

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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ALINORM 81/10

CODEX ALIMENTARIUS COMMISSION
Fourteenth Session 1981

REPORT OF THE FOURTEENTH SESSION OF THE
CODEX COMMITTEE ON COCOA PRODUCTS AND CHOCOLATE
Epalinges sur Lausanne, Switzerland. 21-25 April 1980

INTRODUCTION

1. The Codex Committee on Cocoa Products and Chocolate, hosted by the Government of Switzerland, held its 14th Session in Epalinges sur Lausanne from 21-25 April 1980.
2. The session was opened by Professor Dr. E. Matthey, Chairman of the Committee, who welcomed the participants on behalf of Mr. Hürlimann, Conseiller Fédéral.
3. Representatives from 20 countries were present:

Austria	Fed. Rep. of	Spain
Arab Republic of	Germany	Sweden
Egypt	Finland	Switzerland
Brazil	France	United Kingdom
Cameroon	Indonesia	United States of
Canada	Ivory Coast	America
Czechoslovakia	Netherlands	Yugoslavia
Ecuador	Nigeria	
4. Observers from the four following international organizations were also present:
Association of Official Analytical Chemists (AOAC)
Cocoa Producers' Alliance (COPAL)
European Economic Community (EEC)
International Cocoa Trades Federation (ICFT)
5. A list of participants, including officers of the Joint FAO/WHO Food Standards Programme, is given in Appendix I to this Report.

ADOPTION OF AGENDA

6. The Committee adopted the Provisional Agenda without change.

MATTERS ARISING FROM THE REPORT OF THE THIRTEENTH SESSION OF THE
CODEX ALIMENTARIUS COMMISSION

7. The Secretariat informed the Committee of the decisions which had been taken at the Commission as a result of the recommendations made at the last session of this Committee.

AMENDMENTS AT STEP 5 TO THE RECOMMENDED INTERNATIONAL STANDARD FOR CHOCOLATE

8. The Commission had agreed to the recommendation of the Committee which, after consideration and amendment of the above standard at its last session, had agreed to include provisions for Flavoured Chocolate and to request the omission of Steps 6 and 7 of the Procedure. The Commission had therefore adopted the Recommended International Standard for Chocolate, as amended, at Step 8 of the Procedure.

PROPOSED DRAFT STANDARD FOR COMPOSITE AND FILLED CHOCOLATE PROPOSED DRAFT STANDARD FOR/WHITE CHOCOLATE/

9. The Committee noted that both standards had been advanced to Step 6 of the Procedure and were therefore being considered at the present session in the light of Government comments at Step 7.

POSSIBLE NUTRITIONAL ASPECTS OF CODEX STANDARDS

10. The Committee noted that the Commission had discussed whether increased emphasis on nutritional considerations could be given in its work and that of its subsidiary bodies.

11. It was thought that the mandate of the Commission limited to some extent the application of nutritional considerations to standards but recognized that there were cases where such considerations might be appropriate.

12. The Commission concurred with the views of the Executive Committee at its 25th Session and decided to include a review of the nutritional aspects of the Food Standards Programme as a standing item on the agendas of its future sessions.

13. It also decided to request its subsidiary bodies to consider, as the need arose, nutritional aspects in drawing up standards for foods, particularly those having a significant rôle in the diets of developing countries. It was recognized that many products moving in international trade were not of great nutritional significance. However, many were of great economic importance both to developing and developed countries.

14. Delegates at the present session of the Committee were invited to comment on any aspects of the standards under consideration which they thought might have nutritional significance.

BULK LABELLING

15. The Commission noted that at its Thirteenth Session, the Codex Committee on Food Labelling had examined a working paper on guidelines for the labelling of bulk (non-retail) containers and that it had been agreed that some international rules or guidelines for the labelling of such containers were required. It was decided to refer the matter to Codex Commodity Committees to obtain their opinion with regard to bulk (non-retail) labelling provisions in standards for which they were responsible.

16. The Committee noted that, in addition to the provisions contained in the guidelines which were of a voluntary nature, there were also provisions in the General Standard for the Labelling of Prepackaged Foods which would be binding on Governments which accepted the standard. At some future date the guidelines and the standard would require examination to decide how provisions for non-retail containers of various kinds should be apportioned in the two texts.

REVIEW OF ACCEPTANCE OF STANDARDS ELABORATED BY THE COMMITTEE

17. The Committee noted that at its 13th Session the Codex Alimentarius Commission had reviewed the current status of acceptances of Recommended Codex standards and Maximum Limits for Pesticide Residues. It was obvious from the reports made by delegations that the influence of Codex Standards and recommendations was steadily increasing throughout the world and that considerable progress in acceptances had been made since the Commission's 12th Session.

18. The Commission had emphasized the importance of facilitating international trade by permitting entry of products where acceptance could not be given and agreed that there should be a regular item on the agendas of Codex Commodity Committees and, where necessary, General Subject Committees, covering review of acceptances of standards elaborated by each Committee and at the regional level by Codex Coordinating Committees.

19. The Committee noted that there were three kinds of acceptance possible under the Codex rules of procedure:

(i) Full acceptance

Full acceptance when the country concerned would ensure that a product to which the standard applied would be permitted to be distributed freely within its territorial jurisdiction under the name and description laid down in the standard, provided that it complied with all the relevant requirements of the standard.

(ii) Target acceptance

Target acceptance when the country concerned indicated its intention to accept the standard after a stated number of years and would meanwhile not hinder within its territorial jurisdiction the distribution of any sound products conforming with the standard by any legal or administrative provisions relating to the health of the consumer or to other food standard matters except for considerations of human, plant or animal health which were not specifically dealt with in the standard.

(iii) Acceptance with specified deviations

Acceptance with specified deviations when the country concerned gave acceptance, as defined, to the standard with the exception of such deviations as were specified in detail in its declaration of acceptance; it being understood that a product complying with the standard as qualified by these deviations would be permitted to be distributed freely within the territorial jurisdiction of the country concerned. The country concerned would further include in its declaration of acceptance a statement of the reasons for these deviations.

20. The Committee noted that the three standards it had elaborated were now at Step 9. Two - CAC/RS 86-1976, Recommended International Standard for Cocoa Butters, and CAC/RS 87-1976, Recommended International Standard for Chocolate - were issued in 1976. So far the Philippines had given target acceptance to both, saying that full acceptance would be given when National Standards had been elaborated, and, in addition, in the case of Cocoa Butters, stated that products fully conforming to Codex Standards could be freely distributed within its territorial jurisdiction.

21. No acceptances had yet been received for the Recommended International Standard for Cocoa Powders (Cocoa) and Dry Cocoa Sugar Mixtures (CAC/RS 105-1979) which had only recently been issued.

DRAFT STANDARD FOR COMPOSITE AND FILLED CHOCOLATE

22. The Committee examined the above draft standard, as contained in ALINORM 79/10, Appendix III, in the light of comments received from Australia, Austria, the EEC, Japan, Poland and Switzerland.

COMPOSITE CHOCOLATE - DESCRIPTION (SECTION 2.1)

23. The Committee discussed at length Section 2.1 concerning the definition of composite chocolate and especially those parts of the provision which had been placed in square brackets at the 13th Session of this Committee. Several delegations agreed with the written comments submitted by Australia that any reference to national laws should be deleted from an international standard since such a provision could be used as a non-tariff trade barrier.

24. Reference was made to discussions at the Codex Committee on Food Labelling and at the Commission concerning the use of the phrase "in accordance with the law and the custom in the country where the product is sold". The Committee noted that the phrase should be used sparingly in such cases where national food policies were involved. However, in the case of diverging technological requirements in a country or a number of countries (e.g. climatic conditions, etc.), use should be made of the possibility of accepting the standard with specified deviations, thus advising the Codex Alimentarius Commission on the specific requirements in that country.

25. The observer of the EEC, supported by the delegation of Spain, maintained her position, i.e. to retain the reference to national laws. The Committee decided to delete the part of the sentence relating to national laws.

26. The observer of the EEC proposed to include in the Draft standard for Composite and Filled Chocolate the appropriate references to [White Chocolate]. The Committee decided to discuss this question at a future date when a name for the product had been agreed.

27. The Committee further decided to permit the use of flavoured chocolates as the chocolate component in composite chocolates and extended the reference to the chocolate accordingly to include reference to flavoured chocolates as follows:

2.1 "Composite Chocolate is one of the chocolates defined under Sections 2.1.1 to 2.1.10 and the corresponding flavoured chocolates as defined in Section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1)..."

28. The Committee discussed whether it was appropriate to qualify further the term "added edible substances" in Section 2.1. The view was expressed that reference should be made to the prohibition of added flour or starch.

29. With regard to the provision on the use of vegetable fats, it was noted that the cocoa-producing countries could only accept a wording which would prohibit the use of vegetable fats with the exception of those vegetable fats carried over as part of a permitted ingredient, as proposed at the previous session. The text reads as follows:

"Composite Chocolate is one of the chocolates defined under Sections 2.1.1 to 2.1.10 of the Standard for Chocolate (Ref. No. CAC/RS 87-1976) to which have been

added edible substances excluding flour, starch and fats unless contained in a permitted ingredient." (para 14 of ALINORM 79/10).

30. The Committee acknowledged the difficulties arising from the fact that in the present text requirements for added edible substances were split up between Sections 2.1 and 3, and decided therefore to delete all these requirements from Section 2.1 by transferring them to Section 3.1.2.

31. It was agreed that Section 2.1 should read as follows:

"Composite Chocolate is one of the chocolates defined under Sections 2.1.1 to 2.1.10 or the corresponding flavoured chocolates in Section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) to which edible substances have been added in accordance with Sections 3.1.2 and 3.1.3 of this standard."

COMPOSITE CHOCOLATE - ESSENTIAL COMPOSITION (SECTION 3.1)

32. The Committee instructed the Secretariat to amend Section 3.1.1 to take into account its decision to permit the use of flavoured chocolate in producing composite chocolate.

33. Several delegations held the view that there were technological reasons which would necessitate the use of vegetable fats in the production of composite chocolate, e.g. in order to obtain a higher melting point in products destined for consumption in tropical countries. The amount proposed for this purpose was a maximum of 5% m/m of the chocolate component. Other delegations, including those of the producing countries, were opposed to this point of view.

34. Attention was also drawn to difficulties which arose in determining the quantitative composition of mixtures of fat (cocoa butter, milk fat and vegetable oils) contained in the product.

35. Delegations from the cocoa-producing countries present and the observer from COPAL reiterated their opposition to a provision permitting vegetable fat in composite chocolates.

36. In addition to the wording in square brackets in Section 3.1.2 the Committee discussed an alternative proposed wording which expressed more clearly that the added vegetable fat was to be part of the 30% permitted for added edible substances under Section 3.1.3.2 and did not infringe on the amount of cocoa butter stipulated in the chocolate component in accordance with the requirements for cocoa butter in the Standard for Chocolate.

37. The alternative wording contained also a proposal to relate the amount of added fat to the total product and not to the chocolate component (maximum of 3% m/m of the total product). The delegation of the United Kingdom pointed out that this was not practicable since the proposed maximum amount of 3% applied only to products with the minimum chocolate component content (60%) and did not take into account requirements in products with a higher chocolate content. It also drew attention to the footnote in the Chocolate Standard which had been introduced by the Commission while accepting that standard in order not to prejudice decisions on composite chocolate.

38. It was proposed to include into the first sentence of 3.1.2 a provision prohibiting the use of flour, starches and fat as added edible substances. However, the provision on fat was modified by the second sentence of 3.1.2 which specified that composite chocolate might contain under specified conditions a certain amount of fat and/or fat

preparations derived exclusively from milk and/or vegetable fat. Several delegations did not agree with the proposal.

39. Several delegations, not including, among others, those of the cocoa producing countries, proposed the following text:

"3.1.2: Composite chocolate shall contain one or more edible substances excluding flour, starches and fats, except that where there is a technological need, composite chocolate may contain fats and/or fat preparations derived exclusively from milk and/or vegetable fat in amounts not to exceed 5% m/m of the chocolate component; this percentage to be included in the maximum quantities specified under Section 3.1.3."

40. The observer of the EEC was of the opinion that no reference to technological need was required. The delegations of the Ivory Coast, Cameroon and Brazil and the observer from COPAL stated that the cocoa-producing countries reserved their position on this proposal. The Committee therefore felt that no acceptable compromise could be reached at this point and decided to place the above provision in square brackets and request additional comments from governments. Consequentially Section 2.1 was also placed in square brackets and the attention of governments would also be drawn to the alternative wording proposed by the cocoa-producing countries.

41. The Committee agreed with the other provisions of Section 3.1. It concurred with the view expressed by several delegations that any remaining problems could be resolved in connection with labelling.

FILLED CHOCOLATE - DESCRIPTION (SECTION 2.2)

42. The Committee discussed the definition for filled chocolate and agreed to correct a typing error which had resulted in a misinterpretation of flour confectionery.

43. The observer of the EEC was of the opinion that the definition for filled chocolate should be more specific with regard to the chocolate component and the composition of filled chocolates. Furthermore it was proposed that composite chocolate should be permitted as the outer covering material for filled chocolate.

44. The Committee agreed to the following wording of Section 2.2 as proposed by the observer of the EEC.

"Filled Chocolate

Filled Chocolate is a product covered with one or more of the chocolates as defined in Sections 2.1.1 to 2.1.10 or the corresponding flavoured chocolates as defined in Section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) and composite chocolate as defined in Section 2.1 above, the centre of which is clearly distinguished through its composition from the external coating. Filled chocolate does not include flour confectionery, pastry and biscuits".

45. The Committee discussed at great length the proposal made by several delegations and the observer of the EEC, and supported by the delegation of Spain, to lower the minimum requirements of 40% of the coating to 25% since there was already a considerable production of filled chocolates with a coating of 25%. These products would be excluded from the standard in case the 40% minimum was retained. In this connection it was pointed out that in certain countries the term "filled chocolate" covered moulded shell products (40% cover) and equally coated products (25% cover). Several delegations agreed with the view of the delegation of Austria that the latter products would not fall in the category of filled chocolates.

46. The delegation of the Ivory Coast drew attention to a discussion on the same matter by the 13th Session of this Committee (see paras 20-22 of ALINORM 79/10) where the Committee had already agreed on a minimum of 40% for the chocolate cover. The Chairman reminded the Committee that, in the course of the reorientation of its work, the Commission had decided that increasing emphasis should be given to the needs of developing countries. He was of the opinion that a lowering of the minimum content of the covering or coating to 25% would not be in the interest of cocoa-producing countries. The Committee decided to retain a minimum of 40%. The delegation of Spain reserved its position.

47. The delegation of Switzerland pointed out that in the case of composite chocolate covering, the 40% figure should apply to the chocolate component. Section 3.2.1, as amended, reads as follows:

"3.2.1 Cover

3.2.1.1 Shall be made of chocolate that meets the requirements of one of the chocolate types listed in the Recommended International Standard for Chocolate under Sections 3.1.1 to 3.1.10.

3.2.1.2 It may contain the ingredients stated under Section 3.2 of the Recommended International Standard for Chocolate or under Section 3.1.2 of this standard.

3.2.1.3 The amount of the chocolate component of the cover shall not be less than 40 per cent of the total weight of the finished product."

48. The observer of the EEC reserved her position on these provisions.

49. The Committee agreed with a request by the delegation of Spain to substitute "relleno" for "centro" wherever it appeared in the Spanish text of the standard.

FOOD ADDITIVES

50. The Committee noted the written comments submitted by Poland indicating the Polish requirements with regard to food additives.

51. The delegation of Spain reserved its position since it had not had the opportunity to consult expert opinion on contaminant levels.

LABELLING - COMPOSITE CHOCOLATE (SECTION 7.1.1)

52. The Committee noted the opinion expressed by the United States that, since Section 7.1.1.1 as drafted at present did not require added edible substances to be part of the name of the product if added in amounts smaller than 5%, this was deceiving the consumer with regard to the true composition of the product. It was not sufficient to list the ingredients in the list of ingredients. It proposed therefore to amend Section 7.1.1.1 to require the products covered by that provision to be labelled "Composite x Chocolate" where x was the type of chocolate used in the product, without using the name of the added substance when the amount was less than 5%. Thus the product would be clearly distinguished from the corresponding product without any added edible substances under the Composite Chocolate standard. The delegation of Canada supported the above view.

53. The Chairman recalled that the Committee had discussed this matter at its last session (see paras 24-25 of ALINORM 79/10) and explained that edible substances such as nuts or almonds at such low level could not impart a characterising flavour on the product. Therefore it would be sufficient to mention them in the list of ingredients.

54. The delegation of Egypt expressed the view that, whereas in many cases the taste of products was not significantly altered by addition of amounts under 5%, in some cases even small amounts of an added substance could impart a powerful flavour. Therefore another solution would have to be found for this problem.

55. The delegation of the United Kingdom considered the proposal by the delegation of the United States impracticable for technological reasons (i.e. different lots and products which have to be reprocessed). The delegation of Switzerland felt that mention of the small amount of added edible substance would be equally misleading.

56. Several delegations expressed the view that foreign fats would have to be declared in close proximity to the name of the food.

57. The Committee decided not to accept the proposal made by the delegation of the United States (see para 52) and agreed in principle that foreign fats should be declared if their use were to be accepted by the Committee in the future and instructed the Secretariat to formulate alternatives for the text of 7.1.1.1. The text as amended is included in Appendix III. The delegation of the United States reserved its position on the above text.

58. The Committee noted the written proposal of Japan requesting provisions for chocolates containing 5-14% of milk solids to be incorporated into the Chocolate Standard at Step 9 under a new Section 2.1.15. The Committee decided not to pursue the proposal since Section 7.1.1.5 of the Draft Standard for Composite and Filled Chocolate covered these products.

59. The Committee amended section 7.1.1.3 on addition of coffee to apply to 1% m/m solids from coffee beans or its equivalent and to delete the square brackets.

60. The committee reconsidered a similar provision to that section 7.1.1.3 for addition of spirits for declaration purposes. It was agreed to include a new provision requiring a minimum level of 1% of spirits; however, no maximum was established since the addition of spirits to composite chocolate was always self-limiting.

61. The Committee decided not to change the wording of provision 7.1.1.5 dealing with a mixture of chocolate and milk chocolate (new Section 7.1.1.6).

62. There was some further discussion on the text of 3.1.2 and the consequential changes which should be made to the labelling section under 7.1.1.

63. The Committee noted that there was no clear consensus for either the text proposed by the observer of COPAL, that is, "Composite Chocolate is one of the chocolates defined under Sections 2.1.1 to 2.1.10 and the corresponding flavoured chocolates as defined in sub-section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. I) to which have been added edible substances excluding flour, starch and fats unless contained in a permitted ingredient", or the text previously described (see para 52 and Appendix II).

64. It was decided that the alternative texts for sub-sections 3.1.2 and 7.1.1 should be included in the draft standard in square brackets.

7.1.2 Filled Chocolate

65. As a consequence of the changes made in 3.2.1 to allow for the use of Composite Chocolate the Committee agreed to the following text to be added to 7.1.2.2: "If the coating is made from Composite Chocolate the type or types of chocolate used shall be declared and the name of the product shall comply with 7.1.1 of the standard."

7.5 Country of Origin

66. The observer of the EEC expressed the opinion that the present text under 7.5.1 requiring obligatory declaration of the country of origin was too rigid and expressed preference for the wording used in sub-section 3.5(a) of the Recommended International General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969).

67. The Committee noted that the above General Standard was under revision and that the provisions of 3.5(a) would come under review: it was decided not to change the text of 7.5 at present.

7.6 Date Marking

68. The Committee was informed that the current Guidelines to Commodity Committees on the use of date-marking had been examined by the Codex Committee on Food Labelling and it had been considered that they did not give sufficient instructions to Commodity Committees on, for example, storage instructions and shelf-life requirements. In addition widely divergent wording was used by different Commodity Committees. It had therefore been decided to examine the relevant texts in all Codex Standards, to seek Government comments on the Guidelines and to revise them on the basis of the information received.

69. The Committee noted that with the exception of amendments to Step 9 standards Commodity Committees could continue work on date-marking. After a brief discussion on whether a more definitive text might be required which would include day, month and year and storage instructions, it was decided to maintain the present text until the amended guidelines were available.

8. Methods of Analysis and Sampling

70. The delegation of Nigeria pointed out that this section did not contain methods of analysis which would permit the identification of foreign fats in the products.

71. The Committee agreed to request the Codex Committee on Methods of Analysis and Sampling to consider this question at its next session.

Status of the Standard

72. The Committee agreed to return the Draft Standard for Composite and Filled Chocolate to Step 6 of the Codex Procedure to allow Governments to comment on the proposed alternative texts which had been included in the text (see Appendix II to this Report).

73. The delegation of the United States of America suggested that its proposal for sub-section 7.1.1.1 (see para 52) be included in the draft standard in square brackets to provide all three proposals for Government comments.

DRAFT STANDARD FOR /WHITE CHOCOLATE/

74. The Committee examined the above standard in the light of comments received from Australia, Austria, EEC, Japan, Poland and Switzerland.

75. The Committee noted that at its previous session there had been considerable discussion on the name of this product and that the question had also been further examined in detail at the recent session of the Commission, as a result of which a circular letter (CL 1980/12) setting out the problem, had been issued.

76. The points which arose from previous discussions were briefly:
- (1) That the present provisions of the Chocolate Standard did not cover a product with the composition of ["White Chocolate"].
 - (2) The product was nevertheless a cocoa product and could therefore be considered under the terms of reference of the Committee.
 - (3) The name was a popular one and through common usage had been accepted in many countries where the original legislation did not allow for such a designation. In other countries the legislation defined and provided for the product.
 - (4) Work on the standard should continue since the product was of economic significance because of the high percentage of cocoa butter used and because products of the composition required by the draft standard should be protected against substitute products.
 - (5) Since in terms of the Chocolate Standard the name "White Chocolate" could not be agreed by the Committee, an alternative name should be found for the draft standard.

77. After considerable discussion on these points the Committee agreed to a proposal put forward by the delegation of the United States based on a precedent arising from discussions at the Milk Committee (Joint FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products) which, when agreement could not be found on the name "Parmesan", had agreed to refer in the title of the standard to "Hard grated cheese" and subsequently to cover Parmesan by suitable provisions in the labelling section of the standard. The delegation of the United States proposed to delete the name "White Chocolate" and to replace it by "Composite Cocoa Butter" with appropriate label declaration. The delegation of Canada supported this proposal and further suggested the term "Cocoa Butter Confectionery" as another possible alternative name to which governments could give consideration. In the case of the present standard, it was proposed to delete the name "White Chocolate" and to replace it by the terms "Composite Cocoa Butter" or "Cocoa Butter Confectionery".

78. The consequential amendment to the labelling section would read as follows:

"7.1 Designation of the Product

Products described under Section 2.1 and complying with Section 3.1 of the standard shall be designated "Composite Cocoa Butter" or "Cocoa Butter Confectionery". In addition other designations (e.g. "White Chocolate") may be used if they will not mislead or deceive the consumer in the country where the product is sold."

79. After some discussion the Committee agreed that such important changes would require examination not only by participants at its present session but by member governments of the Commission. It was decided to place the proposed amendments in square brackets and to issue a circular letter asking governments whether they had any other suggestions for the title of the standards, at the same time reminding them that any name proposed must bear some relation to the compositional requirements of the standard and not be a "nom de fantaisie".

80. The observer of the EEC pointed out that there was a precedent for the use of the word "chocolate" in "drinking chocolate", a nomenclature which had also been retained because of popular acceptance. The Committee noted however that this

product met one of the principal objections to the use of the term "White Chocolate" in that it contained cocoa solids.

4. FOOD ADDITIVES

4.1 Emulsifiers

81. The Committee noted a statement by the observer of the EEC, supported by the delegation of Austria, that certain emulsifiers were not used in the member-states of the Community.

4.2 Flavouring Agents

82. The Committee agreed that the wording used in sub-section 4.3(b) of the Chocolate Standard should be included in this section.

83. The delegation of Spain repeated its statement concerning contaminants (see para 51).

7.3 Country of Origin

84. The observer of the EEC repeated the statement already made with regard to these provisions in the Draft Standard for Composite and Filled Chocolate (see para 66).

8. METHODS OF ANALYSIS

8.3 Determination of milk fat

85. The Committee noted that the OICC study on this determination had now been completed and the following methods were recommended provisionally:

OICC 8i/1960 Determination of semi-micro indices AOAC (1975) XII
13.050(28.037-13.041 & 13.042) calculated from the Reichert Meissl values

and might at some future date be replaced by a gas chromatographic method.

Status of the Standard

86. In line with the decision taken during discussions the Committee decided to return the Draft standard for [Composite Cocoa Butter]/[Cocoa Butter Confectionery] to Step 6, (see Appendix III).

OTHER BUSINESS

INTERNATIONAL COCOA STANDARDS AND MODEL ORDINANCE AND CODE OF PRACTICE

87. The Committee noted that at its previous session further work on the Draft Standard for Cocoa Beans, Cocoa Nibs, Cocoa Mass, Cocoa Press Cake and Cocoa Dust for use in the manufacture of Chocolate Products could not be undertaken because the Model Ordinance, on which certain provisions of the standard depended, needed revision and updating.

88. The Working Party on Grading of the Study Group on Cocoa, which prepared the original Model Ordinance, had not met since its Third Session in 1969 and had no plans for a future meeting. For this reason the Committee had considered whether it might not take up itself the review of the Model Ordinance by inviting specialists from the Commodities Division of FAO, other United Nations organizations, and Governments to participate in a re-examination of the Model Ordinance and Code of Practice.

89. At that time the observer of COPAL informed the Committee that he would consult with member governments of his organization before taking a decision on their behalf.

90. During its 13th session the Commission was informed in writing that COPAL had not approved the proposal that the Model Ordinance and Code of Practice should be revised by the Committee and that "as a result COPAL requests as a matter of urgency that FAO continues this work and that it organises as soon as possible another session of the Working Party on Grading so that it can undertake the re-examination and revision of this Model Ordinance and Code of Practice, as agreed at the meeting which the Working Party held in Paris in May 1969."

91. The Committee noted that the Codex Alimentarius included standards for all the principal foods, whether processed, semi-processed or raw for distribution to the consumer and that materials for further processing into foods should be included to the extent necessary to achieve the purposes of the Codex Alimentarius.

92. It expressed grave concern that the Model Ordinance had not been reviewed for more than 10 years and that as a result work on a standard necessary to the completion of the Committee's work, which was already at Step 7, could not be completed.

93. It urged FAO to organize a meeting of the Working Party on Grading of the Study Group at the earliest possible opportunity so that the Committee could continue with the examination of the Draft Standard for Cocoa Beans, Cocoa Nibs, Cocoa Mass, Cocoa Press Cake and Cocoa Dust for use in the manufacture of Chocolate Products at its next session in the light of a revised Model Ordinance.

Date and Place of the Next Session

94. The Chairman informed the Committee of the offer of the Swiss authorities to continue hosting and chairing this Committee. The date and place of the next session would be decided after consultation between the Swiss Government and the Codex Secretariat and the decision would be communicated to governments in due course.

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APPENDIX I

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LISTE DES PARTICIPANTS
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APPENDIX II

DRAFT STANDARD FOR COMPOSITE AND FILLED CHOCOLATE

(At Step 6 of the Procedure for the elaboration of World-wide Standards)

1. SCOPE

The standard applies to products described in the Standard for Chocolate to which ingredients have been added in order to modify in a characteristic manner the organoleptic properties of the final product, and to various chocolate covered products which are formed by the inclusion of a clearly distinct centre into a chocolate shell.

2. DESCRIPTION

2.1 Composite chocolate

* composite Chocolate is one of the chocolates defined under Sections 2.1.1 to 2.1.10 and the corresponding flavoured chocolates as defined in Section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) to which have been added edible substances excluding flour, starch and fats unless contained in a permitted ingredient.

Composite Chocolate is one of the chocolates defined under Sections 2.1.1 to 2.1.10 and the corresponding flavoured chocolates as defined in Section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) to which edible substances have been added in accordance with Sections 3.1.2 and 3.1.3 of this standard.

2.2 Filled Chocolate

Filled Chocolate is a product covered with one or more of the chocolates defined under Sections 2.1.1 to 2.1.10 and the corresponding flavoured chocolates as defined in Section 2.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) and composite chocolates as defined in Section 2.1 above, the centre of which is clearly distinct through its composition from the external coating. Filled chocolate does not include flour confectionery, pastry and biscuit products.

3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

3.1 Composite Chocolate

3.1.1 Composite chocolate shall contain not less than 60% m/m of chocolate as defined under 2.1.1 to 2.1.10 and 2.2 of the Recommended International Standard for Chocolate.

* 3.1.2 Composite Chocolate shall contain one or more edible substances excluding those" which are prohibited under Section 2.1.

3.1.2 Composite Chocolate shall contain one or more edible substances excluding flour, starch and fats, except that, where there is a technological need, composite chocolate may contain fats, and/or fat preparations derived exclusively from milk and/or vegetable fat in amounts not to exceed 5% m/m of the chocolate component, this percentage to be included in the maximum quantities specified under Section 3.1.3.

* Alternative proposals subject to government comments.

- 3.1.3 Added substances are subject to the following maximum limits:
- | | |
|---|---------|
| 3.1.3.1 Added in the form of visible and separate pieces | 40% m/m |
| 3.1.3.2 Added in a form so as to be in practice indiscernible | 30% m/m |
| 3.1.3.3 Added both in the form of visible and separate pieces and in a form so as to be in practice indiscernible | 40% m/m |

the balance of the product in each case being chocolate.

3.2 Filled Chocolate

3.2.1 Coating

3.2.1.1 The coating shall be made of chocolate that meets the requirements of one or more of the chocolate types listed in the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) under Sections 3.1.1 to 3.1.10.

3.2.1.2 It may contain the ingredients stated under Section 3.2 of the Recommended International Standard for Chocolate (Ref. No. CAC/RS 87-1976, Rev. 1) and/or under Section 3.1.2 of this standard.

3.2.1.3 The amount of the chocolate component of the coating shall not be less than 40% of the total weight of the finished product.

3.2.2 Centre: The products and/or ingredients used to make up the centre shall comply with the requirements of the Codex Standards concerning them as far as such standards exist.

4. FOOD ADDITIVES

4.1 Composite Chocolate. Food additives carried over in proportion to the maximum quantities as provided for in the Recommended International Standard for Chocolate.

4.2 Filled Chocolate

4.2.1 Coating: as permitted under Section 4 of the Recommended International Standard for Chocolate.

4.2.2 Centre: as permitted in the standards concerning the products and/or the ingredients which constitute the centre.

5. CONTAMINANTS

	<u>Maximum Level</u>
5.1 Arsenic (As)	1 mg/kg
5.2 Copper (Cu)	20 mg/kg
5.3 Lead (Pb)	1 mg/kg

6. HYGIENE

6.1 It is recommended that the products covered by the provisions of this standard be prepared in accordance with the appropriate sections of the Recommended International Code of Practice - General Principles of Food Hygiene (Ref. No. CAC/RCP 1-1969).

6.2 To the extent possible in good manufacturing practice, the products shall be free from objectionable matter.

6.3 When tested by appropriate methods of sampling and examination, the products:

- (a) shall be free from micro-organisms capable of development under normal conditions of storage; and
- (b) shall not contain any substances originating from micro-organisms in amounts which may represent a hazard to health.

7. LABELLING [subject to endorsement by the Codex Committee on Food Labelling]

In addition to Sections 1, 2, 4 and 6 of the General Standard for the Labelling of Prepackaged Foods (Ref. No. CAC/RS 1-1969) the following provisions apply:

7.1 The Name of the Food

7.1.1 Composite Chocolate

7.1.1.1 If the amount of each of the edible substances added in accordance with 3.1.2 is lower than 5% of the final product, the name of the product shall be that of the chocolate component without reference to the added substances. However, the total amount of substance not mentioned in the name of the product shall not exceed 5% m/m of the total product.

7.1.1.1 If the amount of each of the edible substances added in accordance with 3.1.2 is lower than 5% of the final product, the name of the product shall be that of the chocolate component without reference to the added substances, except that, where vegetable fat is added in any amount, it shall be declared in close proximity to the name of the product. However, the total amount of substance not mentioned in the name of the product shall not exceed 5% m/m of the total product.

7.1.1.1 If the amount of each of the edible substances added in accordance with 3.1.2 is lower than 5% of the final product, the name of the product shall be "Composite chocolate" where x is the type of chocolate used in the product without reference to the added substances, except that where vegetable fat is added in any amount it shall be declared in close proximity to the name of the product. However, the total amount of substance not mentioned in the name of the product shall not exceed 5% m/m of the [total product.

* Alternative proposals subject to government comments.

7.1.1.2 If the amount of any of the edible substances added in accordance with 3.1.2 is equal to or higher than 5% m/m of the final product a reference to the substance or substances shall be included in the designation of the chocolate.

7.1.1.3 Additions of coffee shall be subject to a minimum of 1% m/m ground coffee or its equivalent for declaration purposes.

7.1.1.4 Addition of spirits and liquors shall be subject to a minimum of 1% for declaration purposes.

7.1.1.5 Products containing more than 14% total milk solids in their natural proportions will not be considered to be composite chocolate but will be labelled in accordance with the provisions of the labelling section of the Recommended International Standard for Chocolate and in accordance with 7.1.1.2.

7.1.1.6 Products containing between 5-14% total milk-derived solids in their natural proportions shall be labelled "a blend of chocolate and milk chocolate or other combinations of types of chocolate covered by the Standard for Chocolate", qualified as necessary to indicate the presence of the added characterizing ingredients.

7.1.2 Filled Chocolate

7.1.2.1 Products described under Section 2.2 and complying with the appropriate requirements of Section 3.2 of the standard shall be designated "filled chocolate".

7.1.2.2 The type of chocolate of which the external coating is made up may be specified, whereby the designations used shall be the same as stated under 7.1 of the Recommended International Standard for Chocolate, except where the external coating consists of composite chocolate the type of chocolate shall be declared, whereby the designation used shall be as stated under Section 7.1.1 of this standard.

7.1.2.3 An appropriate statement shall inform the consumer about the nature of the centre.

7.2 List of Ingredients

A complete list of ingredients shall be declared in descending order of proportion in accordance with Section 3.2(c) of the Recommended General standard for the Labelling of Prepackaged Foods (Ref. No. CAC/RS 1-1969).

7.3 Net Contents

7.3.1 The net contents shall be declared by weight in either the metric system ("Système International" units) or avoirdupois or both systems of measurement as required by the country in which the food is sold.

7.3.2 Small units of up to 25 g may be excluded from a declaration of net weight on the label.

7.4 Name and Address

The name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food shall be declared.

7.5 Country of Origin

7.5.1 The country of origin of the products covered by the standard shall be declared unless they are sold within the country of origin, in which case the country of origin need not be declared.

7.5.2 When a food undergoes processing in a second country, which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.

7.6 Date Marking

The date of minimum durability shall be declared by month and year.

7.7 Lot Identification

Each container shall be embossed or otherwise permanently marked, in code or in clear, to identify the producing factory and the lot.

8. METHODS OF ANALYSIS AND SAMPLING

The methods of analysis and sampling described hereunder are international reference methods which are to be endorsed by the Codex Committee on Methods of Analysis and Sampling.

8.1 Composite Chocolate

8.1.1 Percentage of Chocolate: Methods to be developed case by case depending on the types and the physical state of the optional components (to be completed later).

8.2 Filled Chocolate

8.2.1 Coating: all the methods approved for the chocolate type used for the coating.

8.2.2 Centre: the methods of analysis approved for the type of centre concerned.

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APPENDIX III

DRAFT STANDARD FOR [COMPOSITE COCOA BUTTER *]/[COCOA BUTTER
CONFECTIONERY *]

(At Step 6 of the Procedure for the elaboration of World-wide Standards)

* Alternative proposals subject to government comments.

1. SCOPE

The standard applies to the homogeneous product prepared from cocoa butter, milk products and sugars, and additions provided for in the standard.

2. DESCRIPTION

2.1 [Composite Cocoa Butter] [Cocoa Butter Confectionery] is the homogeneous product obtained by an adequate process of manufacture from the following substances in different proportions: cocoa butter, milk solids and sugars.

2.2 Sugars, for the purpose of this standard, include those sugars for which standards have been elaborated by the Codex Alimentarius Commission.

3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

4.1 Composition

Cocoa butter:	not less than 20%, calculated on the basis of dry matter
Milk fat:	not less than 3.5%, calculated on the basis of dry matter
Fat-free milk solids:	not less than 10.5% in their natural proportion, calculated on the basis of dry matter
Sugars:	not more than 55%.

3.2 Optional Ingredients

	<u>Maximum Level</u>
3.2.1 Spices	in small quantities to balance flavour
3.2.2 Salt (sodium chloride)	
3.2.3 Milk-derived solids (one or more of the components to be found in dry whole milk)	not more than 5% m/m calculated on the dry matter

4. FOOD ADDITIVES

The following provisions in respect of food additives are subject to endorsement by the Codex Committee on Food Additives:

4.1 Emulsifiers

	<u>Maximum Level</u>
Mono- and di-glycerides of edible fatty acids	15 g/kg
Lecithin	10 g/kg of the acetone insoluble component of lecithin
Ammonium salts of phosphatidic acids	7 g/kg
Polyglycerol polyricinoleate	5 g/kg
Sorbitan mono-stearate	10 g/kg
Sorbitan tri-stearate	10 g/kg

Polyoxyethylene (20) sorbitan mono-stearate	10 g/kg
Total emulsifiers	15 g/kg singly or in combination

4.2 Flavouring agents

	<u>Maximum Level</u>
Natural flavours as defined in the Codex Alimentarius, and their synthetic equivalents, except those which would inutiate natural chocolate or milk flavours ¹	(a) in small quantities to balance flavour
Vanillin	(b) in sufficient quantities as to impart to the product the organoleptic characteristics [claimed in the name of the food]
Ethyl vanillin	²

¹ Temporarily endorsed.

² Requires inclusion of an appropriate provision in Section 7.1

5. CONTAMINANTS

The following provisions in respect of contaminants are subject to endorsement by the Codex Committee on Food Additives:

	<u>Maximum Level</u>
Arsenic	0.5 mg/kg
Copper	15 mg/kg
Lead	1 mg/kg

6. HYGIENE

The following provisions in respect of food hygiene are subject to endorsement by the Codex Committee on Food Hygiene:

6.1 It is recommended that the products covered by the provisions of this standard be prepared in accordance with the appropriate sections of the Recommended International Code of Hygienic Practice - General Principles of Food Hygiene (Ref. CAC/RCP 1-1969).

6.2 To the extent possible in good manufacturing practice, the products shall be free from objectionable matter.

6.3 When tested by appropriate methods of sampling and examination, the products:

- (a) shall be free from micro-organisms capable of development under normal conditions of storage; and
- (b) shall not contain any substances originating from micro-organisms in amounts which may represent a hazard to health.

7. LABELLING

The labelling provisions described hereunder are subject to endorsement by the Codex Committee on Food Labelling.

In addition to Sections 1, 2, 4 and 6 of the General Standard for the Labelling of Prepackaged Foods (Ref. No. CAC/RS 1-1969) the following provisions apply:

7.1 Designation of the Product

* |Products described under Section 2.1 and complying with section 3.1 of the standard |

shall be designated [Composite Cocoa Butter][Cocoa Butter Confectionery]. In addition other alternative designations (e.g. "white chocolate") may be used if they will not mislead or deceive the consumer in the country where the product is sold.

* Proposed text for government comments.

7.2 List of Ingredients

7.2.1 A complete list of ingredients shall be declared in descending order of proportion, it being provided that any of the Cocoa Butters listed in the Standard for Cocoa Butters under sub-sections 2.2.1 to 2.2.4 may be declared in the list of ingredients as "Cocoa Butter".

7.2.2 Emulsifiers and flavouring agents shall be declared under generic or specific names.

7.3 Net Contents

7.3.1 The net contents shall be declared by weight in either the metric system ("Système International" units) or avoirdupois or both systems of measurement as required by the country in which the food is sold.

7.3.2 Snail units of up to 25 g may be excluded from a declaration of net weight on the label.

7.4 Name and Address

The name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food shall be declared.

7.5 Country of Origin

7.5.1 The country of origin of the products covered by the standard shall be declared, unless they are sold within the country of origin, in which case the country of origin need not be declared.

7.5.2 When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.

7.6 Date Marking

The date of minimum durability shall be declared by month and year.

7.7 Lot Identification

Each container shall be embossed or otherwise permanently marked, in code or in clear, to identify the producing factory and the lot.

8. METHODS OF ANALYSIS AND SAMPLING

The methods of analysis and sampling described hereunder are international reference methods [which are to be endorsed by the Codex Committee on Methods of Analysis and Sampling]:

8.1 Determination of Total Ash

According to AOAC - Office International du Cacao et du Chocolat method, AOAC (1975), XII, 13.003.

Results are expressed as g total ash per 100 g.

8.2 Determination of Percentage of Cocoa Butter

Through

- (a) Total fat. OICC - AOAC method AOAC (1975) XII, 13.035-13.036
- OICC 8a/1972 (common text)

AND

- (b) Total sterols OICC 14/1970, and
(c) GLC analysis of sterols OICC 15/1973.

Methods (b) and (c) will be submitted to endorsement when values of collaborative testing are available.

8.3 Determination of Milk Fat

Determination of semi-micro indices OICC 8i/1960 AOAC (1975) XII 13.050(28.037-13.041 and 13.042); calculated from the Reichert Meissel values.

(These are provisional methods which might be replaced by a gas chromatographic method)

8.4 Determination of Fat-free Milk Solids

Joint OICC/AOAC method OICC 6b/1963 - 1973
AOAC (1975) XII 13.051

Extraction of milk proteins with sodium oxalate and Kjeldhal nitrogen determination.

8.5 Determination of Moisture Content

Joint OICC/AOAC method: OICC 105/B-1978
AOAC, J. AOAC 60, No. 3 654-657 (1977).

8.6 Determination of Sugars

OICC 7a/ to 7e/1960 provisionally recommended. A collaborative test is envisaged (AOAC/OICC/AIFC) based on GLC/TMS and/or enzymatic methods.

Methods not yet proposed

8.7 Determination of Arsenic

According to the colorimetric (silver diethyldithiocarbamate) method of the Association of Official Analytical Chemists, AOAC (1975) XII, 25.008 (25.007, 25.010, 25.012, 25.013). Results are expressed as mg arsenic/kg.

8.8 Determination of Copper *

According to the colorimetric (diethyldithiocarbamate) method of the Association of Official Analytical Chemists, AOAC (1975), XII, 25.035-25.040. Results are expressed as mg copper/kg.

8.9 Determination of Leads *

According to the AOAC (1975) method by the colorimetric (dithizone) determination procedure after complete digestion, AOAC (1975) XII, 25.098 (25.009, 25.091, 25.092, 25.093).

Results are expressed as mg lead/kg.

* Temporarily endorsed. May be replaced by Atomic Absorption Spectrophotometry (AAS) in the future.