the range of about 0.2% to about 0.4% by weight, particularly about 0.3% by weight, extends the aftertaste sensation for at least one to three minutes after the confectionery composition is substantially consumed.

In particular, Figs. 1 and 2 display the intensity of warming sensation felt in the  
15 mouth of the user upon consuming lozenges of the present invention incorporating various levels of pectin (about 0.1%, 0.2% and 0.3% by weight), whereas Figs. 3 and 4 show the intensity felt in the throat. As seen in these figures, about 0.2% and about 0.3% pectin by weight effectively extend the warming sensation in the mouth and throat throughout the six minutes of consumption, as well as about one to three minutes thereafter. Although pectin  
20 levels of about 0.1% by weight extend the warming sensation throughout consumption, the aftertaste is limited in duration as compared to the higher levels of pectin.

Figs. 5-7 display the intensity of warming sensation of different amounts of pectin (about 0.2%, 0.3% and 0.4% by weight). Fig. 5 displays the intensity perceived in the mouth,  
25 whereas Figs. 6 and 7 show the intensity in the throat, each at the varying levels of pectin. These figures show that about 0.2%, 0.3% and 0.4% by weight pectin effectively extend the warming sensation in the mouth and throat throughout the six minutes of consumption, as well as about one to three minutes thereafter. Even higher levels of pectin may be used. Therefore, ranges of about 0.2% to about 0.4% by weight establish a balance between  
30 properties, providing control of release without burning irritation.

In some embodiments, particularly lozenges or hard candies, the warming agent, which is dispersed in a glassy polymer matrix, may be present in the composition in amounts of about 0.001% to about 10% by weight of the composition, more desirably about 0.001% to

about 5% by weight. Amounts greater than about 5% by weight may cause a burning sensation or irritation to the user, unless ameliorated by other components.

The present invention also is directed to methods of preparing confectionery compositions. Such confections may be prepared using conventional apparatus such as fire cookers, cooking extruders, and/or vacuum cookers.

In accordance with the present invention, the carrier (e.g., bulk sweetener) and a solvent (e.g., water), are combined in a mixing vessel to form a slurry. The slurry is heated to about 70°C to 120°C to dissolve any sweetener crystals or particles and form an aqueous solution. Once dissolved, heat and optionally vacuum are applied to cook the batch and boil off water until a residual moisture of less than about 4% is achieved. For example, batch cookers may be employed. The batch changes from a crystalline to an amorphous, or glassy, phase. The warming composition and flavor agents are then admixed in the batch by mechanical mixing operations, along with any other optional additives, such as coloring agents. The batch is then cooled to about 50°C to 10°C to attain a semi-solid or plastic-like consistency.

The optimum mixing required to uniformly mix the warming compositions, flavors, colorants and other additives into the batch during manufacturing of hard confectionery is determined by the time needed to obtain a uniform distribution of the materials. Normally, mixing times of from one to ten minutes have been found to be acceptable.

Once the candy mass has been properly tempered, it may be cut into workable portions or formed into desired shapes having the correct weight and dimensions. A variety of forming techniques may be utilized depending upon the shape and size of the final product desired. Once the desired shapes are formed, cool air is applied to allow the comestibles to set uniformly, after which they are wrapped and packaged.

The apparatus useful in accordance with the present invention comprises cooking and mixing apparatus well known in the confectionery manufacturing arts, and selection of the specific apparatus will be apparent to one skilled in the art.

Some other embodiments of the present invention include chewing gum compositions. The carrier in chewing gum compositions may include a gum base and other optional components. The gum base may include any component known in the chewing gum art. For example, the gum base may include elastomers, bulking agents, waxes, elastomer solvents, emulsifiers, plasticizers, fillers and mixtures thereof.

The elastomers (rubbers) employed in the gum base will vary greatly depending upon various factors such as the type of gum base desired, the consistency of gum composition desired and the other components used in the composition to make the final chewing gum product. The elastomer may be any water-insoluble polymer known in the art, and includes those gum polymers utilized for chewing gums and bubble gums. Illustrative examples of suitable polymers in gum bases include both natural and synthetic elastomers. For example, those polymers which are suitable in gum base compositions include, without limitation, natural substances (of vegetable origin) such as chicle, natural rubber, crown gum, nispero, rosidinha, jelutong, perillo, niger gutta, tunu, balata, guttapercha, lechi capsii, sorva, gutta kay, and the like, and mixtures thereof. Examples of synthetic elastomers include, without limitation, styrene-butadiene copolymers (SBR), polyisobutylene, isobutylene-isoprene copolymers, polyethylene, polyvinyl acetate and the like, and mixtures thereof.

The amount of elastomer employed in the gum base may vary depending upon various factors such as the type of gum base used, the consistency of the gum composition desired and the other components used in the composition to make the final chewing gum product. In general, the elastomer will be present in the gum base in an amount from about 10% to about 60% by weight, desirably from about 35% to about 40% by weight.

In some embodiments, the gum base may include wax. It softens the polymeric elastomer mixture and improves the elasticity of the gum base. When present, the waxes employed will have a melting point below about 60°C, and preferably between about 45°C and about 55°C. The low melting wax may be a paraffin wax. The wax may be present in the gum base in an amount from about 6% to about 10%, and preferably from about 7% to about 9.5%, by weight of the gum base.

In addition to the low melting point waxes, waxes having a higher melting point may be used in the gum base in amounts up to about 5%, by weight of the gum base. Such high

melting waxes include beeswax, vegetable wax, candelilla wax, carnuba wax, most petroleum waxes, and the like, and mixtures thereof.

In addition to the components set out above, the gum base may include a variety of other ingredients, such as components selected from elastomer solvents, emulsifiers, plasticizers, fillers, and mixtures thereof.

The gum base may contain elastomer solvents to aid in softening the elastomer component. Such elastomer solvents may include those elastomer solvents known in the art, for example, terpinene resins such as polymers of alpha-pinene or beta-pinene, methyl, glycerol and pentaerythritol esters of rosins and modified rosins and gums such as hydrogenated, dimerized and polymerized rosins, and mixtures thereof. Examples of elastomer solvents suitable for use herein may include the pentaerythritol ester of partially hydrogenated wood and gum rosin, the pentaerythritol ester of wood and gum rosin, the glycerol ester of wood rosin, the glycerol ester of partially dimerized wood and gum rosin, the glycerol ester of polymerized wood and gum rosin, the glycerol ester of tall oil rosin, the glycerol ester of wood and gum rosin and the partially hydrogenated wood and gum rosin and the partially hydrogenated methyl ester of wood and rosin, and the like, and mixtures thereof. The elastomer solvent may be employed in the gum base in amounts from about 2% to about 15%, and preferably from about 7% to about 11%, by weight of the gum base.

The gum base may also include emulsifiers which aid in dispersing the immiscible components into a single stable system. The emulsifiers useful in this invention include glyceryl monostearate, lecithin, fatty acid monoglycerides, diglycerides, propylene glycol monostearate, and the like, and mixtures thereof. The emulsifier may be employed in amounts from about 2% to about 15%, and more specifically, from about 7% to about 11%, by weight of the gum base.

The gum base may also include plasticizers or softeners to provide a variety of desirable textures and consistency properties. Because of the low molecular weight of these ingredients, the plasticizers and softeners are able to penetrate the fundamental structure of the gum base making it plastic and less viscous. Useful plasticizers and softeners include lanolin, palmitic acid, oleic acid, stearic acid, sodium stearate, potassium stearate, glyceryl triacetate, glyceryl lecithin, glyceryl monostearate, propylene glycol monostearate, acetylated

monoglyceride, glycerine, and the like, and mixtures thereof. Waxes, for example, natural and synthetic waxes, hydrogenated vegetable oils, petroleum waxes such as polyurethane waxes, polyethylene waxes, paraffin waxes, microcrystalline waxes, fatty waxes, sorbitan monostearate, tallow, propylene glycol, mixtures thereof, and the like, may also be

5 incorporated into the gum base. The plasticizers and softeners are generally employed in the gum base in amounts up to about 20% by weight of the gum base, and more specifically in amounts from about 9% to about 17%, by weight of the gum base.

10 Plasticizers also include hydrogenated vegetable oils, such as soybean oil and cottonseed oils, which may be employed alone or in combination. These plasticizers provide the gum base with good texture and soft chew characteristics. These plasticizers and softeners are generally employed in amounts from about 5% to about 14%, and more specifically in amounts from about 5% to about 13.5%, by weight of the gum base.

15 Anhydrous glycerin may also be employed as a softening agent, such as the commercially available United States Pharmacopeia (USP) grade. Glycerin is a syrupy liquid with a sweet warm taste and has a sweetness of about 60% of that of cane sugar. Because glycerin is hygroscopic, the anhydrous glycerin may be maintained under anhydrous conditions throughout the preparation of the chewing gum composition.

20 In some embodiments, the gum base of this invention may also include effective amounts of bulking agents such as mineral adjuvants which may serve as fillers and textural agents. Useful mineral adjuvants include calcium carbonate, magnesium carbonate, alumina, aluminum hydroxide, aluminum silicate, talc, tricalcium phosphate, dicalcium phosphate, 25 calcium sulfate and the like, and mixtures thereof. These fillers or adjuvants may be used in the gum base compositions in various amounts. Preferably the amount of filler, when used, will be present in an amount from about 15% to about 40%, and desirably from about 20% to about 30%, by weight of the gum base.

30 A variety of traditional ingredients may be optionally included in the gum base in effective amounts such as flavor agents and coloring agents described above, antioxidants, preservatives, and the like. For example, titanium dioxide and other dyes suitable for food, drug and cosmetic applications, known as F. D. & C. dyes, may be utilized. An anti-oxidant such as butylated hydroxytoluene (BHT), butylated hydroxyanisole (BHA), propyl gallate,

vitamin E and mixtures thereof, may also be included. Other conventional chewing gum additives known to one having ordinary skill in the chewing gum art may also be used in the gum base.

5           The chewing gum compositions may include amounts of conventional additives selected from the group consisting of sweetening agents, plasticizers, softeners, emulsifiers, waxes, fillers, bulking agents (carriers, extenders, bulk sweeteners), mineral adjuvants, flavor agents and coloring agents discussed above, antioxidants, acidulants, thickeners, medicaments, and the like, and mixtures thereof. Some of these additives may serve more  
10       than one purpose. For example, in sugarless gum compositions, a sweetener, such as maltitol or other sugar alcohol, may also function as a bulking agent.

Bulk sweeteners, as described above, generally are present in amounts of about 5% to about 95% by weight of the chewing gum composition.

15

The plasticizers, softening agents, mineral adjuvants, waxes and antioxidants discussed above, as being suitable for use in the gum base, may also be used in the chewing gum composition. Examples of other conventional additives which may be used include emulsifiers, such as lecithin and glyceryl monostearate, thickeners, used alone or in  
20       combination with other softeners, such as methyl cellulose, alginates, carrageenan, xanthan gum, gelatin, carob, tragacanth, locust bean, and carboxy methyl cellulose, acidulants such as malic acid, adipic acid, citric acid, tartaric acid, fumaric acid, and mixtures thereof, and fillers, such as those discussed above under the category of mineral adjuvants.

25           Other conventional gum additives known to one having ordinary skill in the chewing gum art also may be used in the chewing gum compositions.

The warming agents may be present in the chewing gum compositions in amounts of about 0.001% to about 10% by weight of the composition. In particular, it may be desirable  
30       to use higher amounts of warming agent in chewing gums, i.e., upwards of about 10%, as compared to lozenges, hard candy and the like, as less than all of the warming agent is released from the gum during chew. To achieve a sufficient warming sensation, therefore, higher amounts may be incorporated therein. In addition, the warming sensation will last longer in chewing gums due to the length of chew time, i.e., up to about one hour.

Methods of making chewing gum are not discussed in detail herein as they are well known to one having ordinary skill in the chewing gum art. For general chewing gum preparation processes see U.S. Patent Nos. 4,271,197 to Hopkins et al, 4,352,822 to Cherukuri et al and 4,497,832 to Cherukuri et al, each of which is incorporated herein by reference in its entirety.

Methods of preparing other comestible products, including soft candy, cotton candy, pressed tablets, film, liquid and powdered beverages, and the like also are well known to those having ordinary skill in the art and need not be discussed in detail herein.

The features and advantages of the present invention are more fully shown by the following examples which are provided for purposes of illustration, and are not to be construed as limiting the invention in any way.

## **EXAMPLES**

### **Example 1:**

**Table 1: Soft/Chewy Candy Formula**

Component	% by weight
Sugar, corn syrup and water	85
Gel base (gelatin +/- pectin) and water	5
Citric acid	0.19
Malic acid	0.2
Color solution	0.107
Flavor	0.25
Warming agent	0.3
Fat	8.25
Pulverized sugar	0.711

A soft, chewy candy was prepared according to the formulation in Table 1 above.

The candy composition was prepared by first forming the gel base by adding gelatin, with or without pectin, to warm water and then mixing. The gel base was then combined with the citric and malic acids and color solution and mixed in a Hobart mixer.



The sugar and corn syrup mixture was heated to about 130°C and added to the gel base and other components in the Hobart mixer. The combination was mixed at speed three for thirty seconds and then mixed at speed two for five minutes.

5 The fat was heated until it melted and then combined with the flavor and warming agent to form a premix. The Hobart mixer speed then was reduced to one and the melted fat, flavor and warming agent premix was added thereto.

10 The mixer speed was changed to three for thirty seconds, then speed two for three minutes, and then speed one at which point the pulverized sugar was added. The batch was again mixed for two minutes and then poured onto a cooling table. The batch was folded until cool, sampled and hand-pulled for one and a half minutes. The batch was poured into molds and subsequently grained and cut into the desired weight and size pieces.

15 **Example 2:**

**Table 2: Breath Film**

Component	% by weight (wet basis)
Sweetener blend (xylitol, Ace-sulfame K, sucralose)	2.81
Water	66.32
Color solution (FD&C Yellow #6)	2.00
Hydrocolloid blend (sodium alginate, pectin, modified starch)	17.47
Flavor	7.76
Warming agent	0.40
Plasticizer	3.23

A breath film was prepared according to the formulation in Table 2 above.

20 The film was prepared by first dissolving the sweeteners (xylitol, Ace-sulfame K and sucralose) and color in water. The hydrocolloids were added and dispersed in the solution. A high shear mixer was used, as necessary, to remove lumps. The hydrocolloids were allowed to hydrate for one and a half hours, after which the plasticizer (glycerine), warming agent and  
25 flavor were added. The batch was mixed and allowed to rest for fifteen to thirty minutes.

Subsequently, the film was cast on a hot plate at 74°C. In particular, a water bath was placed on the hot plate, and the film was cast onto a stainless steel plate that was placed above the water bath. If the temperature of the hot plate becomes too high, i.e., boiling water, the film fuses to the plate causing difficulties in removal. Once dried, the film was peeled from the plate and after equilibration (about twenty-four hours) strips were cut.

**Example 3:****Table 3: Beverage**

Component	Weight in g
High fructose corn syrup-55 (77 deg Brix)	160
Citric acid, anhydrous	2.5
Warming agent and flavor	0.5
Water	837

A liquid beverage may be prepared according to the formulation in Table 3 above.

The beverage composition may be prepared by combining the above-listed ingredients, stirring to mix and pasteurizing at about 190°F for about two minutes.

**Example 4:****Table 4: Hard Boiled Candy with Pectin**

Component	% by weight
Candy Base (sugar, glucose syrup 42DE and water)	85.05
Color solution	0.40
Pectin solution (8% pectin powder, potassium citrate, water)	13.75
Flavor	0.19
Warming agent	0.60

A hard candy was prepared according to the formulation in Table 4 above.

Pectin and potassium citrates were dispersed in hot water (70°C) with vigorous mixing to prepare the pectin solution. The candy composition was prepared by dissolving the sugar/glucose syrup in water and cooking at 146°C. The pectin solution and color were added to the cooked sugar mass. The batch was placed on a cooling table where flavor,

warming agent and acids were added. The batch was kneaded. Roll candies were dropped into the desired weight and size pieces.

**Example 5:**

5 **Table 5: Hard Boiled Candy with Carboxymethyl Cellulose (CMC)**

Component	% by weight
Candy Base (sugar, glucose syrup 42DE and water)	83.62
Color solution	0.40
CMC solution in water (0.025 % water)	15.21
Flavor	0.17
Warming agent	0.60

A hard candy was prepared according to the formulation in Table 5 above.

10 CMC was dispersed in hot water (70°C) and mixed using a high shear mixer. The candy composition was prepared by dissolving the sugar/glucose syrup in water and cooking at 146°C. The CMC solution and color were added to the cooked sugar mass. The batch was placed on a cooling table where flavor, warming agent and acids were added. The batch was kneaded. Roll candies were dropped into the desired weight and size pieces.

15

**Example 6:**

**Table 6: Hard Boiled Candy with Sodium Alginates**

Component	% by weight
Candy Base (sugar, glucose syrup 42DE and water)	85.05
Color solution	0.40
Alginate solution in water (5%)	13.95
Flavor	0.17
Warming agent	0.60

20 A hard candy was prepared according to the formulation in Table 6 above.

Sodium alginate powder was dispersed in hot water (70°C) with vigorous mixing. The candy composition was prepared by dissolving the sugar/glucose syrup in water and cooking at 146°C. The alginate solution and color were added to the cooked sugar mass.

The batch was placed on a cooling table where flavor, warming agent and acids were added. The batch was kneaded. Roll candies were dropped into the desired weight and size pieces.

5 While there have been described what are presently believed to be the preferred embodiments of the invention, those skilled in the art will realize that changes and modifications may be made thereto without departing from the spirit of the invention, and it is intended to include all such changes and modifications as fall within the true scope of the invention.

**CLAIMS:**

1. An oral, controlled-release warming composition, comprising:

a) a warming agent; and

b) a hydrated food-grade polymer which forms a non-particulate matrix with said  
5 warming agent.

2. The warming composition according to claim 1, wherein said food-grade polymer is present in an amount sufficient to produce a warming sensation in the mouth and upper gastrointestinal tract of a mammal extending from about 2 seconds to about 30 minutes.

3. The warming composition according to claim 1, wherein said food-grade polymer is present in an amount sufficient to sustain a warming sensation in the mouth and upper gastrointestinal tract of a mammal for about 1 to 3 minutes after said warming composition has been substantially consumed without imparting a burning sensation thereto.

4. The warming composition according to claim 1, wherein said food-grade polymer is present in an amount of about 0.05% to about 99% by weight of said composition.

5. The warming composition according to claim 1, wherein said food-grade polymer is present in an amount of about 1% to about 10% by weight of said composition.

6. The warming composition according to claim 1, wherein said food-grade polymer is selected from the group consisting of proteins, glycoproteins, glycolipids, fats, waxes, polyvinyl acetate, polyethylene oxide, polyethylene, dextrans, fructo-oligosaccharides, starches, alginates, natural and synthetic gums, celluloses, carrageenans and combinations thereof.

7. The warming composition according to claim 1, wherein said food-grade polymer comprises pectin.

8. The warming composition according to claim 7, wherein said pectin is present in an amount of about 0.05% to about 10% by weight of said composition.

9. The warming composition according to claim 1, wherein said food-grade polymer has a molecular weight of at least about 180 Daltons.

10. The warming composition according to claim 1, wherein said food-grade polymer has  
5 a molecular weight of less than about 3 million Daltons.

11. The warming composition according to claim 1, wherein said food-grade polymer has a viscosity of about 5 to about 100,000 cP.

10 12. The warming composition according to claim 1, wherein said warming agent comprises at least one allyl vinyl component.

13. The warming composition according to claim 1, wherein said warming agent is selected from the group consisting of: vanillyl alcohol n-butylether; vanillyl alcohol n-  
15 propylether; vanillyl alcohol isopropylether; vanillyl alcohol isobutylether; vanillyl alcohol n-aminoether; vanillyl alcohol isoamylether; vanillyl alcohol n-hexylether; vanillyl alcohol methylether; vanillyl alcohol ethylether; gingerol; shogaol; paradol; zingerone; capsaicin; dihydrocapsaicin; nordihydrocapsaicin; homocapsaicin; homodihydrocapsaicin; ethanol; isopropyl alcohol; iso-amylalcohol; benzyl alcohol; glycerine; chloroform; eugenol;  
20 cinnamon oil; cinnamic aldehyde; phosphate derivatives thereof; and combinations thereof.

14. The warming composition according to claim 1, wherein said warming agent is present in an amount of about 0.1% to about 96% by weight of said composition.

25 15. The warming composition according to claim 1, wherein said warming agent is present in an amount of about 5% to about 25% by weight of said composition.

16. The warming composition according to claim 1, further comprising a flavor agent.

30

17. The warming composition according to claim 1, further comprising an enhancement component.

18. The warming composition according to claim 17, wherein said enhancement component is selected from the group consisting of: a mineral cation selected from the group consisting of magnesium, sodium, calcium, and potassium; a physiological cooling agent; and combinations thereof.

5

19. An oral, controlled-release warming composition, comprising:

a) a warming agent; and

b) a swollen food-grade polymer which forms a non-particulate matrix with said warming agent.

10

20. An oral warming composition, comprising:

a warming agent dispersed in a hydrated food-grade polymer blend comprising a hydrophilic polymer and a hydrophobic polymer.

15

21. The warming composition according to claim 20, wherein said hydrophilic polymer comprises a protein and said hydrophobic polymer comprises a wax.

22. A comestible comprising:

a) an oral warming composition comprising a warming agent and a hydrated food-

20

grade polymer which forms a non-particulate matrix with said warming agent;

b) a flavor agent; and

c) a carrier.

23. The comestible according to claim 22, wherein said food-grade polymer is present in an amount of about 0.2% to about 95% by weight of said comestible.

25

24. The comestible according to claim 22, wherein said food-grade polymer is present in an amount of about 0.2% to about 0.4% by weight of said comestible.

30

25. The comestible according to claim 22, wherein said food-grade polymer has a glass transition temperature of about -50°C to about 80°C.

26. The comestible according to claim 22, wherein said warming agent is present in an amount of about 0.001% to about 10% by weight of said comestible.

27. The comestible according to claim 22, wherein said warming agent is present in an amount of about 0.4% to about 0.6% by weight of said comestible.

5 28. The comestible according to claim 22, further comprising an enhancement component,  
and wherein said warming agent is present in an amount of about 0.01% to about 0.1% by weight of said comestible.

10 29. The comestible according to claim 22, wherein said comestible is selected from the group consisting of: hard candy; soft candy; cotton candy; pressed tablet; chewing gum; lozenge; liquid beverage; powdered beverage; film; and center-filled confectionery.

15 30. The comestible according to claim 22, wherein:  
said comestible comprises a lozenge; and  
said carrier comprises a bulk sweetener selected from the group consisting of sugars, sugarless bulk sweeteners and combinations thereof.

20 31. The comestible according to claim 22, wherein said comestible comprises chewing gum and said carrier comprises a gum base.

32. A lozenge composition comprising:  
a glassy polymer matrix having a warming agent dispersed therein.

25 33. The lozenge composition according to claim 32, wherein said glassy polymer matrix comprises a hydrated food-grade polymer present in an amount sufficient to produce a warming sensation in the mouth and upper gastrointestinal tract of a mammal extending from about 2 seconds to about 30 minutes.

30 34. The lozenge composition according to claim 33, wherein said glassy polymer matrix comprises pectin present in an amount of about 0.2% to about 0.4% by weight of said composition.



35. A chewing gum composition comprising:

a) an oral warming composition comprising a warming agent and a hydrated food-grade polymer which forms a non-particulate matrix with said warming agent;

b) a flavor agent; and

5 c) a gum base,

wherein said food-grade polymer is present in an amount sufficient to produce a warming sensation in the mouth and upper gastrointestinal tract of a mammal extending from about 2 seconds to about 1 hour.

10 36. The chewing gum composition according to claim 35, wherein said warming agent is present in an amount of about 0.001% to about 10% by weight of said composition.

37. A method of imparting a warming sensation to oral receptor areas of a mammal, comprising the steps of:

15 orally administering a warming composition comprising a warming agent and a hydrated food-grade polymer which forms a non-particulate matrix with the warming agent; and

stimulating the oral receptor areas within about 2 to about 45 seconds to produce a warming sensation in the mouth and upper gastrointestinal tract of the mammal.

20

38. The method according to claim 37, wherein the oral receptor areas comprise receptors in the mouth and throat of the mammal.

25 39. A method of preparing a comestible having controlled-release warming properties, comprising the steps of:

heating a carrier with an aqueous solution of a hydrated food-grade polymer until the carrier changes from a crystalline phase to an amorphous or a glassy phase;

dispersing a warming agent in the polymer to form a non-particulate matrix; and

30 forming a comestible from the combination of components in the glassy phase.

FIG. 1

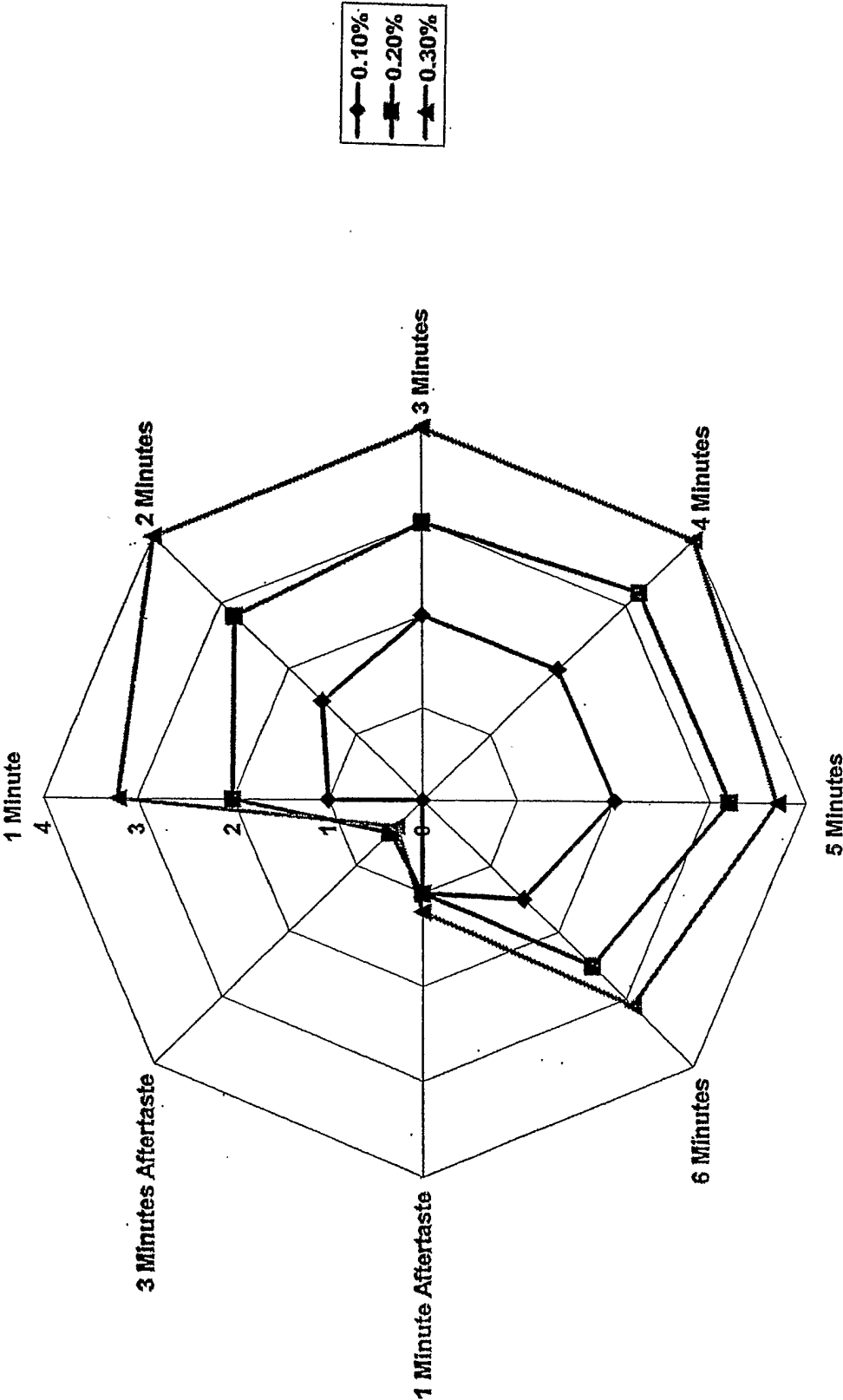


FIG. 2

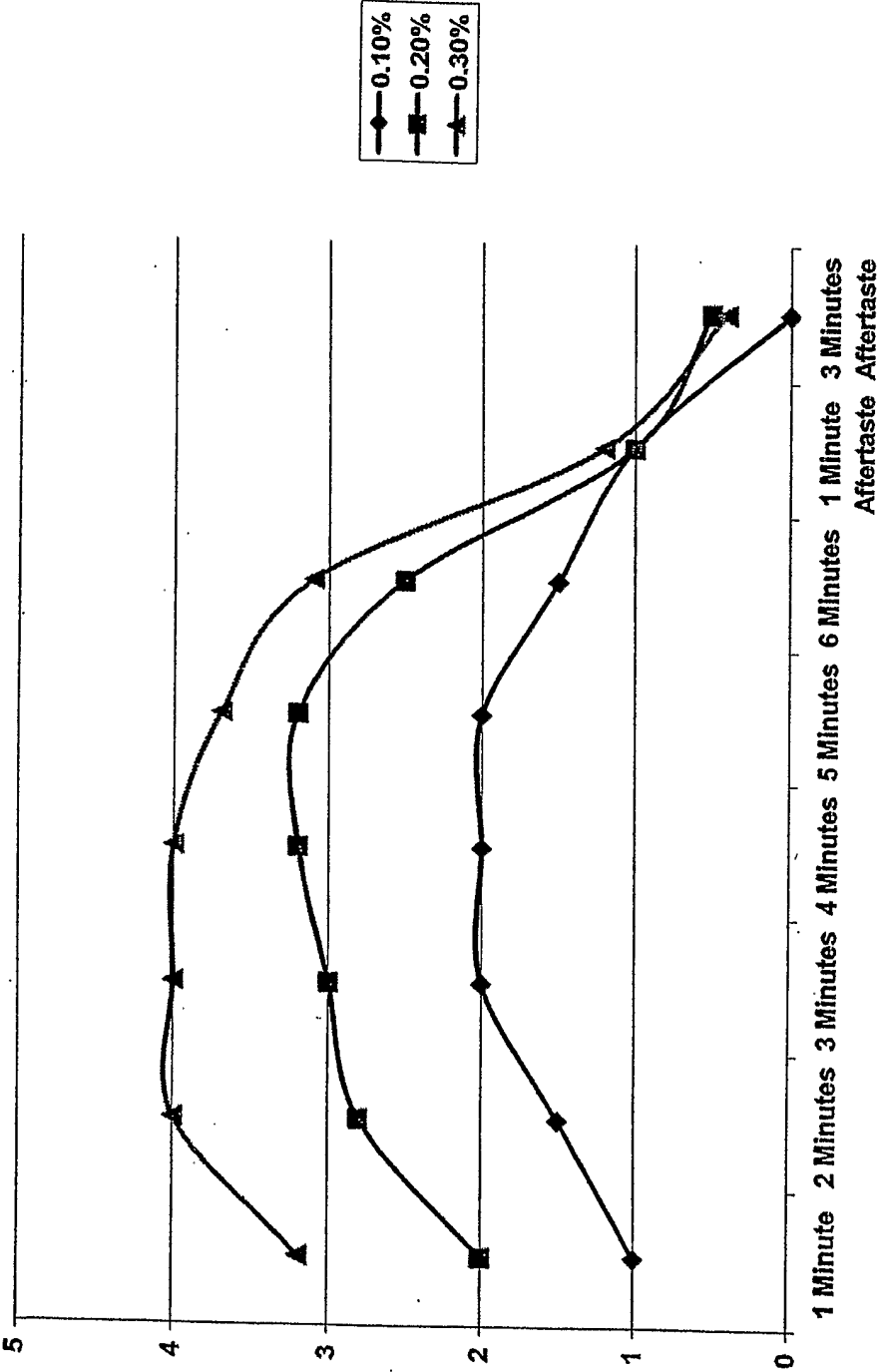


FIG. 3

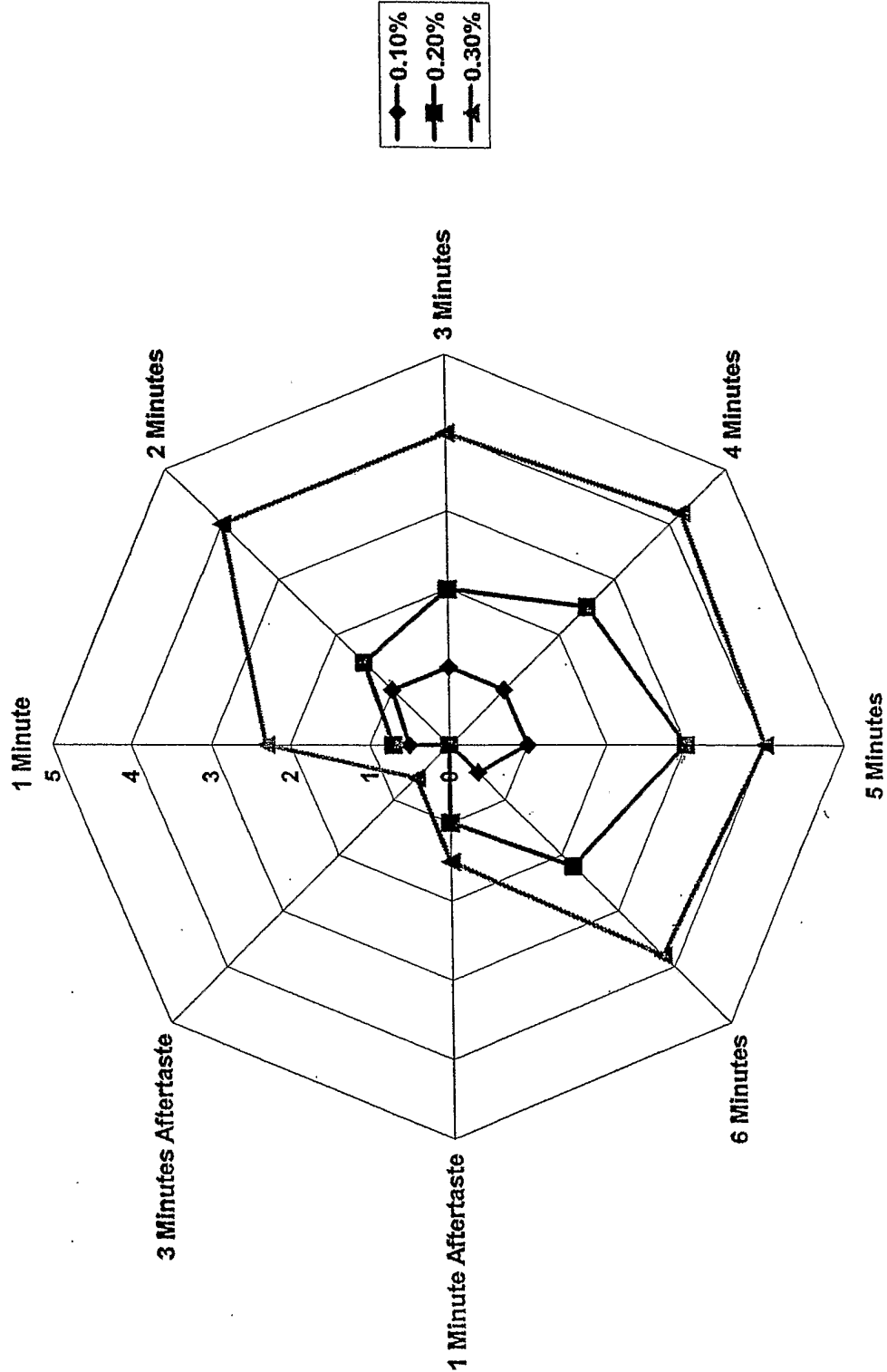


FIG. 4

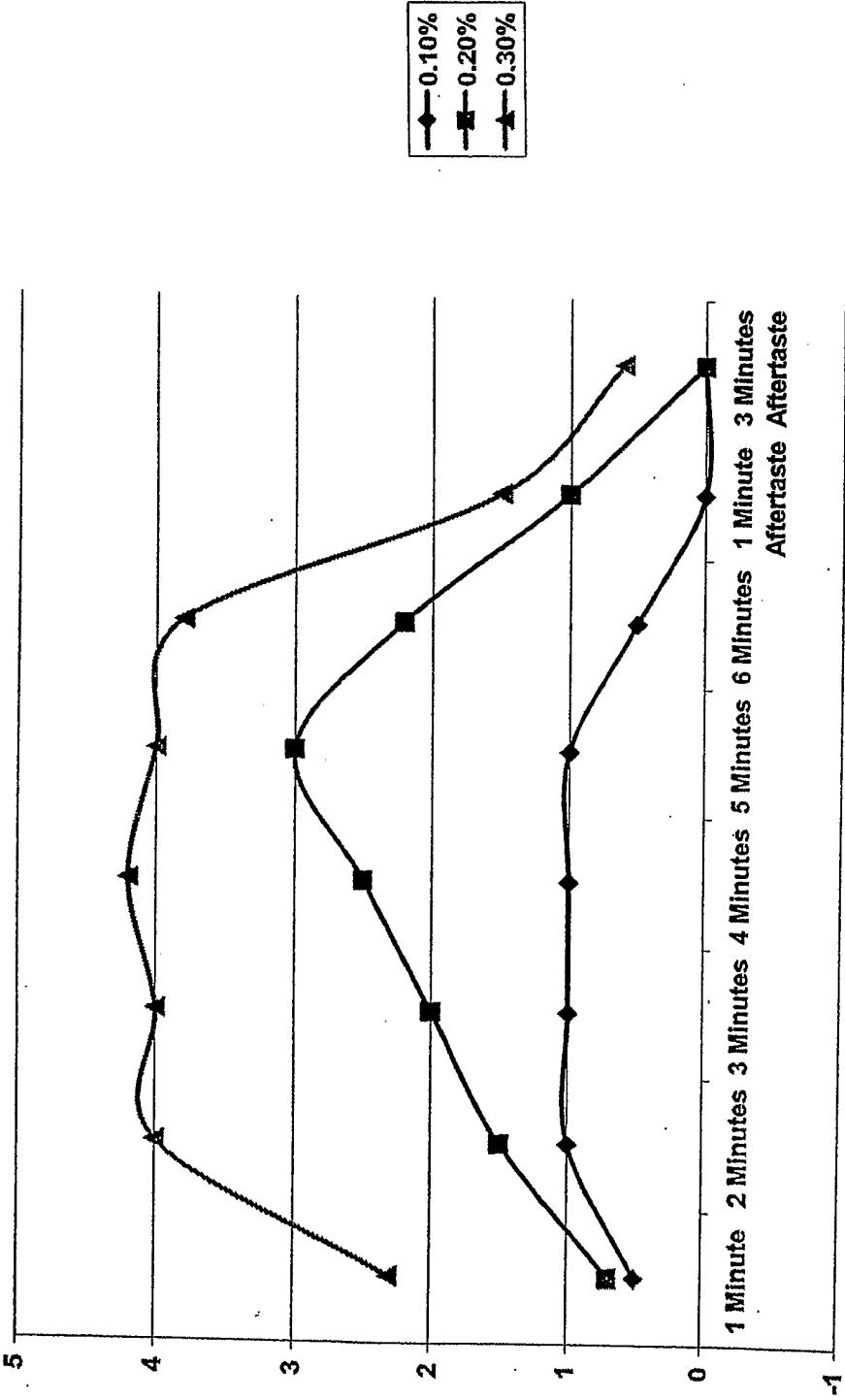


FIG. 5

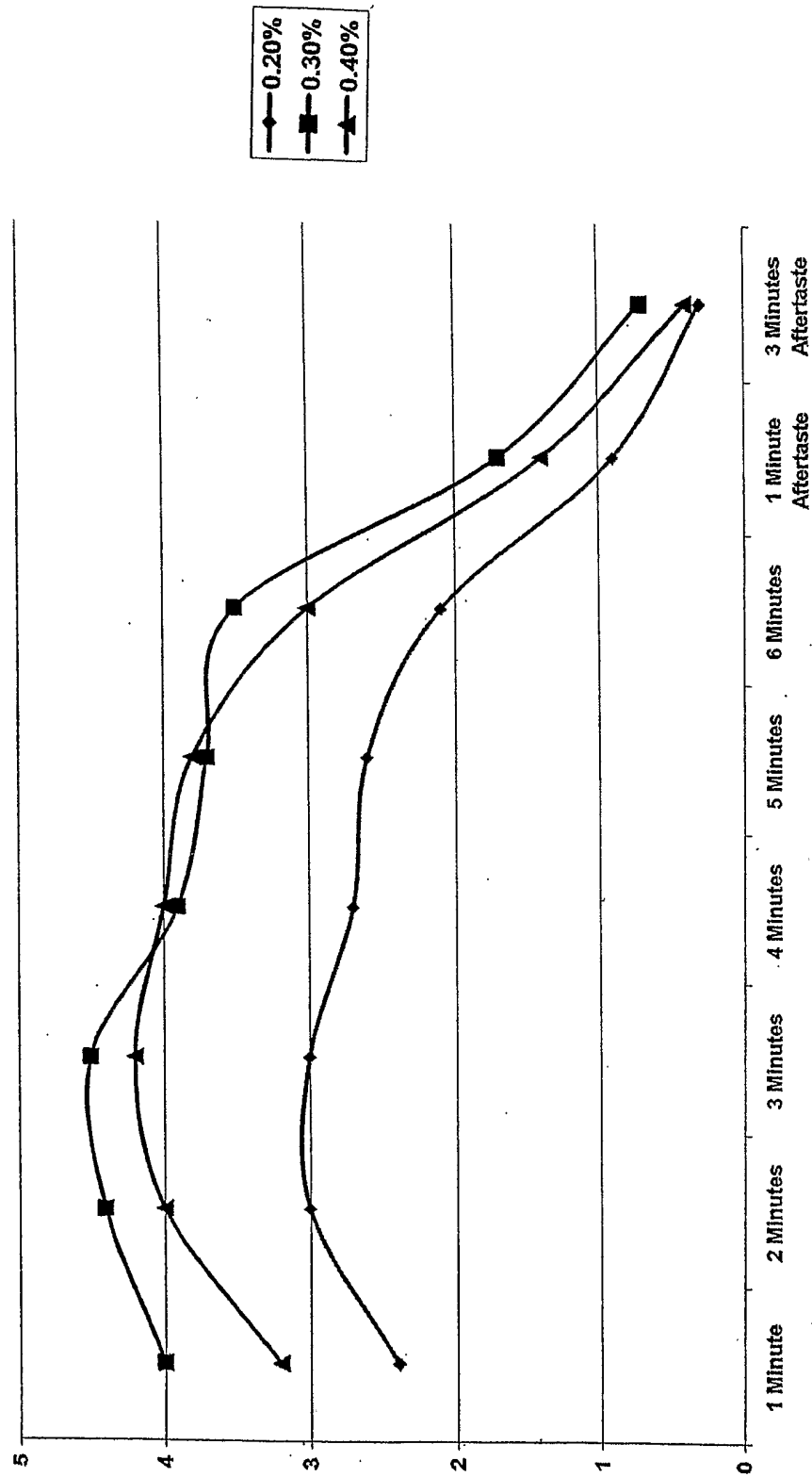


FIG. 6

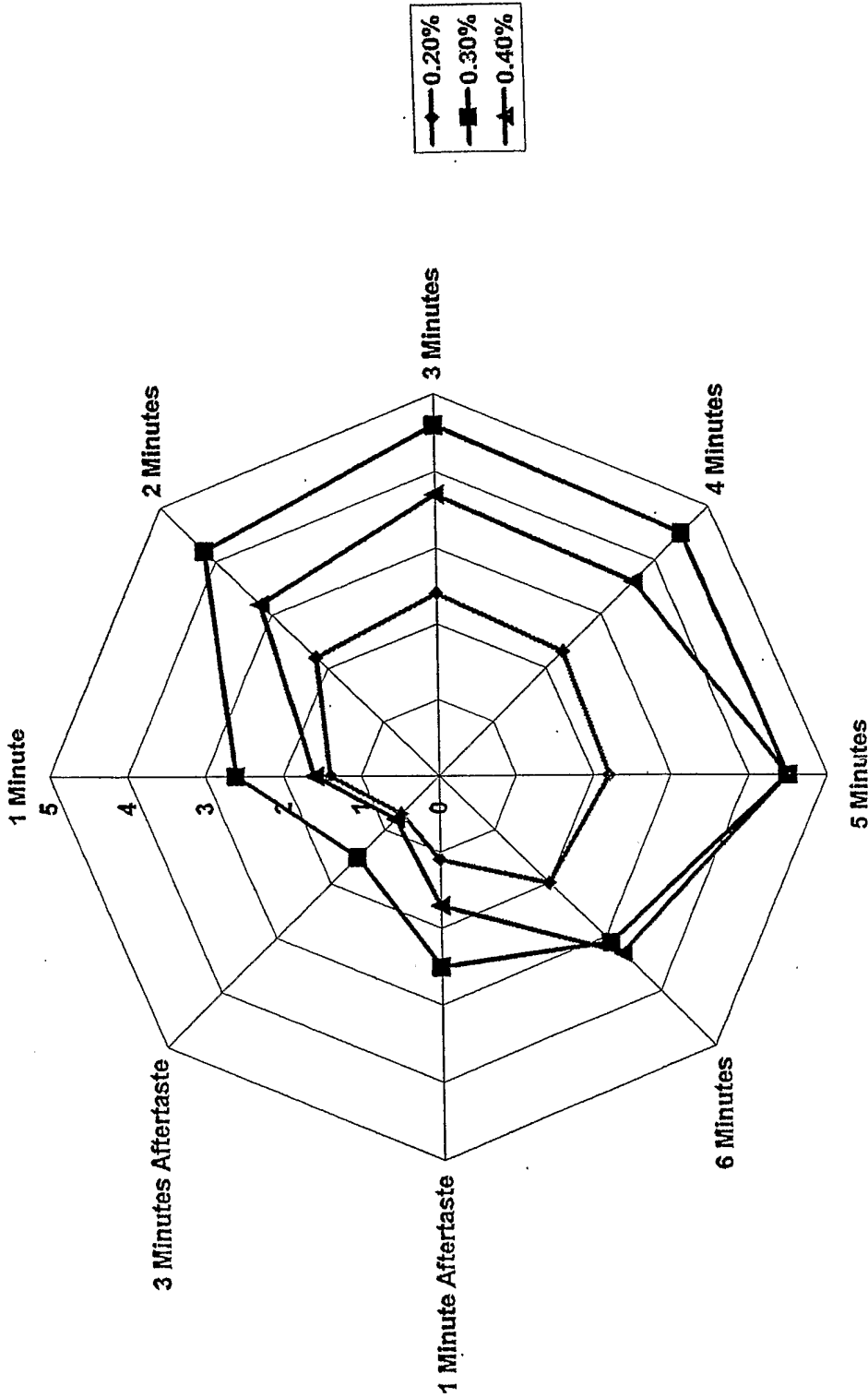
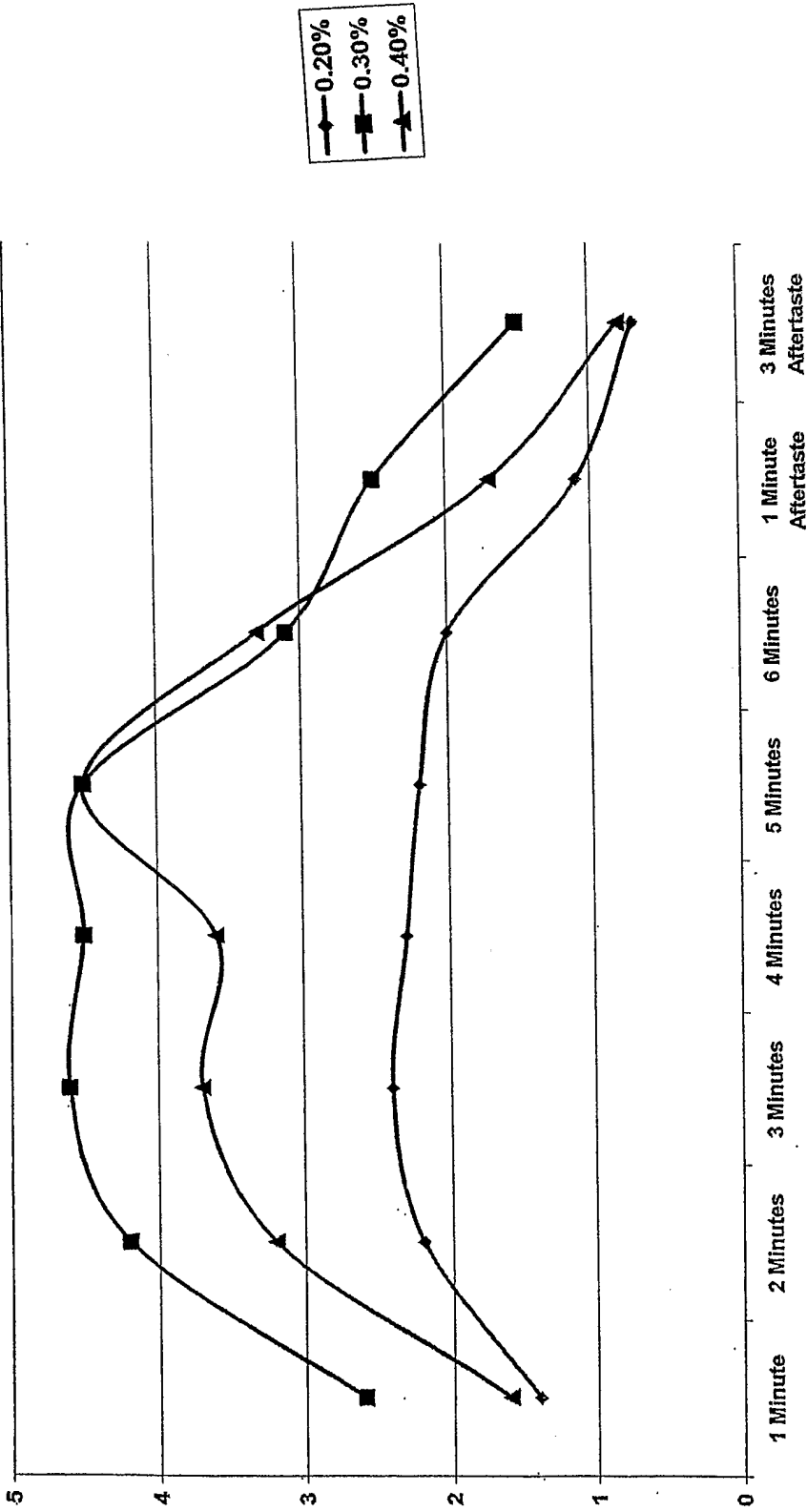


FIG. 7





## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US2005/028371

## A. CLASSIFICATION OF SUBJECT MATTER

A23G3/42 A23G3/44 A23G4/10 A23G4/14

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)

A23G 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

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

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Date of the actual completion of the international search

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## INTERNATIONAL SEARCH REPORT

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X	<p>US 6 159 509 A (JOHNSON ET AL) 12 December 2000 (2000-12-12)</p> <p>claims 1,3 column 2, line 60 ~ column 3, line 1 column 3, lines 34-39 column 4, lines 39-44</p>	1-6, 9-11, 13-20, 22-31, 35-39
X	<p>US 5 633 027 A (CHERUKURI ET AL) 27 May 1997 (1997-05-27)</p> <p>claims 1,6,7,11</p>	1-7, 9-11, 13-20, 22-31, 35-39
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